

# **YUKON LIBERAL PARTY**

## **CONSTITUTION**

**and**

## **BY-LAWS**

**September 2009**

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## **Yukon Liberal Party**

### **Preamble**

The root of the word Liberal, Libre, means free. Individual freedom and equality form the foundation of the Yukon Liberal Party's philosophy.

Liberals believe in the importance of the individual and that each individual should be free to pursue the many opportunities a healthy and free society provides.

The Yukon Liberal Party is committed to the view that the dignity of each individual is the cardinal principle of a democratic society.

The Yukon Liberal Party is dedicated to the principles of individual freedom, responsibility and human dignity in the framework of an equal opportunity society, and political freedom in the framework of meaningful participation by all.

## **CONSTITUTION**

### **Name**

1. The name of the Party is the Yukon Liberal Party.

### **Objectives**

2. The primary purpose of the Party is the election of candidates to the Legislative Assembly. The objectives for which the Party is formed are:

- a. to advance the social and economic welfare of all people of the Yukon;
- b. to advocate and support Liberal principles and policies of good government;
- c. to organize and support Constituency Associations in all Territorial Constituencies; and
- d. to promote the election of Liberal candidates in Territorial Elections.

### **Location**

3. The operations of the Party are to be carried on in all communities of the Yukon Territory.

## **BY-LAWS**

### **DEFINITIONS**

1. Any terms used in this constitution which are defined in the *Yukon Elections Act* shall have the meaning as in that *Act* as amended from time to time, with the following exceptions:

“annual general meeting” means a meeting of the members that is called by the Executive in accordance with this constitution for the purposes of conducting party business.

“acceptance” of a membership application shall be the point at which the President or delegate approves the issuance of a membership.

“ballot” means a paper ballot used to designate a member’s choice during a vote.

“candidate” means a person nominated to be a candidate in an election pursuant to the procedures set out in this constitution and the procedures set out from time to time by the Executive.

“constitution” used throughout this document means constitution and by-laws.

“convention” means a meeting of members that is called by the Executive in accordance with this Constitution to elect a Leader or to determine and develop policy.

“extra-ordinary resolution” means any resolution to amend this Constitution or authorize borrowing money, or approve any other matter to be approved by extra-ordinary resolution under this Constitution, and requires a two thirds majority of those members present in person or by proxy and voting, at an annual general meeting or special general meeting.

“resident” means any person who ordinarily resides in the Yukon Territory.

“resolution” means any duly seconded motion put before those members entitled to vote at a Party convention, annual general

meeting or special general meeting and requires a simple majority of those members present in person or by proxy and voting to be passed.

“special general meeting” means a meeting of the members that is called by the Executive in accordance with this constitution from time to time between annual general meetings to address extra-ordinary resolutions.

“vote” means a show of hands or a cast ballot to indicate the will of the meeting.

2. This constitution shall govern the affairs of the Party, and in the event of a conflict between this constitution and any other document of the Party or its organs, committees, or Constituency Associations, this constitution shall prevail.

## **MEMBERSHIP**

### **Residency and Age**

3. All residents, fourteen years of age or older who support the objectives of the Party and who are not members of any other Territorial Party are eligible for membership in the Party.

### **Withdrawal**

4. Any member who desires to withdraw from membership in this Party may notify the Executive in writing to that effect, and upon receipt by the Executive of such notice, the member shall cease to be a member.

### **Removal**

5. After giving a member 18 days notice, the Party may suspend or expel that person from membership in the Party by way of extra-ordinary resolution at an annual general meeting or special general meeting.

### **Dues**

6. a) Membership dues shall be fixed from time to time by the Executive.

### **Membership Dues**

b) Annual dues entitle a person to membership for a one year period, from January 1st to December 31st of the year in which the dues are paid.

### **New Members**

c) A person may purchase a lifetime membership.

d) For new members, membership dues come due and payable upon completion of a membership application form.

### **Membership Renewal**

e) Annual renewal dues are due on January 1st of each year and will entitle Party members to membership for that calendar year

only, regardless of how late in the year the dues are paid.

f) Any person representing the Yukon Liberal Party as a member of the Executive, as a candidate or as a delegate to a convention or conference shall be an active, paid up member of the Party.

**Membership Cards**

7. Any person accepted as a member shall, upon payment of the annual dues, be entitled to a membership card.

**Voting**

8. a) All members shall be entitled to vote at all annual general meetings, special general meetings and conventions held twenty-one days following the acceptance of their membership application by the President of the Party or delegate.

**Credentials Committee**

b) A Credentials Committee, as appointed by the Executive from time to time, shall have the final decision in all matters respecting accreditation for the purpose of voting at General Meetings and Conventions and the decision of the Committee shall be final.

