

THE CONSTITUTION OF THE NEW DEMOCRATIC PARTY OF BRITISH COLUMBIA

Incorporating all amendments adopted at the 2021 BC NDP Convention

PREAMBLE

The New Democratic Party believes that social, economic and political progress in Canada can only be assured 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 follows: a) the production and distribution of goods and services shall be directed to meeting the social and individual needs of people and not for profit, b) the modification and control of the operations of monopolistic productive and distributive organizations through economic and social planning, towards these ends, and c) where necessary, the extension of the principle of social ownership.

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

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

ARTICLE I — NAME AND PURPOSE

- 1.1 The name of the organization is the New Democratic Party of British Columbia; herein after called “the BC NDP”.
- 1.2 The primary purpose of the BC NDP is to field candidates for election to the Legislative Assembly of British Columbia.
- 1.3 The BC NDP shall constitute a section of the New Democratic Party of Canada, herein after called “Canada’s NDP”.
- 1.4 Should conflict arise between the Constitutions of the BC NDP and Canada’s

NDP, the Constitution of Canada’s NDP shall prevail.

- 1.5 The BC NDP shall be controlled by its membership.
- 1.6 The BC NDP name, logo and symbols are solely for the use of the BC NDP and its duly constituted bodies, and may not be used by others except in circumstances approved by formal motions of the Provincial Executive.

ARTICLE II — INDIVIDUAL MEMBERSHIP

- 2.1.1 The Provincial Executive may admit to membership any person who is:
 - a) A resident of British Columbia who is also a Canadian citizen or Permanent Resident, with discretion granted to the Provincial Executive to grant membership approval in special circumstances.
 - b) Twelve (12) years of age or older for new members.
- 2.1.2 Payment of membership fees must be made directly by the individual applicant.
- 2.2 Upon notice to the BC Provincial Office, a member in good standing of the New Democratic Party of any other province or territory who becomes a resident of British Columbia is a member in good standing of the New Democratic Party of British Columbia.
- 2.3 Honorary Life Membership may be granted by Convention upon recommendation by the Provincial Council.
 - a) The number of Honorary Life Memberships granted in any year shall not exceed ten.
 - b) An Honorary Life Member shall be an individual member of the BC NDP without payment of fee.
 - c) Honorary Life Members shall be

considered members in good standing for the duration of their life membership.

- 2.4 An individual member shall be in good standing for twelve months from the date of their last donation to the BC NDP.

Notwithstanding other sections of this Constitution, those individuals entitled to vote or stand for election at a general meeting of any Provincial or Federal Electoral District Association, or any organization chartered under this Constitution shall be only those individuals who have been members in good standing for a minimum of ninety (90) days prior to the meeting except as allowed by Article 2.5.

- 2.5 Notwithstanding other sections of this Constitution, where an individual renews and was a member in good standing within ninety (90) days following a lapse of membership, that individual shall be eligible to vote and stand for any position as if the individual's membership had been continuous.

ARTICLE III — AFFILIATED MEMBERSHIP

- 3.1 Affiliated organizations shall be those BC organizations affiliated to Canada's NDP.

ARTICLE IV – YOUNG NEW DEMOCRATS

- 4.1 There shall be a youth section of the BC NDP, as provided for in the Constitution of Canada's NDP, whose name shall be the British Columbia Young New Democrats (the "BC YND"). It shall operate under its own Constitution, as provided for by the Constitution of Canada's NDP.

- 4.2 Membership in the BC YND shall be open

to all members in good standing who are younger than 30 years of age.

- 4.3 The BC YND may charter campus clubs. A campus shall be understood to refer to any secondary or post-secondary campus.

- 4.4 To be eligible to send BC YND Campus Club delegates to Provincial Conventions, the BC YND President shall furnish to the Provincial Director, at least 60 days prior to any Convention, a list of the chartered clubs of the BC YND, if any, and of the members thereof. BC YND Campus Clubs are responsible for ensuring that their chartered status and membership lists remain current.

- 4.5 The number of BC YND Campus Club members entitled to representation as BC YND delegates shall be deducted from the delegate entitlement of the Provincial Electoral District Association concerned.

- 4.6 BC YND Campus Club members shall participate in the selection of BC YND delegates to Convention as provided for in Article 8.10 of this Constitution.

