



**CONSTITUTION
OF THE
NEW DEMOCRATIC PARTY**

**as amended by the
Federal Convention
Winnipeg, 2001**

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PREAMBLE

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

The principles of democratic socialism can be defined briefly as:

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

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

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

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

ARTICLE I: NAME

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

ARTICLE II: DEFINITION AND INTERPRETATION

1. Definitions

In this constitution, wherever the words "province" or "provincial" appear, they shall be read to include "territory" or "territorial" unless the context otherwise requires.

2. Interpretation

This constitution shall be interpreted by the President. Any such interpretation may be over-ruled by a majority vote of all members present and voting at any meeting of the Executive, Council or Convention.

3. Languages

This constitution shall be printed in both official languages of Canada.

ARTICLE III: MEMBERSHIP

There shall be individual and affiliated membership in the Party.

1. Individual Membership

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

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

2. Affiliated Membership

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

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

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

(3) An application for affiliation shall be made to the Council which shall have exclusive authority to deal with such application.

3. Contributory Organization

Where any organization, including a union, approved by the Federal Council

- (1) agrees, in writing, to accept and abide by the Constitution and principles of the Party and does not associate, identify or support any other political party; and
- (2) where that organization makes contributions as defined in the Canada Elections Act, to the Party, on an ongoing basis; and
- (3) where the law, the organization's constitution or its structure blocks direct affiliation of one or more of its local bodies or its national body under Section 2 above;

That organization may apply to the Party for delegate status as a contributory organization

ARTICLE IV: FEES, DUES AND REVENUE SHARING

1. General

(1) Basic membership fees and all other monies received from members and supporters of the Party must be shared by each provincial Section and the Federal Party as determined by Federal Council in consultation with each provincial Section.

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

2. Individual Members

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

3. Affiliated Members

(1) The per capita for affiliated organizations shall be fifteen cents per member per month as of January 1, 1984 and twenty cents per member per month as of January 1, 1985, payable to the Federal Party. Forty per cent of this shall be the fee for the provincial Party and shall be credited monthly to the appropriate provincial Party when that provincial Party makes provision for representation of affiliated organizations at provincial conventions and provincial councils.

(2) An affiliated organization may apply to the Federal Council to have payment of its affiliation dues waived for cause, and when such waiver is approved by the Federal Council, such organizations shall be deemed to continue in good standing.

(3) Any members of an affiliated organization may at any time officially notify their organization that they do not wish a per capita payment to be made to the Party on their behalf, and the organization shall forthwith cease to make such payment.

ARTICLE V: CONVENTIONS

1. (1) The Party shall meet in Convention at least once every other calendar year at a time and place determined by the Council of the Federal Party.

(2) The Council may call a special Convention if and when it deems it necessary, and shall do so if requested by a majority of the provincial parties or by the constituency associations in a majority of federal constituencies.

2. The Convention shall be the supreme governing body of the Party and shall have final authority in all matters of federal policy, program and constitution.

3. (1) At least 150 days notice of the date and place of a regular Convention shall be given to each provincial Party and federal constituency association and to every group or organization eligible for representation.

(2) In the case of a special Convention, the Council shall ensure that adequate notice of the date and place of the Convention is given.

4. (1) Resolutions for submission to a regular convention must be received by the Secretary not less than 60 days prior to the convention date, and may be submitted by:

- (a) a federal constituency association or affiliated group or organization entitled to representation;
- (b) a central organization entitled to representation but itself not eligible for affiliation;
- (c) provincial Parties;
- (d) the New Democratic Youth of Canada and provincial Sections of the NDYC, or federally chartered youth chapters;
- (e) the Council of the Federal Party;
- (f) Councils of Federal Ridings;
- (g) the Participation of Women Committee;
- (h) the Aboriginal Committee;
- (i) the Participation of Visible Minorities Committee;
- (j) the Lesbian, Gay and Bisexual Committee;
- (k) other standing committees, as established by the Federal Council.

(2) The Council of the Federal Party or a resolutions committee of the Convention may, with the consent of the Convention, present emergency resolutions to the Convention.

(3) When a constituency association or other group or organization submits more than one resolution to the convention, they shall indicate an order of priority in which such resolutions should be considered.

