



Manitoba Liberal Party Constitution

Revised October 24, 2020

**MANITOBA LIBERAL PARTY CONSTITUTION
(REVISED 2020-10-24)**

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1. STATEMENT OF PURPOSE

1.1 Name

The name of this registered party shall be known as the “Manitoba Liberal Party” (MLP).

1.2 Purpose

This Constitution, By-Laws, and the laws of Manitoba and Canada will govern the affairs of the MLP.

1.3 Preamble

The Manitoba Liberal Party is a registered political party in Manitoba made of Members who share certain principles, for the purpose of electing candidates to the Manitoba Legislative Assembly.

The Manitoba Liberal Party is committed to the dignity of individuals as the cardinal principle of a democratic society, and as the primary purpose for all political organization and activity in such society. In accordance with this philosophy, the Manitoba Liberal Party subscribes to the fundamental rights and freedoms of all persons and commits itself to the protection of these fundamental values.

In order to promote the political, economic, cultural and general well-being of Manitobans, the Manitoba Liberal Party recognizes that human dignity in a democratic system requires that all citizens have access to full information concerning the policies and leadership of the party; the opportunity to participate in open and public assessment of such policies and leadership; and the means to alter such policies and leadership, as they deem desirable.

To realize this objective, the Manitoba Liberal Party strives to provide a flexible and democratic structure whereby all Manitobans can obtain such information, participate in such assessment, and work for reform through open communications, free dialogue and participatory action. This Constitution sets forth the institutions, systems and procedures by which the Manitoba Liberal Party will work to achieve these goals.

1.4 Objectives

- (i) The objectives of the MLP are to:
 - a) coordinate the efforts of Members to ensure a strong provincial Manitoba Liberal Party;
 - b) advocate and support the philosophies, objectives, and policies of the MLP;
 - c) provide assistance and leadership to the Constituency Associations of the MLP;
 - d) promote better governance in the Province of Manitoba for the improvement of the well-being of all Manitobans; and
 - e) raise funds and resources in support of these objectives.

2. MEMBERSHIP

2.1 Eligibility

- (i) The MLP shall be open to all Manitobans who support its objectives.
- (ii) All individuals aged 14 and over shall be eligible to apply for membership in the MLP without discrimination based on any irrelevant personal characteristic if:
 - a) they are not members of any other provincial political party within Manitoba; and
 - b) they are ordinarily resident in the Province of Manitoba as set out in *The Elections Act, Province of Manitoba*.

2.2 Rights of Membership

- (i) Membership in the MLP shall entitle a Member to:
 - a) full voting and speaking privileges at Constituency meetings where they are residents, and at general meetings of the MLP;
 - b) seek and hold elected office in the MLP;
 - c) seek appointment or election as a delegate to general meetings and Leadership Conventions of the MLP;
 - d) seek nomination as a Liberal candidate in any provincial election if the Member has satisfied the election laws of Manitoba and all nomination requirements of the MLP; and
 - e) make submissions to the Board of Directors as per the procedures outlined in By-laws

2.3 Termination of Membership

- (i) A membership will be terminated when:
 - a) the Member resigns from the MLP; or
 - b) the Member no longer meets all the requirements of clause 2.1(ii); or
 - c) the Member dies; or
 - d) the Board of Directors has removed the Member for just cause, as determined by *By-Law #5: Manitoba Liberal Party Code of Conduct*.

3. CODE OF CONDUCT

3.1 Purpose

All Members are required to adhere to rules as set out in the By-laws of the MLP. Failure to do so can result in enforcement of the penalties therein, up to and including termination of membership.

4. CONSTITUENCY ASSOCIATIONS AND REGIONS

4.1 Establishment

The MLP will endeavor to establish a Constituency Association in each provincial electoral division.

4.2 Purpose

Each Constituency Association will:

- (i) endorse and support the candidate of the MLP for election to the Manitoba Legislative Assembly for its electoral division; and
- (ii) support and engage in organization, outreach, and fundraising in its electoral division; and
- (iii) facilitate input into MLP policy by the Members of the electoral division, consistent with the MLP policy process established by the Board of Directors.

