THE COMMON SENSE PARTY OF CANADA

CONSTITUTION

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I. PRINCIPLES

WHEREAS through Common Sense, we can improve living standards for all Canadians;

AND WHEREAS, all politicians and all business people agree on one thing: if the economy does not work, nothing else will work. If the economy does not work, we cannot feed the hungry, and we cannot look after the most fragile people in society — the elderly, the sick and the handicapped.

AND WHEREAS the economy is driven by three forces: smart managers, hardworking employees, and investors. All three have a right to the outcome, which is profits.

AND WHEREAS without workers, a business cannot make a profit. Workers have a moral right to some the profits of the business they work for.

NOW HERETOFOR the Seven Key Principles are:

1. Balance the Government Budget and Eliminate the National Debt;
2. Reduce Government overhead and Reduce Red Tape;
3. Simplify the Tax System;
4. Unchain Small Business;
5. Share profits with Employees;
6. Rebuild Skilled Trades; and
7. The Right to Healthy Food.

II. GENERAL RULES

1. The name of the party is "The Common Sense Party of Canada" , and is referred to in this Constitution simply as the "Party".
2. The Purpose of the Party is to bring into Constitutional Law the Seven Principles as stated in I. Principles and to participate in the public affairs of Canada by endorsing and supporting Registered Candidates for election in the House of Commons, advocating Common Sense principles and policies, and raising money in support of these purposes.
3. The Official Languages are English and French.
4. This Constitution and the by-laws made by the National Board will govern the affairs of the Party and all of its boards, commissions, committees and associations. No other board, commission, committee or association of the Party may establish a constitution other than this Constitution.
5. Only the Party, an Electoral District Association ("EDA") or a campaign, acting through its Chief Agent, may hold property and money, accept contributions, make expenditures, enter into contracts of employment, enter into leases, or otherwise make agreements or arrangements. No other board, commission, committee or association of the Party may do any of above mentioned acts.

III. MEMBERSHIP

1. Membership in the Party is open to every citizen or permanent resident of Canada who:

   a. has attained the minimum age of eighteen (18) years of age;
   b. actively supports the Principles of the Party
   c. signifies their intention to join the Party
   d. has personally paid the Party's annual national membership fee of twenty dollars ($20.00 CAD)
   e. and is not holding an individual membership in another federal political party.

2. Ten (10) business days after payment of the national membership fee and acceptance by the National Board, every member is entitled to:

   a. participate in any meeting of the Electoral District Association ("EDA") in which the person resides or serves as a board member;
   b. vote for, and stand for election to, the board of directors of any EDA in which that person resides
   c. attend any national convention;
   d. vote for, and stand for election as, a delegate or alternate delegate at any meeting called by the EDA in which that person resides or serves as a board member, for the selection of delegates or alternate delegates to any national convention of the Party;
   e. Stand for election to the board of directors of an EDA other than the one in which the person resides;
   f. Stand for election as a delegate or alternate for any one meeting in a single EDA.

3. The Leader, the members of the National Board, the directors of the Canadian Economic Charter of Rights and Responsibilities, and the Executive Director must all be members of the Party.
4. The Party promotes diversity, inclusiveness and gender parity at all levels. This Constitution will operate without discrimination on the basis of race, national or ethnic origin, colour, religion, sex, gender identity or expression, sexual orientation, age or mental or physical disability.
5. The Party under the direction of the National Board will maintain a national register of all registered members and stating their EDA.

IV. ELECTORAL DISTRICT ASSOCIATIONS

1. Recognition may be granted by the National Board to one Electoral District Association ("EDA") in each federal electoral district, and such recognition may be revoked, pursuant to rules and procedures set out in the by-laws and in accordance with the Canada Elections Act.
2. The purpose of each EDA is:

   a. to endorse and support the candidate of the Party for election to the House of Commons for its electoral district;

   b. engage in, and support, field organizing, outreach, and fundraising in its electoral district; and,

   c. facilitate input into Party policy by Registered Party Members in its electoral district consistent with the Party policy process established by the National Board and in accordance with this Constitution.

3. The executive or governing board of an EDA shall be composed of Registered Party Members (whether or not living within the applicable electoral district) in such numbers and in such a manner to be determined by Party by-law.
4. EDA's shall comply with such requirements as to their governance, financial management and reporting, as may be implemented by National Board by by- law or otherwise.
5. EDA's shall comply with such other requirements as to their governance, financial management and reporting, as may be implemented by National Board by by-law.
6. Each officer of an EDA must be a Registered Party member, and will be elected at a general meeting of the Registered Party Members who reside in such EDA in accordance with the rules of procedure determined by the National Board.