- 4.7 Only those members of the BC YND entitled to representation, who are not members of BC YND Campus Clubs, shall be entitled to participate in the selection of delegates from the Provincial Electoral District Association in which they are normally resident.

- 4.8 Thirty days prior to the date of any Convention, the Provincial Director shall notify the Provincial Electoral District Associations affected by Article 4.5.

- 4.9 In all other respects, members in good standing of the BC YND shall enjoy all rights and privileges of the BC NDP.

ARTICLE V — PROVINCIAL ELECTORAL DISTRICT ASSOCIATIONS

- 5.1 In every provincial electoral district in British Columbia there shall be a Provincial Electoral District Association.
- 5.2 Each Provincial Electoral District Association shall submit on demand, to the Provincial Council, a written report of its activities and financial circumstances.
- 5.3 All officers of Electoral District Associations shall be individual members in good standing of the BC NDP.
- 5.4 Only individual members of the BC NDP in good standing who reside within the boundaries of that provincial electoral district shall be members in that Provincial Electoral District Association, except as provided for in Section 5.5.
- 5.5 Provincial Electoral District Associations may, with the concurrence of the Provincial Executive, admit to membership a member of the BC NDP in good standing who does not reside in its electoral district, and the Provincial Executive shall notify the Electoral District Association of residence of the transfer of members.
- 5.6 Each Provincial Electoral District Association shall adopt bylaws for the conduct of Association business. All such Provincial Electoral District Association bylaws, and all amendments thereto, must bear the approval of the Provincial Executive bylaws, or amendments thereto, shall not be valid without such approval.
- 5.7 The Provincial Executive may impose bylaws upon an Electoral District Association which fails to comply with Article 5.6.
- 5.8 Where there is a BC YND Campus Club, the Provincial Electoral District Association shall have in place an ex-officio position

with full voice and vote on their respective Executive for a representative of the Campus Club.

ARTICLE VI — AREA COUNCILS

- 6.1 The Provincial Executive may, upon application from two or more Provincial Electoral District Associations, authorize the formation of an Area Council, which shall consist of delegates from the component Associations, which shall coordinate activities of the BC NDP on a regional basis.
- 6.2 Each Area Council shall adopt bylaws for the conduct of regional business. All such by-laws and all such amendments thereto, must bear the approval of the Provincial Executive and by-laws or amendments thereto, shall not be valid without such approval.

ARTICLE VII — PROVINCIAL PUBLIC OFFICE

- 7.1 Each Provincial Electoral District Association shall be responsible for the nomination of candidates for election to the Legislative Assembly of British Columbia in its electoral district. Should it fail to nominate, the Provincial Executive may name a candidate or candidates.
- 7.2 Those individuals entitled to nominate and vote at a Nomination Convention of a Provincial Electoral District Association shall be only those members who have been in good standing in the BC NDP and resident within the electoral district boundaries of the Association for at least 90 days prior to a Nomination Convention. Membership forms for new members must have been received at Provincial Office

during normal business hours at least 90 days prior to a Nomination Convention.

- 7.3 Each person entitled to vote at a Nomination Convention, including the chairperson, shall have only one vote.
- 7.4 All persons proposed as candidates of the BC NDP shall be only those BC NDP members who have been in good standing for at least 90 days prior to a Nominating Convention. All prospective candidates shall obtain approval from the Provincial Director prior to the Nomination Convention.

The membership requirement may be waived in special circumstances upon application by the prospective candidate to the Provincial Director before the date of the Nomination Convention.

- 7.5 The Provincial Executive may make regulations governing the nomination of candidates for provincial office.
- 7.6 Notwithstanding the provisions of Article 14, complaints arising from the conduct of Nomination Conventions for public office shall be referred to the Provincial Executive.

The Provincial Executive shall determine if the complaint will be heard by written submissions or by a hearing. The parties to the dispute shall each be entitled to one representative at any hearing. The decision of the Provincial Executive shall be final.

ARTICLE VIII — CONVENTIONS

- 8.1 Subject to the provisions of the Constitution of Canada's NDP and the procedures contained in this Constitution, sovereign power is vested in the Convention.
- 8.2 Convention shall be held at least every two years.
- 8.3 Time and place of Conventions shall be

determined by Provincial Council.