4.3 Constituency Association Executive

- (i) The Constituency Association Executive consists of a President and other voting members as designated by *By-Law #6: Manitoba Liberal Party Constituency Association Processes*.
- (ii) Any person elected or appointed to serve on the Executive who misses two consecutive meetings or four in total, without notifying the Secretary shall be deemed to have resigned, and the vacated office may be filled by the Constituency Association Executive until the next Constituency AGM.
- (iii) Any person elected or appointed to serve on a Constituency Association Executive may be removed with cause by the MLP Board of Directors.
- (iv) If there is a vacancy in the office of the President, to which that person no longer can fulfil the powers of that office, the Vice-President must assume the functions of the President until the next Constituency Association AGM. In the absence of a Vice-President the Regional Director may appoint a President until the next Constituency Association AGM.
- (v) Upon a vacancy occurring in any office other than that of the President, the Executive of the Constituency Association may appoint any person it deems suitable to hold such vacant office until the next Constituency Association AGM.
- (vi) No Member of a Constituency Association can seek election to, nor hold, two voting positions concurrently on the Constituency Association Executive. In the case of members of the Executive seeking office for a different position that member must first resign from their current position.

4.4 Regions

There are 11 Regions representing Constituency Associations, named and defined in *By-Law #1: Manitoba Liberal Party Constituencies Named by Region*.

4.5 Regional Directors

- (i) Regional Directors represent Constituency Associations as members on the Board of Directors.
- (ii) Regional Directors are elected at the Annual General Meeting for their respective Regions.
- (iii) Members of MLP Constituency Associations within a MLP Region are eligible for office as a Regional Director only in that Region.
- (iv) Only members of the Constituency Associations within that Region can vote for any candidates for Regional Director within that Region.

4.6 Annual General Meetings

- (i) Each Constituency Association will hold its Annual General Meeting within five months, but not within the last week, preceding the Annual General Meeting of the MLP.
- (ii) Each Region will hold its Annual General Meeting within two months, but not within the last week, preceding the Annual General Meeting of the MLP.
- (iii) In the event of a Constituency Association not having held or scheduled an AGM before their respective Regional AGM their Constituency Association AGM will occur at the Regional AGM.
- (iv) In the event of a Region not having held or scheduled an AGM before the last week preceding the MLP AGM the Board of Directors will schedule the AGM for that Region.

4.7 Eligibility to Vote

In order to be eligible to vote at a Constituency meeting or a Regional meeting, a Member must be in good standing with the MLP and have been a Member of the MLP for seven (7) days previous to the meeting date, unless that Member was a Member in good standing the immediate previous year and renews their membership prior to the start of that meeting.

4.8 Removal

A member of a Constituency Association Executive may be removed with cause from their position by the MLP Board of Directors, subject to appeal before the Appeal Committee.

4.9 Financials

All processes related to financials are defined in By-Law #6

5. PARTY STRUCTURE

5.1 Board of Directors

- (i) The MLP Board of Directors consists of the following voting members:
 - a) President
 - b) Vice-President
 - c) Treasurer
 - d) Secretary
 - e) All Regional Directors
 - f) Immediate Past-President
 - g) The Leader of the MLP
 - h) The President of each Association recognized under section 5.4 (vii)
 - i) Director of Communications
 - j) Director of Fundraising
 - k) Director of Membership
 - l) Director of Organizations
 - m) Director of Policy
- (ii) The Board of Directors shall also include the following non-voting ex officio members:
 - a) The Chief Financial Officer, if the Chief Financial Officer is not also the Treasurer
 - b) The Executive Director
- (iii) The Board of Directors has the power to:
 - a) oversee the affairs and finances of the MLP;
 - b) promote the objectives of the MLP by:
 - i) supporting the growth and development of Constituency Associations;
 - ii) supporting the Leader of the MLP;
 - iii) ensuring election readiness; and
 - iv) supporting the conduct of any provincial or by-election campaign;
 - c) make administrative decisions in accordance with this Constitution, its By-laws and the policies of the MLP, and to oversee their implementation;
 - d) organize any General or Special General Meetings of the MLP, including setting the date and location of such meetings;
 - e) appoint the Chief Financial Officer of MLP as required by the *Manitoba Election Finances Act*;
 - f) appoint individuals to carry out functions as required, such as an attorney;
 - g) establish the membership fees of the MLP;
 - h) authorize all honorary appointments of MLP Members;
 - i) where necessary, establish rules of procedure to govern meetings and financial management of any MLP Association or Constituency Association;
 - j) where necessary, establish By-laws and regulations to clarify and communicate its authorities under this Constitution; and
 - k) establish any ad hoc committees as may be necessary to fulfill the duties or obligations of the Board of Directors.