V. NATIONAL BOARD

1. The affairs of the Party will be governed by a National Board of Directors (the "National Board"), which will consist of:
    a. the Leader;
    b. the President;
    c. the Vice-President (English);
    d. the Vice-President (French);
    e. the Policy Secretary;
    f. the Party Secretary;
    g. the immediate past President;
    h. one representative of those Members of Parliament who caucus with the Party (the "Caucus");
    i. one representative from each Province or Territory (each, a "Director" or a "Director from a Province or Territory") from each province and territory of Canada;
    j. one representative from each commission (each, a "Commission") established by the National Board;
    k. the following non-voting members:
        i. the National Director of the Party (the "National Director");
        ii. a Treasurer (the "Treasurer");
        iii. one representative of the Chief Agent of the Party;
        iv. one representative of the Leader;
        v. a Revenue Chair (the "Revenue Chair");
        vi. up to two Chairs of the National Campaign Committee; and
        vii. One Constitutional and Legal Adviser.
        viii.
2. Election or appointment of members of the National Board shall be on the following basis:
    a. each member of the National Board must be a Registered Party Member and otherwise satisfy any requirements set out in the by-laws;
    b. each of the President, the Vice-President (English), the Vice-President (French), the Policy Secretary and the Party Secretary shall be elected by secret ballot, in accordance with the by-laws established by the National Board, by all of the Registered Party Members registered at a National Convention of the Party (with the manner of registration and voting, including any remote registration and voting, to be determined by the National Board). No person elected to the positions set out in this section may serve in the same office for more than two consecutive terms (each term no more than 3 years);
    c. if there is a vacancy in the office of the President, one of the Vice-Presidents (as determined by the National Board) must assume the functions of the President;
    d. a person who has resigned the office of President cannot subsequently serve as the immediate past President unless they are first re–elected to the office of President;
    e. if there is a vacancy in any other office, then (i) in the case of offices typically elected at a National Convention or appointed, the National Board must promptly appoint a Registered Party Member to assume the functions of the vacant office for the remainder of their predecessor's term; and (ii) in the case of offices elected at a Provincial or Territorial Convention or by a Commission, the vacancy will be filled by the executive of the applicable Provincial or Territorial Board, or Commission;
    f. each Director from a Province or Territory will be elected by secret ballot, in accordance with the by-laws established by the National Board, by Registered Party Member of the province or territory in which such Director lives at a Provincial or Territorial Convention;
    g. each representative of a Commission will be selected by such Commission, in accordance with the by-laws established by the National Board;
    h. each of the National Director, Treasurer, and Revenue Chair shall be appointed by the National Board with the consent of the Leader and the President;

i. the Constitutional and Legal Advisers shall be appointed by the National Board with the consent of the Leader and the President. The Constitutional and Legal Adviser shall be bilingual English and French speaking, with experience in both the common law tradition, and in the civil law tradition;
j. the representative of the Chief Agent will be selected by such Chief Agent, in accordance with the by-laws established by the National Board; and
k. the representative of the Leader, and the two chairs of the National Campaign Committee shall be designated by the Leader.

3. The National Board will have the power to:

    a. make by-laws, by majority vote, to determine any matter delegated to it in this Constitution (provided that such by-laws must be consistent with this Constitution and published on the website of the Party in order to be effective, and shall only be effective until the next National Convention unless ratified or amended at such convention) including without limitation:
        i. the delegation of authority to the National Board;
        ii. the establishment and governance of standing and special committees, including without limitation committees dealing with matters of policy, election readiness, conventions, and Leadership Contests;
        iii. the establishment and governance of Commissions, and the recognition of sections, branches and clubs;
        iv. the governance and administration of EDA's;
        v. the process of policy consultation and development followed by the Party;
        vi. the rules governing registration as a Registered Party Member;
        vii. the rules governing registration and attendance (both remote and in-person) at any convention of the Party;
        viii. the rules governing the election of officers to the National Board,
        ix. the responsibilities, rules and procedures of the National Board and the Management Committee;
        x. the rules governing the election, responsibilities, removal and limitation of Provincial or Territorial Boards;
        xi. the procedures of the Permanent Appeals Committee; and
        xii. the Chief Agent;
    b. oversee the financial administration of the Party, including the approval of budgets, fees, expenses and revenue targets and the administration of banking matters;
    c. oversee, acting through the National Director, the hiring and supervision of personnel, employed, contract or otherwise, of the Party and any Provincial or Territorial Board, committee, or commission;
    d. approve the incurrence of debt and granting of security on behalf of the Party and any Provincial or Territorial Board, committee, or commission;
    e. approve the entering into of any lease or agreement or the acquisition of any real, personal, moveable or immovable property on behalf of the Party and any Provincial or Territorial Board, committee, or commission.