**OFFICERS AND EXECUTIVE**

**Officers**

9. The Officers of the Party shall be the President, Vice President, Secretary and Treasurer.

**Executive**

10. The Executive of the Party shall consist of:

- a) the Officers;
- b) the Past President;
- c) four Directors at large elected by the members at the Annual General Meeting of the Party;
- d) the Leader of the Party as an *ex-officio* non-voting member;
- e) the Past Leader of the Party, and
- f) the President of the Francophone Commission.

**Qualifications**

11. All members of the Party in good standing who have been members for twenty-one days are qualified to sit on the Executive. Membership in the Executive shall cease at such time as a member shall cease to be a member of the Party.

12. The administrative affairs of the Party shall be managed by the Executive, subject to review at the Annual General Meeting.
- Time of Meetings** 13. The Executive shall meet at the call of the President or upon written notice to the members of the Executive signed by at least seven members thereof.
- Place of Meetings & Quorum** 14. The Executive may hold meetings at such place or places within the Yukon Territory as it may from time to time determine. Four members of the Executive shall form a quorum for the transaction of business.
- Duties of the President** 15. The President shall preside over Executive meetings, special general meetings, annual general meetings and conventions, and shall be an ex-officio member of all committees. The President shall not vote at any meeting unless there is a tie, in which event, the President shall cast the deciding vote.
- Duties of the Vice-President** 16. In the absence of the President, the Vice-President, and in the absence of the Vice-President, any other member of the Executive shall act as the Acting President and shall assume all powers and duties of that office.
- Duties of the Treasurer** 17. The Treasurer shall be responsible for the keeping of the books of accounts and the bank account of the Party and shall present a financial report at each Executive Meeting of the Party.
- Duties of the Secretary** 18. The Secretary shall be ex-officio clerk of the Party and the Executive. The Secretary shall attend all Executive meetings, special general meetings, annual general meetings and conventions and shall record resolutions and minutes of all proceedings in the books kept for that purpose. The Secretary or delegate shall give all notices required to be given to members and the Executive, and shall be responsible for the preparation and maintenance of a list of the members of the Party. The Secretary shall conduct the correspondence of the Party, under the direction of the Executive, and shall report thereon at each Executive Meeting of the Party.
- Election of the Executive** 19. The Officers and Directors at large shall be elected at the Annual General Meeting in accordance with the following:
- Nominating Committee**
- a) The Executive shall appoint a Nominating Committee at least thirty days prior to the annual general meeting;
  - b) The Nominating Committee shall make its Report and

recommendations prior to the annual general meeting, and the Executive shall table the Report and recommendations at the annual general meeting prior to the commencement of elections;

c) Following the Nominating Committee Report, the election of an Executive shall be held beginning with the position of President. In addition to the candidate or candidates nominated by the Nominating Committee another candidate or other candidates may be nominated and seconded by two members present. If there is more than one candidate nominated, a secret ballot shall be taken and the candidate receiving the largest number of votes shall be elected;

d) The election of the Vice-President shall then be held. In addition to the candidate or candidates nominated by the Nominating Committee another candidate or other candidates may be nominated and seconded by two members present. If there is more than one candidate nominated, a secret ballot shall be taken and the candidate receiving the largest number of votes shall be elected;

e) The selection of the Treasurer shall then be held in the same manner as set out above and then the election of the Secretary shall be held in the same manner again;

f) The election of four Directors at large shall then be held; in addition to the candidate or candidates nominated by the Nominating Committee another candidate or other candidates may be nominated and seconded by two members present. Where more than four nominations are received, an election shall be conducted by secret ballot and four candidates who receive the greatest number of votes shall be declared elected;

**Removal**

g) An Executive position shall be declared vacant if the Executive Member is absent from three consecutive Executive Meetings without giving prior notice to the Secretary or the President of the Party.

**Vacancies**

20. In the event of a vacancy occurring in the office of the President, Vice-President, Treasurer or Secretary and Directors, the Executive shall appoint a person from among the members to hold office until the next Annual General Meeting.

**MEETINGS**

**Time and Place**

21. The annual general meeting shall be held at least once in each

calendar year, within four weeks of October 15, at a date, time and place to be fixed by the Executive. If a Writ has been issued for an election within this eight week period, the Executive may postpone the annual general meeting but it shall be held no later than four months following the election.