(iv) Election of Board of Directors

- a) All full voting members of the Board of Directors, excepting the Immediate Past- President and the Leader, shall be elected, as follows:
 - i) President, Secretary, Director of Communications, and Director of Fundraising elected in odd numbered years for terms of two years at the Annual General Meeting of the MLP;
 - ii) Vice-President, Treasurer, Director of Membership, Director of Organizations, and Director of Policy elected in even numbered years for terms of two years at the Annual General Meeting of the MLP;
 - iii) Regional Directors for terms of one year at the Annual General Meeting of their respective regions; and
 - iv) Association presidents for terms of one year at the Annual General Meeting of their respective Associations.
- b) Any Member interested in standing for election to a position of Table Officer or Association President must notify the Executive Director of their intention in writing no less than fourteen (14) days prior to the meeting date.
- c) Upon a vacancy occurring in any office other than that of the President, the Board of Directors may appoint any person it deems suitable to hold such vacant office until the next AGM, or Regional AGM in the case of Regional Directors.
- d) If there is a vacancy in the office of the President, to which that person no longer can fulfil the powers of that office, the Vice-President must assume the functions of the President until the next Annual General Meeting. If the office of the Vice-President is also vacant then the Board of Directors may appoint any person it deems suitable to serve as President until the next AGM. The incoming appointed President shall then become the immediate Past-President upon the completion of the term rather than the vacating President.
- e) Any person elected or appointed to serve on the Board of Directors who misses two consecutive meetings or four in total, without notifying the Secretary shall be deemed to have resigned, and the vacated office may be filled by the Board of Directors.
- f) Any person elected or appointed to serve on the Board of Directors may be removed with cause by a two-thirds vote of the Board of Directors, subject to appeal before the Appeal Committee.
- g) No Member of MLP can seek election to, nor hold, two voting positions concurrently on the Board of Directors. In the case of members of the Board of Directors seeking office for a different position on the Board of Directors that member must first resign from their current position.

(v) Operations of the Board of Directors

- a) The President shall chair the Board of Directors.
- b) Only voting members of the Board of Directors may vote on or move a motion.
- c) The Board of Directors shall meet at the call of the President, or at the written request of any six of its members delivered in person or emailed to the President or Secretary, and any meetings so requested shall take place within ten days of the receipt of the request by the President or Secretary.
- d) The Board of Directors shall meet a minimum of seven times per calendar year, at such place(s) as it shall deem desirable and expedient.
- e) All Members of the MLP shall be entitled to attend meetings of the Board of Directors but the Board of Directors shall have the right to meet and discuss in camera such matters as it may deem to be necessary. Members or delegations may make presentations on approval of the Board of Directors.

- f) Written notice of all meetings of the Board of Directors shall be sent to all members of the Board of Directors not less than 6 days prior to the meeting.
- g) The Secretary shall send a copy of the minutes within 7 days after each meeting of the Board of Directors to all members of the Board, and upon request to any other member of the MLP. Copies of these minutes shall be available for viewing at MLP headquarters during normal business hours.
- h) The quorum for meetings of the Board of Directors shall be 50% of all voting positions on the Board of Directors that are occupied at the time.
- i) Meetings shall take place in person or by electronic means, but if they meet by electronic means, each member must be able to communicate with each other member.
- j) The Board of Directors shall have the right to discuss in camera legal matters or any matters related to membership or personnel.
- k) The duties of the Board of Directors are to:
 - i) appoint standing or ad hoc committees to perform such tasks as it may assign to them, and shall give any such committee specific written instructions as to the nature of the committee, its terms of reference and the expectations of its work; and
 - ii) designate at least one member of the Board of Directors to serve on each committee created under the above clause.