4. The National Board shall meet not less than three times per calendar year, and shall establish a by-law to govern its procedures. The National Board may meet in person or by electronic means, but if they meet by electronic means, each member must be able to communicate with each other member.
5. Each officer of the National Board will have the powers and responsibilities set out for them in the by-laws of the National Board, and will serve until new officers are elected at the next National Convention of the Party.

VI. CONVENTIONS

1. The National Board shall hold such national conventions (each, a "National Convention") and Provincial or Territorial conventions as may be required to give effect to the provisions hereof, including the election of those elected officers of the National Board who are not elected at a Provincial or Territorial Convention or by Commissions, and to deal with policy, by-law ratification, training, election readiness and such other matters as it may determine.
2. National Conventions shall be held approximately every two years and in any event not later than three years following the previous National Convention.
3. Registration and attendance any Registered Party Members who pay the fees established by the National Board may register and attend such Convention.

VII. CANADIAN ECONOMIC CHARTER OF RIGHTS AND RESPONSIBILITIES

1. The Canadian Economic Charter of Rights and Responsibilities ("CEC") is a non-share capital corporation incorporated federally under the provisions of the Canada Corporations Act.
2. The CEC is a fundraising arm for the Party.
3. The CEC shall be the Chief Agent of the Party pursuant to the *Canada Elections Act.*
4. The constating documents of the CEC shall provide that its board shall be elected annually from amongst a list of candidates nominated jointly by the National Board, which list shall include at least one member of the National Management Committee.
5. The CEC shall submit quarterly financial reports and an annual audited financial statement to the National Board.
6. The CEC shall submit the annual budget of the Party to the National Board for consultation prior to adoption and implementation by CEC, and shall consult with the National Board prior to authorizing or implementing substantial amendments to the budget. The CEC shall not provide funding for activities or programs within the areas of responsibility of the National Board unless such activities or programs have been approved by the National Board.
7. EDA's and affiliated organizations shall provide such financial information to the CEC as the National Board may require.
8. The National Board may authorize the CEC to take all necessary steps to assume control and ownership of all of the assets of an electoral district association in such special circumstances as may be set out by by-law, including the suspension or revocation of recognition of any EDA. Assets assumed under the provisions of this Article shall be held by the CEC and shall be returned to or paid out to the next duly elected board of the electoral district association whose recognition has been renewed. In the event that such association ceases to exist or does not re- apply for renewal of recognition within a period of two (2) years from the assumption of the control of its assets, such assets shall become property of the CEC.
9. Any rebates from Elections Canada to the campaign of candidates for Members of Parliament in national elections assigned to the CEC shall be remitted to the designated recipient, within thirty (30) days of receipt by the CEC.
10. Any member committing the CEC or the Party to unauthorized expenditures or indebtedness shall save harmless and indemnify the CEC and the Party against any claim, demand, action, debt or cause of action which may arise as a result of such unauthorized commitment.
11. The Leader shall nominate the directors of the CEC subject to ratification by the National Board. The President of the National Board or his or her designate and one other duly elected member of the National Board shall serve on the CEC in a voting capacity.
12. A representative of the CEC will provide a financial report to the delegates at each national convention and at that time be prepared to answer questions the delegates may have on it.
13. The Chair of the CEC's board of directors responsibilities include, but are not restricted to: ensuring effectiveness of the budgeting reporting process commitments, integrity of the contract process and any agreements made, fundraising, effectiveness of expenditures and compliance with all aspects of Canadian law.
14. The Directors of the CEC will be volunteers and will receive no compensation for their service.
15. All expenditures of the CEC must be connected to advancing the political and electoral interests of the Party. No expenditures can be purely a subsidy to a Registered Party Member unrelated to advancing the electoral or political interests of the party.

VIII. LEADER

1. The Leader is entitled to exercise all authority of a leader under the *Canada Elections Act* and is elected by the Registered Party Members.

2. The Leader is responsible to:

    a. speak for the Party concerning any political issue;
    b. take part in the development of the Party policies and Party platform;
    c. be guided by the Party policies and the Party platform;
    d. promote the Party and the CEC, its principles and policies;
    e. report to the Party at every National Convention; and,
    f. appoint the Campaign Chairs.

3. If the Leader is not a Member of Parliament or Senator, he or she shall, upon written request to the Chair of CEC, be entitled to receive a salary equivalent to that of a Member of Parliament.

4. The Leader shall nominate the Executive Director of the Party subject to ratification by National Council.

5. The Executive Director is an employee of CEC.

6. Any decision to change the employment status of the Executive Director is the responsibility of the CEC, subject to ratification by the National Board.

7. The Leader shall provide a report to, and carry out an accountability session with, the delegates at every national convention.

