

The Federalist Party of Canada



Provisional Constitution

August 1, 2015

Introduction

The Federalist Party is based upon the principles of direct democracy of the membership. Open nominations solely by the Party membership. MP standing for Member of Parliament and not member of party. Party elections conducted by a non-partisan, independent officer and clear accountability of the leadership to the members. The general principles of National policy that the Party supports will be defined later. The recognition that there will be two parties organized the same as the Federalist party. The second being a part of the membership of the Federalist party, either on the left or right politically, that leaves and forms that second Party using the same constitution and organization.

Name

1.0 This party shall be registered with Elections Canada as the Federalist Party of Canada. In French the name will be Parti Fédéraliste du Canada. The short form will be “Federalist” and “Fédéraliste”.

Membership

2.0 Membership in the Party is open to any citizen of Canada who is or becomes 15 years old in the year they join the Party.

2.1 Terms and dues of membership in the Party shall be set in a Membership by-law of the Party passed solely by a two thirds majority of the National Assembly.

2.2 The National Assembly can by a two-thirds majority vote suspend the membership of any member of the Party and by a three-quarters majority vote expel any member. Each Provincial Assembly can by a three-quarters majority vote suspend the membership of a member in its province. These suspensions are for 1 year terms. While suspended a member may not seek election for the Party leadership or nomination. They also may not run for or hold any Party office. Expelled former members can not rejoin the Party.

National Assembly

3.0 The National Assembly members are those members of the Party who are registered to vote in Assembly elections. This registration is covered by the Membership by-law.

3.1 Elections of the Assembly shall be regulated as provided in the Federal Election by-law.

3.2 The Assembly shall organize itself through Standing Orders passed by a two-thirds majority vote with a quorum of 50%.

3.3 The National Assembly shall hold its regular votes on the last 3 days of the months of February and August. By the 15th the Leader or President of the Party can call a special vote for the last 3 days of any month.

3.4 National by-laws and resolutions of the Party require the approval of the Assembly. Resolutions, by-laws and motions require a majority in favour and a quorum of one third of the membership to be passed by the Assembly.

3.5 It shall take a minimum of 25 members voting in the Assembly to exercise its authority.

National Congress

4.0 The members of the National Congress are the top two candidates for the Party nomination for the House of Commons in each riding in the last nomination election. If no nomination election was held in a riding then the Congressional members from that riding in order of precedence are the candidate, riding president, vice-president, and registered members in order of seniority.

4.1 In regular session of the Congress each member shall have one vote. In legislative session members shall have a number of votes determined as follows. If the candidate won the nomination by a majority vote the split is 3 votes for the candidate and 2 votes for the runner up. If the nomination was won by a two-thirds majority vote the split is 4 votes to 1 vote. If there was no nomination election and there are two members then each shall have two votes. If there is just one member then that member shall have but 3 votes. The votes in both sessions are open votes unless stated otherwise.

4.2 Elections of the Congress shall be regulated as provided in the Federal Election by-law.

4.3 The Congress shall organize itself through Standing Orders passed by an absolute two-thirds majority in regular session.

4.4 The National Congress shall hold regular votes for both sessions concurrently with the votes of the National Assembly. The Leader, Deputy leader, or President of the Party with 7 days notice can call special votes of the Congress with a 48-hour voting period.

4.5 National by-laws of the Party require the approval of the Congress in regular session unless passed by a two-thirds majority by the Assembly. Policy resolutions require the approval of the Congress in legislative session. By-laws, motions and resolutions require a majority to pass the Congress. Quorum of the Congress is a majority of the members.

4.6 The Congress in regular session can suspend the membership of any member by an absolute two-thirds majority vote and by an absolute three-quarters majority vote expel any member.

4.7 The Congress in regular session by an absolute three-quarters majority vote can bar a party member from being a candidate for the Federalist nomination for the House of Commons. The Congress by an absolute two-thirds majority vote can rescind the Candidacy of a member after they have won the nomination election. This is to be done within 90 days of the nomination.

4.8 Until the Congress has 169 members its approval is not required for any resolution or by-law.

Federal Council

5.0 Members of the Federal council are the Leader of the Party, the Deputy Leader, House and Senate leaders and deputy leaders, all the candidates in the last two leadership elections, members of the National policy committee, and appointed members.