5.2 Officers of the MLP

- (i) Officers of the MLP shall be:
 - a) President
 - b) Vice-President
 - c) Secretary
 - d) Treasurer
- (ii) Any Officer may be required to stand for re-election at the half-term of its position if the following requirements are met:
 - a) a petition stating the reasons for demanding such action has been filed with the President or Secretary of the MLP at least sixty days prior to an Annual General Meeting; and
 - b) a minimum of sixty MLP Member signatories are included in the petition from at least ten different provincial Constituency Associations.
- (iii) The signatures of any two Officers of the MLP or of any one of them along with the signature of the Executive Director or the Chief Financial Officer (if not also the Officer signature) shall be binding on the MLP.

5.3 Management Committee

- (i) The Management Committee of the MLP shall:
 - a) prepare the agenda for and organize meetings of the Board of Directors;
 - b) carry out the decisions of the Board of Directors;
 - c) prepare an annual budget on a timely basis for approval by the Board of Directors;
 - d) manage the staff and the operation of MLP headquarters, including all staffing decisions;
 - e) circulate the minutes of each Management Committee meeting along with the prepared Board Agenda to the members of the Board of Directors subsequent to the next Meeting of the Board of Directors;
 - f) be accountable to and report to the Board of Directors.

- (ii) The Management Committee will be composed of the following voting members:
 - a) President
 - b) Vice-President
 - c) Secretary
 - d) Treasurer
 - e) One other Board Member as appointed by the Board of Directors
- (iii) The Management Committee shall also include the following non-voting ex officio members:
 - a) Executive Director
 - b) The Leader
- (iv) The Management Committee shall meet a minimum of eight times per calendar year, independent of the Board of Directors.
- (v) Meetings of the Management Committee shall be at the call of the President or at the written request of any three of its members, delivered in person or emailed to the President or the Executive Director, and any meeting so requested shall take place within ten days of the receipt of such notice.
- (vi) The President shall Chair the Management Committee.
- (vii) The required quorum for meetings of the Management Committee shall be any three voting members of the Management Committee.
- (viii) Meetings shall take place in person or by electronic means, but if they meet by electronic means, each member must be able to communicate with each other member.
- (ix) Meetings of the Management Committee are open only to members of the Management Committee unless the Management Committee or the Board of Directors determines otherwise.
- (x) The Management Committee shall have the right to discuss in camera legal matters or any matters related to membership or personnel.

5.4 Associations

- (i) The MLP may, by motion, recognize any organization that represents or promotes the interests of a demographic of the Manitoba population and serves to advance those interests within the framework of the MLP.
- (ii) Associations must have objectives that are consistent with those of the MLP.
- (iii) Associations shall be defined and governed by *By-Law #7: Manitoba Liberal Party Association Processes*.
- (iv) Associations may have clubs that are recognized in accordance with *By-Law #7: Manitoba Liberal Party Association Processes*.
- (v) The Association Executive consists of a President and other voting members as designated by *By-Law #7: Manitoba Liberal Party Association Processes*.
- (vi) All procedural rules for elections of MLP Associations shall be reviewed and approved by Board of Directors.
- (vii) The following Associations are recognized as having a voting position on the Board of Directors and membership inclusive as indicated:
 - a) Manitoba Young Liberals (MYL)
 - i) All Members who are less than 26 years of age are members of the MYL.
 - b) Manitoba Liberal Women's Association (MLWA)
 - i) All female Members are members of the MLWA.
 - c) Manitoba Liberal Senior's Association (MLSA)

- i) All Members who are 55 years of age or greater are members of the MLSA.
- d) Manitoba Liberal Indigenous Association (MLIA)
- e) Manitoba Liberal Multicultural Association (MLMA)
- f) Manitoba Liberal 2-Spirited Lesbian Gay Bisexual Trans Queer * Association (ML2SLGBTQ*A)
- (viii) Each Association will hold its Annual General Meeting **in conjunction with the** Annual General Meeting of the MLP.