5. Conventions of the Party shall be governed by the Rules of Procedure appended hereto.

ARTICLE VI: REPRESENTATION AT CONVENTIONS

1. Every delegate to a Convention shall be an individual member in good standing of the Party.

2. All members of the Council of the Federal Party shall be delegates to a Convention.

3. (1) Each federal constituency association shall be entitled to one delegate for 50 members or less, one delegate for each additional 50 members or major fraction thereof up to a total of 200 members, and one delegate for each additional 100 members or major fraction thereof.

(2) The provincial Parties shall advise the Federal Party as to the number of individual members in good standing in each federal constituency association within the province and of the individual members in good standing of their chartered provincial youth section or federal youth chapter. For purposes of representation, membership in good standing shall be calculated as at the end of the previous membership year, or as at 120 days prior to the convention, whichever is the greater.

4. Each affiliated local group or organization, and each affiliated local, lodge or branch of a group or organization, whose affiliation fees are not more than 90 days in arrears, shall be entitled to one delegate for the first 1,000 members or less, and one delegate for each additional 1,000 members or major fraction thereof.

5. A contributory organization can apply to the Federal Secretary for representation based on its contributions. The contributions and resulting delegate entitlement are determined as follows:

- i) Contributions are equal to the organization's contributions to the federal party averaged over a period of the election cycle, normally 4 years, plus, in the case of a union, the federal portion of any affiliation dues;
- ii) Delegate status for the organization is calculated on the basis of one delegate for each \$1,000 average annual contribution in the election cycle to a maximum of 50;
- iii) A contributory organization, in the case of a union, will receive credentials under this section equal to the number determined in VI 5(ii) above, less credentials received by its affiliated locals under Section VI 4 above. Where the entitlement in Section VI 4 is greater than the entitlement in this section, the contributory organization will not be entitled to any further delegates.

6. Central bodies composed of affiliated organizations, and not eligible for direct affiliation to the Party, which officially undertake to accept and abide by the Constitution and principles of the Party and have been recognized by the Council of the Federal Party, shall be entitled to representation as follows: one delegate from each such central local body and two delegates from each such central national and provincial body.

7. All members of the Party caucus in the federal Parliament and former federal Party leaders shall be delegates to a Convention.

8. (1) Each chartered provincial or territorial New Democratic Youth Section shall be entitled to representation on the basis of one delegate for every 50 NDYC members or less, one delegate for each additional 50 NDYC members or major fraction thereof up to 200 members, and one delegate for each additional 100 NDYC members or major fraction thereof; an NDYC member shall mean a member in good standing of that chartered provincial/territorial youth section.

(2) A directly federally chartered "chapter" of NDYC in any province or territory shall be entitled to representation on the basis of the same formula, subject to Article XI.

9. Each delegate to a Convention shall have only one vote.

10. At each Convention one-third of the registered delegates shall constitute a quorum.

ARTICLE VII: OFFICERS

1. The Officers of the Party shall meet prior to Executive and Council, or as circumstances necessitate. Officers shall concern themselves with: emergencies that occur between regularly scheduled meetings of Executive and Council; the administration and finances of the Party, and; the preparation of agendas for Executive and Council. Decisions taken by Officers shall be subject to approval by Executive or Council.

2. The following positions shall comprise the Officers of the Party:

- (a) the Leader;
- (b) the President;
- (c) an Associate President who shall be of the official language other than that of the President; a second Associate President who shall represent affiliates and the partnership with the Labour Movement;
- (d) the Treasurer;
- (e) the Secretary.

3. (a) Every member is entitled to cast a ballot for the selection of the Leader.
(b) The ballots cast by Party members shall be weighted to a total of 75% of the votes counted in a Leadership election, and the balance, 25% of the votes counted in a Leadership election, shall be allocated among the affiliated members.
(c) Should the position of Leader become vacant at any point, the Federal Council may, in consultation with the Parliamentary Caucus, appoint a Leader for the interim period until a new Leader has been elected.
(d) At every convention, delegates will be able to determine whether there will be a leadership election.
(e) All matters relating to the leadership selection method, other than specifically stated in 3(a), 3(b), 3(c), and 3(d), including but not limited to election rules, nominations, procedures for voting, expenditure limits, shall be determined by Federal Council after consultation with New Democrats primarily through riding associations and after consultation with affiliated members for final decision no later than the first Federal Council meeting after the CLC Convention in June 2002. Once decided, Federal Council may, from time to time, amend matters relating to the leadership selection method other than specifically stated in 3(a), 3(b), 3(c), and 3(d).