- Notice** 22. The minimum requirement for notice of a special general meeting, annual general meeting, or convention shall be the publication of notice in a newspaper with Yukon wide distribution. Such notice must be published at least 42 days prior to the special general meeting, annual general meeting or convention.
- Membership Renewal** 23. Anyone whose membership has expired in the previous calendar year may renew their membership at the annual general meeting, special general meeting or convention and be entitled to vote.
- Quorum** 24. Twenty members present in person or by proxy shall constitute a quorum at any annual general meeting, special general meeting or convention.
- Style of Voting** 25. Voting at annual general meetings, special general meetings and conventions shall be by way of a show of hands, save for the election of the Executive and the Leader, and such other matters as the Executive may deem proper, which matters shall be dealt with by secret ballot.
- Special Meetings** 26. a) a special general meeting may be called by the Executive when the Executive deems it necessary or advisable;  
b) If 20% of those members eligible to vote make a written request to the Executive to call a special general meeting, the Executive shall call such a meeting.
- Procedures** 27. Subject to this constitution, the Executive shall have authority to establish the procedures and make all necessary arrangements for the conduct of annual general meetings, special general meetings and conventions.
- LEADER OF THE PARTY**
28. The Leader shall be elected at a Leadership Convention. Such Leadership Convention shall be regulated as set out in Sections 29 to 33 below.
- Notice** 29. a) The President of the Party, following consultation with the

Executive and Liberal members in the Legislature, shall give Notice of and date for a Leadership Convention pursuant to Section 22 above. That being, the minimum requirement for Notice of a Leadership Convention shall be the publication of notice in a newspaper with Yukon wide distribution. Notice shall be deemed to be on the date of publication of such notice.

**Nomination Day**

b) The 21st day following the date upon which the President announced the Leadership Convention shall be Nomination Day for those candidates seeking the position of Leader of the Party. All nominations shall be in the possession of the Secretary of the Party no later than 5:00 p.m. on the 21st day following the date upon which the President announced the Leadership Convention.

**Date of Leadership Convention**

c) The date for the Leadership Convention shall be set by the President not less than 21 days after the Nomination Day.

**Vote**

30. The voting at a Leadership Convention shall be by secret ballot.

**Proxy and Mobile Ballots**

31. a) The Executive may from time to time by resolution provide for voting by proxy or voting at various locations within the Yukon Territory.

b) A proxy may be canceled in writing by the issuer at any time prior to a vote at an annual general meeting or convention.

c) If the Executive provides for voting by proxy, it may also establish such rules and proxy forms as it considers advisable; and

d) Only a member who is eligible to vote may hold a proxy for a member. Any member attending and wishing to vote as proxy for a member at an annual general meeting, special general meeting or convention shall present his or her proxy form and have it accepted in accordance with rules established by the Executive before casting a proxy vote.

**Nomination**

32. Candidates for Leader shall be nominated in writing over the signature of ten (10) members of the Party.

**Majority Requirement**

33. In the event that there are more than two candidates and on the first ballot no candidate receives a majority of the votes cast, the candidate receiving the lowest number of votes shall retire and another ballot shall be taken. Voting shall continue in this manner until one of the candidates shall have received a majority of the votes cast and that candidate shall then be elected as

Leader of the Party.

**Leadership Review**

34. Following a general election, a resolution calling for a Leadership Convention shall be placed on the agenda at the next annual general meeting and if such resolution is adopted by a majority of the votes cast in secret ballot, the Executive shall arrange for the holding of a Leadership Convention to be held not later than six months following the annual general meeting.

**Interim Leaders**

35. a) Upon the death, resignation or incapacity of the Leader, an Interim Leader shall be determined by the President in consultation with the Executive and Liberal members in the Legislature (if any). The Interim Leader is to be chosen from among those Liberals who declare no intent to run in the subsequent Leadership Convention.

b) The Executive will call a Leadership Convention as soon as possible but no later than one year from the appointment of an Interim Leader.

**POLICY CONVENTIONS**

**Time and Place**

36. The Party shall convene a Policy Convention at least once every two years to determine and develop policy. The date, time and place of the Policy Convention shall be fixed by the Executive.
37. Policy resolutions passed at a Policy Convention or General Meeting shall be delivered forthwith to the Party and to the Leader of the Party and be made available to all Liberal Party members.

**ELECTION CAMPAIGN COMMITTEE**

38. There shall be established a Campaign Committee to conduct Territorial election campaigns.
39. The Executive of the Party shall, in consultation with the Leader, appoint a Chairperson of the Campaign Committee and the Chairperson and Leader shall jointly appoint such additional persons as required.

**CONSTITUENCY ASSOCIATIONS**

40. The members of the Party resident in each constituency shall be entitled to form a Constituency Association.

## **Officers**

41. Each Constituency Associations shall elect a President and such officers and members of its Executive as it deems desirable.

## **Organization**

42. Each Constituency shall organize and set up the operation of the Association in such manner as it shall deem desirable provided it is not inconsistent with any section of this Constitution.