5.1 All leadership candidates will serve on the Council until the second leadership vote after they ran. The Leader-elect and runner-up serve for life on the Council.

5.2 The appointed members are voted on in the August session of the Congress.

5.3 The appointed members of the Council are nominated by the candidates in the last leadership election with a motion of appointment before the National Congress in legislative session. Appointments need a confirmation vote passed by 1/3 +1 for a term of 2 years. If the appointment is approved by a majority vote the member's term on the Council is 4 years, if approved by 60% the term is for 6 years, and by a two-thirds majority for an 8-year term. Each candidate may nominate as follows, Leader 8 members, Deputy leader 4 members, and the other four candidates 1 member each to be nominated before the Congress.

5.4 The Federal council shall organize itself through Standing Orders passed by an absolute two-thirds majority.

5.5 The Federal council shall have a National policy committee which is the Federalist Party's government-in-waiting. Members of the committee are the Leader, Deputy leader, and those appointed by the Party Leader. Membership of the committee shall be at least 16 members and no more than 24 members. The Leader may dismiss from the committee any member except the Deputy leader with the concurrence of a majority of the Federal council. The leader without the consent of the Federal council can dismiss one member every 90 days.

5.6 All binding and key resolutions must pass the National policy committee as well as the Federal Council. The Leader can rescind the adoption of any resolution by the committee unless the committee passed it by an absolute two-thirds majority.

5.7 Upon the issuing of an Election writ all members of the committee are removed save for the Leader and Deputy leader. After a leadership vote the Leader-elect can for 30 days remove any appointed committee member without the approval of the Federal Council.

5.8 By a 2/3 majority vote in the National Assembly or an absolute 2/3 majority vote in the National Congress in regular session any member may be suspended or dismissed from the Federal council. This can also dismiss or suspend the Leader or Deputy leader.

5.9 The Federal council and National policy committee shall concurrently hold their votes on the last 2 days of each month. The Leader, Deputy leader, President, or Vice-president of the Party with 3 days notice can call special votes of the Council with a 24-hour voting period.

5.10 National by-laws of the Party require the approval of the Federal council unless passed by a 60% vote by the Assembly and Congress or a two-thirds majority of the Assembly. All binding and key resolutions require the approval of the Federal Council but regular resolutions do not. By-laws, resolutions, and motions require an absolute majority to pass the Federal Council.

5.11 The National policy committee needs 8 members to exercise its authority and the Federal Council shall require 16 members.

National Executive

6.0 The National Executive shall make all administrative decisions to organize and operate the Party on a day-to-day basis under the by-laws passed by the Party.

6.1 The Executive shall have 20 members elected by the National Assembly for terms of 5 years. Every regular Assembly vote shall have an executive election with the top two candidates being elected to serve on the Executive. In the event of any vacancy the National Executive in the following month shall elect a member to serve the rest of that term.

6.2 One seat elects the chief officers of the Party. The winner of this vote becomes President and the runner up Vice-president. The other nine seats elect the 18 counsellors of the executive. One counsellor seat is reserved for members from each of the following, Atlantic Canada, Quebec, Ontario, Western Canada, and the Territories. One seat is reserved for women, native Canadians, seniors, and youths. All senior officers are non-voting members of the Executive if not councillors.

6.3 The National Executive shall organize itself through Standing Orders passed by an absolute two-thirds majority.

6.4 Executive Orders decreed by the National Executive need a majority vote if moved by the president and a two-thirds majority if motioned by the vice president.

6.5 All senior and junior Officers of the Party are appointed by order of the Executive. Executive Officers and terms of the Officers shall be set in a National officers by-law.

6.6 Three months before a joint vote of the Assembly and Congress the National executive can introduce any National by-law for a vote.

6.7 Any member of the National Executive can be suspended or expelled by a two-thirds majority vote in the National Assembly. The National Congress in regular session by a two-thirds majority vote can only suspend a member.

Federal Tribunal

7.0 There shall be a Federal tribunal for the resolution of all conflicts concerning the application of the by-laws and orders of the Party's institutions and councils. The Federal tribunal shall also insure that the Party Constitution and the Provincial Charters are not contravened by any by-law or order in the Party structure.