5.5 Clubs

- (i) The Board of Directors may, by motion, recognize the following as MLP clubs:
 - a) Any Association Club in any university or college recognized as such under the laws of the Province of Manitoba;
 - b) Any Association Club established in any high school recognized as such under the laws of the Province of Manitoba;
 - c) Any Association Club established in a Constituency;
 - d) Any other MLP club provided that club has purposes that are consistent with the objectives of the MLP.

5.6 Election Readiness Committee

- (i) The MLP shall maintain and support an Election Readiness Committee (ERC) to prepare election and by-election plans in consultation with the Leader and the Board of Directors in a manner that provides a planning timeline related to the Provincial Fixed Election Dates and for any by-elections that may occur.
- (ii) The ERC shall consist of:
 - a) two Co-Chairs, one being appointed by the Leader of the Party and one being appointed by the Board of Directors; and
 - b) other Members of the Party as appointed by the Co-Chairs.
- (iii) The ERC may establish any number of subcommittees for any purpose and carry out its duties as it deems appropriate.
- (iv) The ERC must report to the Board of Directors and to the Leader upon request.
- (v) The Board of Directors and the ERC shall jointly create a financial and operations framework relating to the use of MLP finances and other resources for purposes of advancing the electoral objectives of the ERC and of the MLP.

5.8 Appeal Committee

The duties and powers of the Appeal Committee are established in *By-Law #2: Manitoba Liberal Party Complaint, Investigation, Board Review and Appeal Procedures*.

6. MEETINGS OF THE MLP

6.1 Annual General Meeting

- (i) Each year the Board of Directors shall call and arrange for an Annual General Meeting of the MLP to be held in the spring of each calendar year. The Executive Director of the MLP shall, at least forty-five days prior to the Annual General Meeting, publish notification setting out the date, time, place and purpose of such meeting.
- (ii) Persons entitled to attend any Annual General Meeting of the MLP shall be Members of the MLP and shall comprise the following:
 - a) twenty (20) representatives from each Constituency Association, at least two of whom shall be youth Members, and five alternates, who shall be selected by a general meeting of such Constituency Association called for this purpose;
 - b) twenty (20) representatives from each university or college MLP Liberal club duly recognized by motion of the Board of Directors, each representative having to be enrolled as a student at the university or college club that it represents;
 - c) eight (8) representatives from each high school MLP Liberal club duly recognized by motion of the Board of Directors, each representative having to be enrolled as a student in the high school of the club that it represents;
 - d) past and present members of the Liberal Caucus from Manitoba in the Provincial Legislature who are resident in Manitoba;
 - e) all Liberal candidates of the last preceding election for the Provincial Legislature;
 - f) the duly nominated Liberal candidate for any Constituency Associations;
 - g) all honorary Members of the MLP;
 - h) all Past Presidents of the MLP;
 - i) all former Leaders of the MLP;
 - j) all members of the Board of Directors;
 - k) the President of each Constituency Association;
 - l) the President and five representatives selected by and from the Executive of any Association established under section 5.4; and
 - m) Five representatives from any other MLP Club duly recognized by motion of the Board of Directors of the MLP.
- (iii) Delegates are those persons in clause 6.1(ii) who pay the registration fee for the Annual General Meeting at or prior to the Annual General Meeting.
- (iv) No delegate is entitled to appoint a proxy to vote in its stead.
- (v) Only residents of a Constituency who are Members of the MLP shall be entitled to vote for and be selected as delegates at any Constituency Association delegate selection meeting.
- (vi) The President and Executive of each Constituency Association, university, college, high school, women's or Indigenous club, shall have the responsibility for calling and holding such Constituency Association or club meetings.
- (vii) Under special circumstances the Board of Directors, by a two-thirds vote, may re-schedule an Annual General Meeting required under section 6.1 and the change in the date of the Annual General Meeting cannot exceed six months.

6.2 Special General Meeting

- (i) The Board of Directors may call and arrange for Special General Meetings of the MLP, the delegates to which shall be the delegates from the immediately preceding Annual General Meeting. The Executive Director of the MLP shall notify delegates to the immediately preceding Annual General Meeting at least fourteen days prior to the meeting.
- (ii) Where in the opinion of the Board of Directors, as expressed by a two-thirds vote, extraordinary circumstances warrant a wider participation of Members of the MLP, all Members of the MLP may be invited to a Special General Meeting, in which case all registered Members in good standing shall be entitled to participate fully in the meeting and to vote equally with all other registered delegates, on all matters that may arise.