- 8.4 Not less than 90 days' notice of the date and place of a Convention shall be given to each Provincial Electoral District Association, the BC YND, each affiliated organization, each Honorary Life Member, each member of the Provincial Council, each member of the BC NDP who is a member of the Legislative Assembly of British Columbia or the House of Commons representing a British Columbia electoral district and each member of the Federal Council of Canada's NDP resident in British Columbia.
- 8.5 Resolutions for consideration by the Convention must originate from Provincial Electoral District Associations, the BC YND (including its chartered Campus Clubs, if any), affiliated organizations, the Provincial Council, the Provincial Executive, or duly constituted bodies of the BC NDP.
- 8.6 Resolutions for consideration by the Convention must be received by the Provincial Director not less than 60 days in advance of the date of the Convention.
- 8.7 All resolutions so received shall be distributed to each Provincial Electoral District Association, the BC YND, each affiliated organization and all duly constituted bodies of the BC NDP not less than 30 days in advance of the date of the Convention.
- 8.8 All resolutions not dealt with at the Convention shall be returned to their originators for further consideration and disposition.
- 8.9 The Provincial Executive shall determine the registration fees for delegates to Convention, which shall include separate registration fees for BC YND delegates. From the registration fees so collected, the Provincial Executive shall establish a

hardship fund to alleviate costs for delegates who could not otherwise afford to attend Convention. This hardship fund shall also be used to waive the registration fee for one delegate per electoral district, who could not otherwise afford to attend Convention, as determined necessary by each Electoral District Association.

8.10 Delegates to Convention, who must hold individual memberships in the BC NDP, shall consist of:

8.10.1 Delegates elected by Provincial Electoral District Associations on the basis of one delegate for each 25 members in good standing, or major fraction thereof, providing that every Provincial Electoral District Association shall be entitled to at least one delegate.

In determining the number of delegates to which an Electoral District Association is entitled, the Electoral District Association's membership shall be computed on the basis of a whole year's (365 days) membership by each individual. Delegate entitlement shall be calculated on a pro-rated basis for members of an Electoral District Association with fewer than 365 days' membership.

In addition to the regular delegate entitlement, one delegate per Electoral District shall be reserved for a BC YND delegate.

In a provincial electoral district where chartered BC YND Campus Clubs exist, the Electoral District Association shall allocate delegates on a membership basis to such clubs within the electoral district, but in no case shall the total number of delegates so allocated exceed the entitlement outlined above.

8.10.2 Calculation of delegate credential entitlement for affiliated organizations will

be based upon the same formula used to determine Provincial Electoral District Association entitlement. Affiliated delegate entitlement is based on BC NDP membership within the affiliated organization.

- (i) Each affiliated organization is entitled to one (1) delegate for 25 BC NDP members or less; plus (1) delegate for each additional 25 BC NDP members or major fraction thereof.
- (ii) Provincially affiliated organizations are entitled to additional delegate credentials based on the total number of BC NDP members within that affiliate, including all its branches or locals, and staff. Such entitlement is equal to one (1) credential for 250 BC NDP members or less; plus one (1) credential for each additional 250 BC NDP members or major fraction thereof.
- (iii) Every provincial Federation of Labour and/or Labour Council that includes one (1) affiliate may itself apply for affiliation. Each such affiliated organization is entitled to two (2) delegate credentials.

8.10.3 All members of Provincial Council.

8.10.4 All members of the BC NDP who are members of the Legislative Assembly of British Columbia or the House of Commons, representing a British Columbia electoral district.

8.10.5 All members of the Federal Council of Canada's NDP resident in British Columbia.

8.10.6 Delegates chosen by the BC YND on the basis of one delegate for each 50 members or major fraction thereof.

8.10.7 The President of each Provincial Electoral District Association.

8.11 The number of members in the BC NDP on a date at least 90 days prior to Convention

shall be used in calculating delegate entitlements. If at that time, BC NDP membership exceeds 20,000, the number of members required for delegate entitlements as provided for in Articles 8.10.1, 8.10.2 and 8.10.6 shall be increased by 20 per cent for each 5,000 members or fraction thereof over the figures prescribed.