## **Formation and Dissolution**

43. a) Of those members residing within the boundaries of a constituency, the greater of 20% or five members may come together and form a Constituency Association if an Election Writ has not been issued.

b) Notice of a founding meeting must be served on all members residing within the boundaries of the constituency, the Leader and the President of the Party at least 21 days before the founding meeting.

c) Upon formation of a Constituency Association, the newly elected President shall provide the Executive of the Party with the names of all Officers of the Constituency Association, a copy of the Constitution and By-Laws and the minutes of the founding meeting.

d) Where the Constituency Association fails to meet annually and fails to submit the minutes of the annual meeting to the Executive, the Constituency Association shall be deemed to be dormant and be immediately dissolved.

44. Constituency Associations shall hold an annual meeting no later than 13 months following the founding meeting or previous annual meeting. The minutes of the annual meeting, financial statements, all changes in Officers and amendments to the Constitution of the Constituency Association shall be provided to the Executive.

45. a) The members of each Constituency Association shall be responsible for the recruitment and nomination of candidates for their constituency in the Territorial Elections. Such candidates elected by the Constituency Association will have their names forwarded to the Leader as a recommendation for approval as a candidate.

b) No person may run as a candidate for the Party without the prior approval of the Leader and in accordance with the *Elections Act*. The Leader shall have the authority to appoint the Party's candidate for each constituency in a Territorial election, before,

after, or in the absence of a recommendation from the Constituency Association.

c) The Executive of a Constituency Association shall set a date, time and place of a candidate selection meeting in consultation with the President of the Party and the Leader and shall give notice of the Candidate Selection Meeting to all members of the Constituency Association as follows.

- i) if an Election Writ has not been issued, notice shall be given at least 14 days before the Candidate Selection Meeting;
- ii) if an Election Writ has been issued, notice shall be given within 48 hours after the issue of the Writ and at least 4 days before the Candidate Selection Meeting;
- iii) if a Writ has been issued after notice of a Candidate Selection Meeting has been given, the Executive of the Constituency Association shall cancel that notice and give a new notice pursuant to Section 45 c) ii).

## **Notice**

46. Notice under Section 45 shall be a process approved by the Executive.
47. Where there is no Constituency Association or the Constituency Association fails to nominate a candidate under Section 45 above, the Executive of the Party may appoint such representatives to carry on the affairs of the Party in the constituency including the recommendation to the leader of a candidate for election to the Yukon Legislative Assembly.
48. Candidates for election must be members of the Party.

## **BORROWING**

49. For the purposes of carrying out the objectives of the Party, the Executive may borrow, raise or secure the payment of money in such manner as it sees fit, and in particular by the issue of debentures. No debenture shall be issued, and no real property or chattel of the Party may be encumbered without an extraordinary resolution of the Party.

## **AUDITOR**

50. The Executive may appoint an Auditor to audit the financial records of the Party.

## **SEAL OF THE PARTY**

51. a) The Executive may adopt a seal which shall be the common seal of the Party.
- b) The common seal of the Party shall be under the control of the Executive, and the responsibility for its custody and use shall be determined by the Executive.
- c) The common seal of the Party shall not be affixed to any instrument except in the presence of the President or Secretary or of such other Officer or Officers of the Party as may be prescribed from time to time by resolution of the Executive.

## **AMENDMENT OF BY-LAWS**

52. The Constitution may not be amended except by extra-ordinary resolution at an annual general meeting or special general meeting. Notice of amendments is to be made as described in Section 22, and information provided on the location whereby members can obtain copies of the proposed amendments.

## **PREPARATION AND CUSTODY OF BOOKS AND RECORDS**

53. a) The Executive shall ensure that all necessary books and records required by the Constitution or by any applicable statute or law are regularly and properly kept.
- b) The Secretary or delegate shall keep or cause to be kept:
- i) a copy of the Constitution and any extraordinary resolutions altering or amending the same;
  - ii) copies or originals of all documents, registers and resolutions as required by law;
  - iii) a record of all sums of money received and expended by the Party and the matters in respect of which receipt and expenditures take place;
  - iv) a record of all revenues and purchases by the Party;

- v) a record of the assets and liabilities of the Party; and
- vi) a record of all other transactions affecting the financial position of the Party.

## **INSPECTION OF BOOKS AND DOCUMENTS**

54. The Executive shall from time to time determine whether and to what extent and at what times and places and under what conditions or regulations the accounts and books of the Party or any of them shall be open to the inspection of members not being on the Executive, and no member (not being a member of the Executive) shall have any right of inspecting any account or book or document of the Party except as conferred by law or authorized by the Executive or by resolution of the members, whether previous notice of such resolution has been given or not.

## **DISSOLUTION**

55. The members shall have no interest in the property and assets of the Party; and upon dissolution or winding up of the Party, any funds and assets remaining after satisfaction of its debts and liabilities shall be distributed to non-profit organizations whose objectives coincide with those of the Party, as determined by its members at the time of dissolution.

As amended at the Yukon Liberal Party Annual General Meeting, September 19, 2009.