7.1 The Tribunal shall consist of 12 members with terms of 12 years with one seat on the Tribunal becoming vacant each year. The terms begin and end on January first.

7.2 The National Congress by secret ballot and a two-thirds majority vote in regular session shall elect the members of the Tribunal with a confirming majority vote in the National Assembly. The National Assembly and the National Congress in regular session can suspend or expel a member from the Federal tribunal by a two-thirds majority vote.

7.3 The Tribunal shall elect a chairman and vice-chairman. The Tribunal shall by a vote of 9 members issue Standing Orders to govern the Tribunal. All decisions of the Tribunal require at least 7 votes of the membership.

7.4 The decisions of the Federal tribunal can be over-ruled by a vote of the National Assembly and Congress in regular session. A vote of 7 on the Tribunal requires majority votes of the Assembly and Congress to over-rule the Tribunal. A decision of 8 votes shall require sixty percent votes in the Assembly and Congress to over-rule. A decision by 9 or more votes requires a two-thirds majority vote in the Assembly and Congress to over-rule the Tribunal.

Provincial Associations

8.0 The membership in each province can apply to the National executive to form a Provincial Association. Such an application must include the nomination of 4 association officers, the signatures of 25 registered members, and an Association charter. The 3 Territories can jointly apply to form an Association with the same status, as can Native Canadians not in the Northern territories.

8.1 Each Provincial association shall have a General Assembly that is the members of the National Assembly in that province. Amending a Charter shall require a two-thirds majority vote of the Provincial Assembly.

8.2 The Provincial charter shall conform to the Party's constitution. No Federal by-law or order shall over-rule any provincial charter.

8.3 Each Provincial Association shall appoint and remove its own officers and administer its own funds.

8.4 Any Provincial Association can be dissolved by a two third majority vote in the National Assembly and the National Congress in regular session.

Riding Associations

9.0 The membership in each riding can apply to the National executive to form a Riding Association. Such an Application must include the nomination of a riding president and vice-president, the signatures of 5 registered members, and a copy of the Riding By-laws.

9.1 All Riding Associations shall have a General Assembly of the registered membership in that riding and an Executive comprising of the riding president and vice-president. Amending the By-laws shall require a two-thirds majority vote of the Riding Assembly.

9.2 All Riding By-laws shall conform to the Party Constitution and the Provincial Charter of the province in which the riding exists. No Federal or Provincial by-law or order shall over-rule any Riding By-laws.

9.3 Each Riding Association shall appoint and remove its own officers and administer its own funds.

9.4 Any Riding Association can be dissolved by a two third majority vote in the National Assembly and the National Congress in regular session.

9.5 If there is no Association in a riding then the Provincial Executive shall appoint an Administrator for the riding. If there is no Provincial Association then the National Executive can appoint the Administrator.

Elections

10.0 Online voting shall be used for the elections of the National, Provincial, and Riding Assemblies and for the National Congress.

10.1 There shall be regular Assembly votes for the jurisdictions as follows. National Assembly regular votes are scheduled for the last three days of the months of February and August. Provincial Assembly regular votes are to be held on the last three days of the month of May. Riding Assembly votes are to be held on the last three days of the month of November.

10.2 The National Assembly and the National Congress in regular session by two-thirds majority votes shall pass a Federal Election by-law to govern all national and nomination elections of the Party.

10.3 Each Province by a two-thirds majority vote in their Provincial Assembly shall pass a Provincial Election by-law to govern all provincial elections in that province.

10.4 Each Riding association by a two-thirds majority vote in their Assembly shall pass Riding By-laws to govern that Association's elections.

10.5 There shall be a Federal Election Officer (FEO). This officer shall be responsible for the conduct of all national and nomination elections and the administration of the Party's voters list.

10.6 The Federal Election Officer is elected by a two-thirds majority vote of the National Congress in regular session with a concurring two-thirds majority vote of the National Assembly. This officer can be removed by the same vote in the Assembly and Congress. The term of office shall be for 10 years.