BC NDP MEMBERSHIP

20,000	25
20,000 - 25,000	30
25,001 - 30,000	35
30,001 - 35,000	40

With a membership of 20,000, there would be approximately 800 Electoral District Association and BC YND delegates.

The total number of delegates including affiliates, Council members, Executive members, etc., would be approximately 950.

- 8.12 All Honorary Life Members shall have voice and vote at Conventions.
- 8.13 Each delegate to the Convention shall have only one vote at Conventions.
- 8.14 Two-thirds of the delegates registered at Convention shall constitute a quorum.
- 8.15 The Convention shall elect, by secret ballot, the members of the Provincial Executive and members of the Oversight Committee.
- 8.16 A Special Convention shall be one which is held in addition to the biennial Convention held pursuant to Article 10.2.
- 8.17 Special Conventions may be called by a two-thirds majority of the Provincial Council.
- 8.18 Special Conventions may be called on 30

days' minimum notice.

- 8.19 Notice of such Convention shall specify the matters to be considered, and the Special Convention shall confine itself to these matters.
- 8.20 Only members who have been in good standing for 90 days prior to an Electoral District Association meeting to select delegates to Convention shall be entitled to vote at that meeting or to be nominated for the position of Association delegate or alternate.
- 8.21 In alternate years, when there is no biennial Convention, the BC NDP will convene a training conference open to all members that will focus on strengthening the long-term development of the BC NDP by recruiting and training a diverse range of individuals.

ARTICLE IX — THE PROVINCIAL LEADER

- 9.1 The Provincial Leader shall be the chief political spokesperson of the BC NDP and, subject to the authority of the Convention and the Provincial Council, shall interpret to the public the policies of the BC NDP.
- 9.2 In the event that the position of Leader becomes vacant, the Provincial Council, after considering the recommendations of the Caucus, shall elect an Interim Leader.
- 9.3 At every Convention that is not a Leadership Convention a secret ballot vote will be held among Convention delegates to determine whether or not a leadership election should be called. If 50% plus one delegate supports the calling of a leadership election, such an election will be held within one year of the Convention vote. This Article may be waived by Provincial Executive when there is a general provincial election that would not allow

sufficient time to comply with the time frame set out.

ARTICLE X — ELECTION OF THE PROVINCIAL LEADER

10.1 The Provincial Leader shall be elected through a secret ballot of all individual members of the BC NDP residing in BC who are in good standing 90 days prior to the date of the election of the Leader. Appropriate regulations for the conduct of the Leadership Election and of election balloting shall be developed from time to time by the Provincial Executive and all such regulations shall be placed before the Provincial Council for ratification.

10.2 All persons proposed as candidates for Provincial Leader shall be only those members who have been in good standing in the BC NDP for at least 90 days prior to a Leadership Election.

10.3 Individuals who nominate a candidate for Provincial Leader shall be only those members who have been in good standing in the BC NDP for at least 90 days prior to the Leadership election.

10.4 The Provincial Executive may establish regulations governing the nomination of candidates for the Provincial Leadership.

ARTICLE XI — THE PROVINCIAL EXECUTIVE

11.1 The Provincial Executive of the BC NDP shall consist of:

- a) Composition of Executive
 - i) Leader
 - ii) President
 - iii) Treasurer
 - iv) One Labour Vice-President

- v) Six Vice-Presidents
- vi) One Equity Vice-President
- vii) Four Members-at-Large including one chosen by affiliated labour organizations
- viii) Sixteen regional members
- ix) Two representatives from the BC YND
- x) The Chair of the Women's and Gender Rights Committee
- xi) The Chair of the Standing Committee on the Environment
- xii) The Chair of the Standing Committee on Agriculture
- xiii) A Co-Chair of the Sexual Orientation and Gender Identity Caucus
- xiv) A Co-Chair of the Persons Living with Disabilities Caucus
- xv) A Co-Chair of the Indigenous People's Committee
- xvi) Two representatives from the Indigenous, Black and People of Colour Committee
- xvii) Provincial Director (non-voting)
- xviii) Oversight Committee members (ex-officio, non-voting)

b) Election of Executive

The Provincial Executive, except for the Leader, shall be elected at a Provincial Convention. All votes, where required, shall be a secret ballot of accredited delegates present during the time set aside for balloting, in the following manner:

- i) The President and Treasurer each shall be elected on a separate ballot.
- ii) The Labour Vice-President elected by

- Labour delegates at Labour Caucus at Convention.
- iii) Six Vice-Presidents, elected on a single ballot.
 - iv) One equity Vice-President, elected by members of equity seeking committees of the BC NDP at a joint meeting of all equity seeking committees at Convention. Candidates for this position are members of at least one equity seeking committee of the BC NDP. The primary function of the Equity Vice-President shall be to work with and support all equity seeking committees of the BC NDP to further their work, organization, training, and success. The Equity Vice-President may coordinate joint meetings of some of all equity seeking committees for which they will begin as the default Chair.
 - v)
 - vi) Four Members-at-Large, elected on a single ballot.
 - vii) Two Regional Representatives shall be elected at each of the eight regional caucuses. Only accredited delegates to the Provincial Convention are eligible to participate in the election of representatives from their region, as defined by Provincial Council.
- c) Gender Requirements
- i) There shall be gender diversity in the three positions of Leader, President, and Treasurer.
 - ii) The positions of Vice-President, Members-at-Large, Regional Representatives, and YND Representatives shall have at least 50% women.
- 11.2 It shall be a specific responsibility of the Provincial Executive to oversee the administration of the BC NDP and to supervise the work of the President, Provincial Director and Treasurer.
- 11.3 The President shall be the chief executive officer of the BC NDP, and shall be responsible to the Provincial Executive.
 - 11.4 The Vice-Presidents shall assume the duties of the President in the President's absence.
 - 11.5 The Provincial Director shall be an employee of the BC NDP, and is the senior administrative officer, responsible to the Provincial Executive. The terms of the Provincial Director's contract shall be negotiated between the Provincial Executive and the Provincial Director. The Provincial Director shall have voice but no vote at meetings of the Provincial Executive, Provincial Council and at Conventions.
 - 11.6 For legal and banking purposes, the signing officers of the BC NDP shall be any two of the President, Provincial Director and Treasurer.
 - 11.7 In the event of a vacancy in the office of Treasurer, the Provincial Executive shall name a replacement.
 - 11.8 An Executive member may be replaced by appointment by the Table Officers subject to ratification by the Provincial Executive and Provincial Council after three consecutive absences from meetings of the Provincial Executive without just cause.
 - 11.9 All members of the Provincial Executive shall be members in good standing of the BC NDP.
 - 11.10 The Table Officers shall consist of the Leader, President, Treasurer, the Labour Vice-President, the six Vice-Presidents, the Equity Vice-President, and the Provincial Director (who shall have no vote).
 - 11.11 The Table Officers shall deal with

administrative matters and matters of clear emergency. Minutes of Table Officers' meetings will be provided to the Executive and the Table Officers will be responsible to the Executive.

- 11.12 The Executive will administer matters of political and strategic importance to the BC NDP and will ratify and oversee the decisions of the Table Officers. The Executive shall be responsible to Provincial Council. The Minutes of the Provincial Executive meetings shall be distributed in a timely manner to the Provincial Council.
- 11.13 The Provincial Council shall deal with all matters of BC NDP policy between Conventions. The Council will ratify and oversee actions of the Executive and Table Officers.
- 11.14 When an elected position on the Executive other than President becomes vacant, the Provincial Council shall appoint a new person to the remainder of that term at the next meeting of Provincial Council. If the position of President becomes vacant during the term of office, the Provincial Council shall appoint a new person from among the Executive for the remainder of that term.
- 11.15 For Provincial Executive positions elected at Convention or later filled through the process in Article 11.14, the term shall be from the date of their election or appointment until the conclusion of the subsequent regular Convention.

ARTICLE XII — OVERSIGHT COMMITTEE

- 12.1 The Oversight Committee shall consist of three members elected at a Provincial Convention.
- 12.2 Oversight Committee members shall serve

terms of four years, and no member may serve more than one consecutive term.

- 12.3 The election of Oversight Committee members shall be staggered so that no more than two members are elected at one time. In the first election of the Oversight Committee, three members shall be elected, two for four years and one for two years.
- 12.4 The members of the Oversight Committee shall choose a Chair from among their number.
- 12.5 There shall be gender diversity on the Oversight Committee.
- 12.6 During their term of office, Oversight Committee Members are barred from holding any other office in the BC NDP, including at the Electoral District Association level. Oversight Committee members are also barred from being employees of the BC NDP during their term of office.