6.3 Rules

The Board of Directors shall establish rules of procedure governing all Annual General Meetings and all Special General Meetings of Members of the MLP.

7. LEADER OF THE MANITOBA LIBERAL PARTY

7.1 Office

The Leader is the Chief Political Officer of the MLP, and is elected by the Members of the MLP.

7.2 Role

The Leader shall:

- (i) speak for the MLP concerning any political issue;
- (ii) be guided by the position of the MLP on matters of political policy;
- (iii) support the activities of the MLP and abide by its Constitution;
- (iv) be the public representative of the MLP; and
- (v) provide advice and direction to the MLP on political matters.

7.3 Election

The Leader of the Manitoba Liberal Party shall be elected by the membership according to the procedures set out in Section 9 of this Constitution and any By-laws hereunder.

7.4 Resignation

If the Leader of the Party publicly announces an intention to resign or if the Leader delivers to the President of the Board of Directors a written resignation or a written request to call a Leadership Convention, then the Leader ceases to be the Leader on the earlier date of the appointment of an Interim Leader or when a new Leader is elected by the membership.

7.5 Vacancy

- (i) The Leader ceases immediately to be the Leader of the Party when:
 - a) by two-thirds vote of all delegates at an Annual General Meeting or a Special General Meeting;
 - b) due to incapacity;
 - c) the Leader dies;
 - d) the primary residence of the Leader changes to a place outside of Manitoba; or
 - e) the Board of Directors declares that the result of a Leadership Convention election is invalid.
- (ii) Upon a vacancy of the Leader of the Party, the President must call a meeting of the Board of Directors to be held within 30 days. At that meeting the Board of Directors, in consultation with MLP Caucus, must appoint an Interim Leader.

7.6 Interim Leader

- (i) The Interim Leader shall be selected by the Board of Directors on the advice of Caucus. In order to be declared elected, a candidate for Interim Leader must receive at least 50% plus one of the total number of votes cast. Where, after a count is made, no candidate receives sufficient votes to be declared elected, the top two candidates from the first ballot shall advance to a second ballot and a single vote will be given to each MLP Caucus member for the second ballot. The final decision on those two candidates shall be determined by majority vote on the second ballot.
- (ii) The Interim Leader ceases immediately to be the Interim Leader:
 - a) for any of the reasons for Vacancy defined in section 7.5 (i)
 - b) when the Interim Leader declares their intent to run for Leadership

8. CANDIDATE NOMINATIONS

8.1 Rules & Requirements

- (i) In respect to candidate selection for provincial elections and by-elections, the Board of Directors shall establish, by *By-Law #6: Manitoba Liberal Party Constituency Association Processes*, rules of procedure governing the length of notice to be given by Constituency Associations to their members, for membership requirements, for notice requirements to nominees standing for election, for the conduct of meetings, and for any other matters relating to the selection of candidates to represent the MLP.
- (ii) The Leader, in consultation with the Board of Directors, may establish other requirements of potential candidates and nominated candidates concerning disclosures, conflict of interest, and such other matters as may affect the ability of a person to represent the MLP effectively as a Member of the Legislative Assembly of Manitoba.
- (iii) Every person who is a Member in good standing of the MLP on the date of the nomination meeting for its electoral division, and who has been so continuously since the deadline for nominations prior to the date of the nomination meetings (as per *By-Law #10 Manitoba Liberal Party Nomination Meeting Rules and Procedures*), shall be entitled to vote at the nomination meeting.

8.2 Responsibility of the Leader

The Leader shall have the final responsibility for:

- (i) Approving all candidates for nomination in a Constituency Association prior to the nomination meeting for that Constituency Association in accordance with *The Elections Act, Province of Manitoba*.
- (ii) Determining, in consultation with the President of the Constituency Association, the appropriate time for the call of a nomination meeting of each Constituency Association in accordance with *The Elections Act, Province of Manitoba*.