Leader & Caucus

11.0 The Party shall hold a leadership election no earlier than 3 years after the last vote and no later than 6 years after the last election. The winner is elected Leader of the Party and the runner-up as the Deputy leader.

11.1 It is a vote in the National Congress in regular session that sets the month for the leadership vote. The Leader may serve at most 3 terms as Leader of the Party. This doesn't include serving the remainder of a vacated term.

11.2 In the event of vacancy of the Leader the Deputy leader shall become acting Leader or the most senior member of the Federal Council. The National Congress in legislative session shall within 30 days of the Leadership going vacant and no earlier than 15 days elect a Leader to serve for the remainder of the Leader's term. This vote is by secret ballot. In the event of vacancy of the Deputy leader the most senior member of the Federal Council who accepts shall become Deputy leader with a confirmation vote of the Federal Council.

11.3 The Leader shall sign all nomination and Election Canada papers. Any refusal shall mean the automatic and immediate expulsion from the Party.

11.4 The House caucus shall consist of all Party members who are members of the House of Commons. The caucus by an absolute two-thirds majority vote can suspend an MP from caucus. The Senate caucus shall be the same as the House caucus with the two making the Parliament caucus.

11.5 The House leader shall be elected by a secret vote of the House caucus. The runner-up in such a vote becomes deputy House leader. These two officers are members of the Federal council. The Party caucus in the Senate shall do the same.

Position, Policy & Platform

12.0 All National resolutions passed by the Party shall be collected and organized into the Grey Book. All resolutions add to, amend, or delete from the Grey Book. The Party shall issue for each federal election a manifesto of the party platform. The major planks are the key resolutions and the minor planks the binding resolutions. The next Party platform will be Manifesto 43 issued for the 43rd federal election and applicable only for the 43rd Parliament of Canada.

12.1 Non-binding resolutions or regular resolutions are passed by a majority vote through the National Assembly and National Congress. Such resolutions are motioned in the National Assembly. These resolutions are the National position of the Party on that issue. If passed by a majority through both the Assembly and Congress the resolution stays listed in the Grey Book for 4 years. If passed by a 60% vote through both it's listed for 6 years, 8 years with a 2/3 majority, and listed for 12 years with a 3/4 majority vote in the Assembly and Congress.

12.2 Binding Resolutions need the approval by two-thirds majorities of the National Assembly and National Congress with majority votes in the Federal Council and National policy committee. Binding Resolutions form a part of the National platform of the Party and are binding on any Federalist government. Binding resolutions are motioned in the Federal Council.

12.3 Key resolutions need three-quarter majorities to be passed in the National Assembly and National Congress and two-third majorities through the Federal council and National policy committee. Key resolutions are motioned in the National policy committee. These resolutions are in the National Party Platform and are binding upon a Federalist government and all Federalist MPs.

12.4 Each Federalist MP can vote as they choose in the House of Commons. They may vote against key resolutions without penalty a number of times in each Parliament equal to the number of times they have been elected to the Commons. The first penalty is suspension from caucus for 3 months. The second penalty is suspension from caucus and Congress for 6 months. The third penalty is suspension of Party membership for 1 year. The last penalty is the automatic and immediate termination of membership in the Federalist Party.

Amendments

13.0 Amendments to the Constitution of the Federalist Party of Canada shall be voted on and passed solely by the National Assembly of the Party.

13.1 Amendments to this provisional constitution shall require a 60% majority vote by the National Assembly with a quorum of fifty percent with at least 25 members voting.

13.2 The adoption by the Assembly of a permanent constitution for the Party shall take a two-thirds majority vote with quorum and at least 125 members voting.

13.3 The Founder of the Federalist party of Canada, Mr. Barry Aulis is hereby barred from running for the Party leadership or the nomination to be the Party's candidate for the House of Commons in any riding.

13.4 The Founder is hereby given a seat for life on the Federal Council. Mr. Aulis may be removed from the Council as per *Article 5.8*.

13.5 The Founder has the authority to issue National by-laws for the Party until this authority is cancelled by a vote of the National Assembly or the adoption of a permanent constitution.

13.6 The Federalist party may merge with another party only by a vote the same as passing a constitutional amendment. This resolution to merge the two parties shall state the name and constitution of the merged Party.

Founder

Barry Aulis