When a position on the Oversight Committee becomes vacant in mid-term, the Provincial Council shall appoint a new member to fulfill the period of the term remaining until the next Provincial Convention. At such Convention, an election will be held to fulfill the balance of the term.

- 12.7 The Oversight Committee shall examine all financial records, Council, Executive and Table Officer meeting minutes and other relevant documents at least quarterly. The material examined shall include appropriate records of Subsidiary Organizations primarily controlled by the BC NDP. The Oversight Committee shall determine whether bodies of the BC NDP are acting in accordance with the Constitution, policy and directives of senior BC NDP bodies. Additionally, the Oversight

Committee shall have the right to determine whether receipts are properly recorded and that expenditures have been authorized by the Provincial Convention, Council, Executive, Table Officers or other appropriate authority.

12.8 The Oversight Committee shall report on its activities and findings to Provincial Council and Convention.

12.9 At its sole discretion, the Oversight Committee may report to the Table Officers or Provincial Executive.

12.10 At its sole discretion, the Oversight Committee may make expenditures as required of funds allocated to its operations by Convention or Provincial Council. Details regarding the nature of such expenditures, along with appropriate receipts, shall be presented at the time of the Committee's report to Convention.

ARTICLE XIII — PROVINCIAL COUNCIL

13.1 The Provincial Council of the BC NDP shall consist of the members of the Provincial Executive, one delegate chosen by each Provincial Electoral District Association, four members chosen by the BC YND, six representatives of affiliated organizations, a Co-Chair of the Sexual Orientation and Gender Identity Caucus, a Co-Chair of the Persons Living with Disabilities Caucus, a Co-Chair of the Indigenous People's Committee, two representatives of the Black, Indigenous, and People of Colour Committee and the Past President.

13.2 Subject only to the authority of the Convention and the provisions of this Constitution, the Provincial Council shall be the governing body of the BC NDP between Conventions.

13.3 It shall be a specific responsibility of the

Provincial Council to amplify, extend and add to policy decisions enunciated by the Convention and that such amplifications or extensions not be inconsistent with existing Convention policy.

Where policy revisions are considered appropriate and urgent or where the problems are unable to be resolved in discussion with the appropriate duly constituted body of the BC NDP, the matter shall be directed to the Provincial Council for decision in accordance with this Article.

13.4 It shall be the right of any individual member of the BC NDP to attend open meetings of the Provincial Council.

13.5 Members of the BC NDP who are members of the Legislative Assembly of British Columbia or the House of Commons may attend meetings of the Provincial Council and shall have voice but not vote.

13.6 Meetings of the Provincial Council shall be called by the President. Calls may be issued on the order of the Provincial Executive or two-thirds (2/3) of the members of Provincial Council.

There shall be a minimum of four meetings of the Provincial Council in each calendar year.

13.7 A per capita assessment to cover the costs of Provincial Council meetings shall be levied on every Provincial Electoral District Association.

13.8 The Provincial Council shall determine the annual and supplementary budgets of the BC NDP and the raising and division of contributions, such decisions to be implemented by the Executive. Provincial Council shall review these decisions and their implementation at least yearly with full consultation with Electoral District Associations and the Provincial Executive.

ARTICLE XIV — APPEAL

14.1 Each member of the BC NDP, including candidates for, and holders of, public office has covenanted that:

“I accept and will abide by the Constitution, principles and policies of the BC NDP.”

Breach of this covenant is a violation of the Constitution.

14.2 A complaint may be lodged with the President by any member or constituted body of the BC NDP alleging a violation of the Constitution or a statement or action resulting in severe and evident injustice to a member or constituted body of the BC NDP in relation to BC NDP affairs.

14.3 Satisfaction must first have been sought under existing BC NDP procedures and rules of the appropriate bodies before the appeal is directed to the President.

14.4 Such complaint must be in writing, must set out the details of the action or statement which gave rise to the complaint, the remedy sought, and such evidence as may be pertinent.