4. The President, Associate Presidents, and Treasurer shall be elected at each Federal Convention.

5. The Secretary shall be appointed by Federal Council. The Secretary shall be the Chief Executive Officer of the Party and shall be paid such remuneration as may be determined by the Officers.

6. A Member of the Federal Parliament may not be a President or an Associate President, except that a President or Associate President who is elected to Parliament during a term of office may complete that term.

7. Should any other office become vacant between Conventions, the Council shall fill the vacancy from among its own members. The Executive may, on an interim basis, fill such vacancies from among the members of the Council until the next meeting of the Council.
8. The Convention may name a President Emeritus and an Honorary President, who shall be members of the Council and the Executive by virtue of their offices.
9. At all meetings of Officers, four members shall constitute a quorum.

ARTICLE VIII: EXECUTIVE

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

ARTICLE IX: COUNCIL

1. The Council shall be the governing body of the Party between Conventions. Officers and Executive shall report to Council on administrative and financial matters and Council shall have the final word on such matters between Conventions. Council shall also have full authority to issue policy statements and election statements in the name of the Party, consonant with the decisions of the Convention, and to initiate policy statements consonant with the philosophy of the Party in matters not yet considered by Convention.

2. The Council shall consist of:
 - (a) the Officers and Executive;
 - (b) representatives from federal ridings, allotted according to the following criteria:
 - (i) one representative for federal ridings in each province or territory;
 - (ii) a second representative for federal ridings in provinces or territories where membership exceeds 5,000; a third representative where membership exceeds 10,000; a fourth representative where membership exceeds 15,000; and a fifth representative where membership exceeds 25,000;
 - (iii) representation from federal ridings in provinces or territories entitled to more than one Council delegate shall be gender balanced. Federal ridings in regions where each provincial or territorial allotment does not exceed one, shall ensure that the overall regional representation achieves gender parity.
 - (c) two Table Officers from each Provincial or Territorial Section - at least one of whom shall be a woman - to be named by the Section's Executive or Council;
 - (d) sixteen representatives from Labour affiliates - providing that at least nine of the 18 Labour representatives on Executive and Council are women - to be elected by the Labour Caucus at Convention and ratified by Convention;
 - (e) five regional POW representatives, to be elected by the respective regional Caucus of Women delegates at Convention and ratified by Convention;
 - (f) eleven NDYC members, selected in terms and conditions defined by the NDYC. Including the NDYC Chair on Executive, at least six of the 12 NDYC representatives shall be women;
 - (g) one representative each from the Participation of Visible Minorities Committee, the Aboriginal Committee, the Lesbian, Gay and Bisexual Committee to be elected by the respective Caucus at Convention and ratified by Convention. Each shall be of the gender other than that of the Chair of the Committee;
 - (h) two representatives from the Federal Caucus, at least one of whom shall be a woman;
 - (i) The Council may, with the approval of two-thirds of its members present and voting, elect not more than three additional persons to be members of the Council, at least two of whom shall be women. It shall be understood that these positions shall be reserved for chairs of Committees of Council.
3. Council shall meet at least twice per calendar year at the call of the Executive.
4. There shall be a statutory committee of Council called the Participation of Women Committee to assist and encourage women's participation in all forms of political activity.
5. Council may strike ad hoc committees of the Party provided that such committees have clearly set out objectives, and that once such objectives have been realised, the said committee will cease to exist.
6. At all meetings of the Council, not less than one-third of its members shall constitute a quorum.
7. Council can elect a replacement for any position elected at Convention that becomes vacant, and shall ratify all replacements to other positions.

ARTICLE X: FEDERAL RIDINGS

1. In each province and territory a council may be established to be called the province's/territory's Council of Federal Ridings. In a province or territory where no Council of Federal Ridings exists or a Council of Federal Ridings chooses to cease operations, the Federal Party shall devise a mechanism to provide for the selection of Federal Council delegates to represent federal ridings in a manner consistent with Article IX, paragraph 2 (iii) and to co-ordinate other federal activities in that province or territory.
2. The purpose of each Council is to:
 - (a) promote the activities and policies of the Federal Party in that province or territory; and
 - (b) to elect federal riding delegates to Federal Council.