8.3 Appointment by the Leader

Should there be no candidate nominated at a duly called nomination meeting following the issuance of an electoral writ, the Leader has the authority to immediately appoint the MLP candidate for that electoral division.

9. PROVINCIAL LEADERSHIP CONVENTION

9.1 Call for Convention

The Board of Directors shall call for a Leadership Convention following the occurrence of any one of the following events:

- (i) a resignation as detailed in accordance with clause 7.4; or
- (ii) a vacancy as detailed in accordance with clause 7.5; or
- (iii) adoption of a Resolution calling for a Leadership Convention in accordance with clause 9.2.

9.2 Annual General Meeting Resolution

A Resolution calling for a Leadership Convention shall be placed automatically on the agenda of the Annual General Meeting next following a provincial general election and will be held by secret ballot.

9.3 Responsibilities of Board of Directors

Upon the call for a convention being issued in accordance with section 9.1, the Board of Directors shall:

- (i) set a date on a Saturday for the Leadership Convention, said date to be not more than 18 months from the date of the call of a Leadership Convention;
- (ii) appoint Leadership Convention Organizing Co-Chairs;
- (iii) appoint a Returning Officer who may appoint such other persons, as it may see fit, to act as Deputy Returning Officers; and
- (iv) ensure Leadership Convention Organizing Co-Chairs, MLP staff, and the Returning Officer remain impartial during the Leadership Contest.

9.4 Notice

Before the date determined by the *Notice of date for Leadership Convention* requirement in *By-Law #9 Manitoba Liberal Party Leadership Convention Rules & Procedures*, the Board of Directors shall give notice to all Members of the MLP in good standing, which notice shall include:

- (i) the date of the Leadership Convention;
- (ii) the address of the Leadership Convention location;
- (iii) the deadline for nominations for Leader of the Party and the procedure for nomination;
- (iv) the rules respecting voter eligibility for the Leadership Convention;
- (v) application for a mail-in ballot if so provisioned by the Board of Directors;
- (vi) instructions for electronic ballot if so provisioned by the Board of Directors.

9.5 Eligibility

Every person who is a member in good standing of the MLP on the date of the Leadership Convention, and who has been so continuously for the number of days prior to the date of the Leadership Convention as per *By-Law #9: Manitoba Liberal Party Leadership Convention Rules & Procedures*, shall be entitled to vote at the Leadership Convention and, if eligible for election to the Manitoba Legislature, to stand for election as Leader of the MLP.

9.6 Location

The Leadership Convention shall take place in the City of Winnipeg.

9.7 Voting

Voting at a Leadership Convention shall be conducted as follows:

- (i) A person eligible to vote may vote:
 - a) at the convention location; or
 - b) by mail-in ballot (or electronic ballot if so provisioned by the Board of Directors)
- (ii) Voting shall be by secret ballot.
- (iii) The ballot shall be a ranked ballot.
- (iv) collection and counting of ballots shall proceed as follows:
 - a) Voting shall be by constituency, and all ballots cast by persons eligible to vote from one Constituency shall be collected and counted separately from ballots cast by persons eligible to vote from other Constituencies;
 - b) Once all of the ballots from a Constituency are counted, the total number of votes received by each candidate in that Constituency shall be deemed to be one of the following:
 - i) Where more than 100 ballots are counted in a Constituency, the percentage of total votes cast in that Constituency received for a candidate multiplied by 100.
 - ii) Where 100 ballots or fewer are counted in a Constituency, the number of votes from that Constituency received for a candidate.
- (v) In order to be declared elected, a candidate for Leader of the MLP must receive at least 50% plus one of the total number of votes cast. Where, after a count is made, no candidate receives sufficient votes to be declared elected, the Returning Officer shall cause the names of the candidate receiving the fewest number of votes to be discounted from the ballot and the ballots then recounted with the removed candidate's selections redistributed to the remaining candidates based on who is ranked next on each ballot. This count process shall repeat until a candidate is declared elected or there is a tie between the final two candidates.
- (vi) In the event of a tie between the final two candidates, the Returning Officer will declare a Runoff Election to occur between those two candidates conducted as follows:
 - a) no sooner than 14 days and no later than 30 days after the leadership convention;
 - b) the same voters list shall be used from the leadership convention;
 - c) the same ballot provisioning shall be used from the leadership convention;
 - d) the location and participation fees for the Runoff Election shall be determined by the Board of Directors.
- (vii) In the event that only one person is nominated to stand for election as Leader of the MLP in accordance with section 9 and any rules made hereunder, or if more than one person shall have been nominated and all but one of the people so nominated shall have withdrawn or been disqualified as candidates, then after the expiry of the time for the filing of nomination papers or the withdrawal or disqualification of a candidate or candidates, as the case may be, the Returning Officer shall declare such person acclaimed as Leader of the MLP.