14.5 The President, or persons appointed by the President, shall endeavour to achieve an amicable settlement. If this is not successful, the President, with the advice of the Table Officers, shall appoint a special panel to promptly mediate the dispute, or if a mediated solution is not possible, make recommendations as to the appropriate resolution of the dispute to the Provincial Executive.

14.6 The Provincial Executive shall determine the matter promptly and communicate their decision to the persons concerned. The persons concerned have 30 days from receiving notice of the decision to appeal to the Provincial Council. Provincial Council shall determine the matter promptly and

summarily, and its decision shall be final with no appeal to any other body.

14.7 The Provincial Executive may make any additional rules that are necessary to deal with appeals or dispute resolution procedures in a fair and expedient manner. Remedies under this part include reprimand, prohibition from seeking BC NDP or public office, fines and suspension of membership for up to two years.

14.8 It is a breach of the principles and policies of the BC NDP for any member to seek redress for any complaint against another member or body of the BC NDP in relation to BC NDP affairs through public notice or solicitation, or legal redress without first exhausting the procedures outlined in this Constitution, and following the directions of the Provincial Council in their final decision.

14.9 If the complaint to the President concerns allegations of malfeasance with respect to BC NDP funds or property (including wilful abuse or improper personal profit from the handling of BC NDP funds or data, knowing and wilful criminal action in the course of publicly acting on the BC NDP's behalf, or similar serious conduct), the possible penalty under this part is expulsion from the BC NDP.

14.10 The procedures to be followed under Article 14.09 are the same as those under Articles 14.02 to 14.08, except that the original complaint must specifically state that the remedy sought is expulsion.

False or malicious complaints under Article 14.9 is a breach of the principles and policies of the BC NDP.

14.11 At any hearing the complainants and the defendants shall each be entitled to one representative of their choice to speak on their behalf.

14.12

(a) In any case where a complaint is made against the BC NDP President, the complaint shall be referred to the Chair of the Oversight Committee or any member thereof, and the Oversight Committee, or a majority thereof, shall have all the powers and responsibility to determine the matter by settlement or otherwise without referring the matter to the Table Officers or any “special panel”.

(b) In any case where the BC NDP President has a conflict of interest as determined by the Oversight Committee or a majority thereof, the BC NDP President shall have no involvement in the complaint process and all their responsibilities with regards to the resolution of the complaint shall be assumed instead by the Oversight Committee.

(c) In any case where a complainant believes that the BC NDP President has a conflict of interest, they may refer the issue of the conflict of interest to the Oversight Committee, which shall in any event have exclusive authority to determine the existence of a conflict of interest and thereupon act accordingly.

(d) Insofar as applicable, the provisions of Articles 14.2 through to 14.11 shall apply with such modifications as are necessary to give effect to this provision.

ARTICLE XV — RULES OF ORDER

15.1 The BC NDP may adopt such rules and regulations as it deems necessary for the conduct of its business, but in all matters not governed by such rules, the most current version of Robert’s Rules of Order shall govern.

ARTICLE XVI — SUBSIDIARY ORGANIZATIONS

16.1 The Provincial Executive shall be empowered to create Subsidiary Organizations to manage properties of the BC NDP and for other such purposes as may become necessary.

16.2 The Table Officers shall be the Directors of any such organizations, and the Provincial Executive shall be the members of the organizations.

16.3 Any such organizations shall present minutes, financial statements, and annual reports to Provincial Council and Provincial Convention.

16.4 The minutes of any such Subsidiary Organizations shall be distributed in a timely manner to Table Officers, Provincial Executive and Provincial Council.

16.5 All duly constituted bodies of the BC NDP may be empowered to create Subsidiary Organizations to manage properties and for other such purposes as may become necessary.

16.6 All such Subsidiary Organizations shall be approved in advance by the Provincial Executive and must be primarily controlled by the BC NDP.

16.7 All such Subsidiary Organizations shall present minutes, financial statements, and annual reports to their applicable general and annual general meetings.

16.8 All such organizations shall file minutes, financial statements, and annual reports with the Provincial Executive.

ARTICLE XVII — AMENDMENT

17.1 Amendments to this Constitution shall be dealt with as resolutions submitted under Articles 8.5, 8.6 and 8.7 of this Constitution, and shall require a two-thirds majority of delegates present and voting to pass.