3. The Council shall establish its own officers and bylaws which shall be filed with and approved by the Federal Executive and shall not conflict with the Federal Constitution.
4. In each section, the Council shall consist of:
 - (a) representation on a basis determined by the Council of Federal Ridings, by bylaw, with a minimum of one delegate from each federal riding association;
 - (b) all Members of Parliament in that province or territory;
 - (c) all duly nominated federal candidates in that province or territory in the time leading up to a federal election;
 - (d) all members of Federal Council resident in that province or territory;
 - (e) representatives of affiliated organization on a basis determined by the Council of Federal Ridings, by bylaw; and,
 - (f) representation of provincial youth sections on a basis determined by the Council of Federal Ridings, by bylaw.
5. The Councils shall meet at least once annually.
6. Councils shall meet not less than 90 days prior to a federal convention, to elect their members to federal Council. Members hold office beginning at the Federal Council following federal convention and up to the completion of the following federal convention. In the case that a vacancy occurs, the Council of Federal Ridings shall elect a replacement at its earliest opportunity.

ARTICLE XI: NEW DEMOCRATIC YOUTH

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

ARTICLE XII: PROVINCIAL PARTIES

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

ARTICLE XIII: QUEBEC

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

ARTICLE XIV: DISCIPLINE

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

ARTICLE XV: CANDIDATES

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

ARTICLE XVI: AMENDMENT

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

APPENDIX

RULES OF PROCEDURE FOR PLENARY SESSIONS

(See Article V, Section 5)

1. The President or one of the Associate Presidents shall take the Chair at the time specified, at all regular or special Conventions. The President or one of the Associate Presidents, or a Convention Chairperson or Chairpersons chosen by the Convention, shall occupy the Chair and preside over the plenary sessions of a Convention.
2. A delegate wishing to speak shall proceed to one of the microphones provided for that purpose. When recognized by the chairperson the delegate shall give his/her name and the constituency or organization represented and shall confine any remarks to the question at issue.
3. Speeches shall be limited to three minutes. This shall not apply to the spokesperson for a committee when introducing a report on behalf of the committee.
4. A delegate shall not speak more than once upon a motion, except that the spokesperson for a committee who introduced a report may also close the debate.
5. A delegate shall not interrupt another except if it be to call to a point of order.
6. A delegate called to order shall yield the floor until the question of order has been decided.
7. Two delegates may appeal the decision of the Chair, one of whom may state the reasons for the appeal. When thus challenged, the Chairperson must vacate the Chair until the appeal is resolved. The question shall not be debatable except that the Chairperson may make an explanation of the decision. The acting Chairperson shall put the question thus: "Shall the decision of the Chair be sustained?"
8. Questions shall be decided by a show of hands or by a standing vote. A standing vote shall be counted upon a request from the floor when there is an apparent closeness in the vote.
9. The Chairperson shall not vote on any question, except in the case of a tie. In that event the Chairperson shall cast the deciding vote.
10. When "the previous question" is moved, no discussion or amendment of either motion is permitted. If a majority of voting delegates vote that "the question be now put," it shall be put without debate. If the motion to put the question is defeated, discussion will continue. If in the view of the Chairperson sufficient debate has taken place, a motion for "the previous question" made directly from the floor, may be accepted at the discretion of the Chairperson, whether or not the mover thereof has proceeded to one of the microphones as provided in Rule 2.
11. Reports of committees shall not be amended directly on the floor, but it shall be in order to refer a committee's report, or any section thereof, back to the committee for reconsideration in the light of the discussion on the floor, or for consideration of a particular point raised in the motion to refer. A motion to refer is not debatable unless it raises a particular point, in which case debate shall be confined to such point.
12. A delegate shall not move a motion to refer back after having spoken on the question at issue.
13. A motion may be reconsidered provided the mover of the motion to reconsider voted with the majority, and notice of motion is given for consideration at the next plenary session, and said motion to reconsider is supported by two-thirds of the delegates present and voting.
14. The hours of a Convention shall be established at the first plenary session of the Convention. These hours may be changed during a Convention only under the provision of Rule 13.

15. In all matters not regulated herein, Roberts' Rules of Order shall apply.

16. Any of the above rules may be suspended by unanimous consent or may be changed for the Convention at which such change is made, by a majority vote, on a motion of which one day's notice has been given.

17. The unfinished business of the Convention shall be referred to the Council.

RULES OF PROCEDURE FOR PANEL OR COMMITTEE SESSIONS

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

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