9.8. Rules

The Board of Directors may make rules or By-laws not inconsistent with section 9, as recommended by the Leadership Convention Organizing Committee, respecting:

- (i) nomination, accreditation, withdrawal and disqualification of leadership candidates, including the form of nomination paper to be filed;
- (ii) accreditation of persons eligible to vote;
- (iii) selection of convention location;

- (iv) conduct of voting, including the form of ballot, method of counting and reporting the vote, and any provision for electronic balloting;
- (v) the fee to be charged each person who votes at, or participates in a Leadership Convention; and
- (vi) any other matter reasonably necessary for the conduct of a Leadership Convention under section 9.

9.9. Time Period Abridgement

In the event that any part of a provincial general election campaign takes place concurrent with any part of a campaign for leadership of the MLP, the Board of Directors may abridge any time period established under section 9, or any rule made hereunder.

10. ACCOUNTING, FINANCIAL AND OPERATIONS MANAGEMENT

10.1 Accounting and Finance

- (i) The fiscal year end of the MLP shall be December 31 of each year.
- (ii) Copies of the Audited Financial Statements for a fiscal year shall be available for viewing by Members at MLP headquarters on or before March 31 of the following year.

10.2 Operations

- (i) Members, Constituency Associations, and MLP Associations may waive or vary their rights respecting the manner of notice or other communication, including written notice, of any action or communication relating to the MLP in order that the MLP may utilize more efficient and effective communications technology, and any such waiver or variation of rights may be withdrawn by the Member, Constituency Association, MLP Association or the Manitoba Provincial Council at any time.
- (ii) The MLP Board of Directors may make By-laws, guidelines or directives to carry out the responsibilities conferred upon them under this Constitution.
- (iii) All meetings of the MLP and its organizational entities shall be conducted in accordance with Robert's Rules of Order.

11. CONSTITUTIONAL CONFLICTS, AMENDMENTS AND BY-LAWS

11.1 Constitution

This Constitution and the laws of Manitoba shall govern the affairs of the MLP;

11.2 Conflict

In the event of any conflict between this Constitution and any Constitution of any of the MLP's constituent bodies or Associations, this Constitution shall prevail.

11.3 Amendments

- (i) This Constitution may be amended at an Annual General Meeting or Special General Meeting of the MLP provided that:
 - a) a written Notice to amend the Constitution together with the proposed amendment(s) is submitted to the Executive Director of the MLP at least fifty days prior to the Annual General Meeting or Special General Meeting to amend the Constitution, which notice and amendments shall be made available to all Members at the time of such Notice sent under clause 6.1(i); and
 - b) the proposed amendment, subject only to amendments from the floor of the convention which do not substantially alter the intention of the original amendment, is carried by a vote of no less than two-thirds of the votes cast.
- (ii) All amendments shall take effect immediately after the Annual General Meeting unless, on motion from the floor, a 2/3 majority of votes cast decides otherwise.

11.4 By-Laws

All By-Laws of the Manitoba Liberal Party must not conflict with this Constitution and must be passed, amended or repealed by a 2/3 majority of votes by the Board of Directors.

11.5 Publication

After each Meeting at which this Constitution or any By-Law is amended, the Board of Directors must oversee the publication of this Constitution and By-Laws as amended and may, in so doing:

- (i) renumber the provisions of this Constitution to accommodate the changes that have been made;
- (ii) correct cross-references between provisions which are no longer accurate;
- (iii) correct errors which are purely typographical;
- (iv) correct errors of spelling; and
- (v) replace gender biased language with gender neutral language.