8. The Leader shall provide a report to the National Board at least quarterly.

9. At the first national convention following a federal general election when the Party does not form the government and the Leader has not indicated, prior to the commencement of the national convention, an irrevocable intention to resign, the delegates will vote by secret ballot if they wish to engage the leadership selection process.

10. In the event of any of the following, the National Board shall implement the leadership selection process at the earliest convenient date thereafter:

    a. the death or retirement of the Leader;
    b. the Leader indicates an intention to resign by submitting notice in writing to the President of the National Board;
    c. more than fifty percent (50%) of the votes cast at a national convention as provided for above in paragraph 9 of this Article are in favour of engaging the leadership selection process.

11. In the event of the implementation of the leadership selection process, the following shall apply:

    a. The National Board shall appoint an Interim Leader of the Party who shall exercise the powers and responsibilities of the Leader until a new Leader has been selected. An Interim Leader may but need not be appointed where the Leader has indicated an intention to resign.
    b. The Leadership Election Organizing Committee shall determine the rules and procedures for the conduct of the leadership selection process, including a dispute resolution procedure which shall be final and binding. The rules shall provide that a member may cast a postal ballot; the minimum membership period established for eligibility to vote in the leadership election shall be set so as to permit adequate time for ballots to be mailed to members and returned by mail. Voting by way of faxed ballot shall not be permitted.
    c. The National Board shall appoint the chair and members of the Leadership Election Organizing Committee.
    d. The Leadership Election Organizing Committee shall be comprised of, but not limited to, the following: three (3) National Board members, preferably from different regions of Canada, and one (1) CEC member.

12. The election of the Leader shall be by way of a direct vote of members in every electoral district, as follows:

    a. Each member of the Party will have one vote.
    b. Each EDA will be allocated 100 points or 1 point per vote cast at that stage, whichever is less.
    c. Leadership candidates will be assigned a point total based on their percentage of the vote in each electoral district.
    d. To win the leadership, a candidate must obtain a majority of points from across the country.
    e. Voting will be by preferential vote (single transferable ballot).
    f. Each leadership candidate is entitled to have scrutineers present at all stages of the vote count.
    g. At each count round, both the weighted results and the results by electoral district shall be made public.
    h. In the event the final ballot of any leadership contest is within 1.50% of point totals, a mandatory recount will be implemented; all ballots will be preserved while said recount is undertaken.
    i. No independent third party shall be retained to count the ballots.

IX. CANDIDATES FOR PARLIAMENT

1. The National Board shall create rules and procedures for the selection of candidates.
2. The rules shall provide that only a Party Member may seek nomination as a candidate.
3. The National Board shall establish the National Candidate Selection Committee that shall have the right to disallow the candidacy of any person before or after nomination by the EDA, subject to the appeal of such a decision to the National Board whose decision shall be final and binding.
4. The rules shall provide for a Candidate Nomination Committee in each electoral district that shall, subject to the rules, be responsible for the administration of the candidate selection process in the electoral district.
5. Every EDA shall provide organizational and financial support to the Party's candidate in the electoral district.

X. NATIONAL CAMPAIGN COMMITTEE

1. There shall be a National Campaign Committee (the "NCC"), composed of such national campaign chairs and Registered Party Members the Leader shall designate.
2. The NCC shall have the power to establish national rules with respect to nominations (including any associated fees), the process of registering to vote at a nomination meeting, vetting of candidates for nomination, removals of nominated candidates, disputes, campaign matters and election readiness.
3. Ratification Rules established by the NCC shall be subject to ratification by the National Board.

XI. POLICY

1. The National Board shall establish and maintain a national policy process, to be coordinated by the Policy Secretary, which must provide for the following:
    a. communication and discussion between Registered Party Members;
    b. engagement of Registered Party Members;
    c. reporting and accountability to Registered Party Members;
    d. flexibility to accommodate changing technology, conditions and electoral cycles; and
    e. input into platform development process.

XII. PROVINCIAL PARTIES

1. The Party shall not establish provincial political parties.
2. The National Board may decide to change this Article and commence a provincial political party at any point in time.

XIII. CONSTITUTIONAL AMENDMENT

1. This Constitution may be amended in accordance with this Section by a resolution of three-quarters (3/4) of Registered Party Members registered at a National Convention (with the manner of registration and voting, including any remote registration and voting, to be determined by the National Board).
2. Amendments to this Constitution may be proposed by:
    a. the Leader;
    b. the Management Committee;
    c. the National Board;
    d. any Provincial or Territorial Board; or
    e. any Commission.

3. Proposed amendments must be submitted in writing to the President at least 48 days before the National Convention at which they are to be considered.
4. The President must publish a copy of each proposed amendment to this Constitution that must be submitted to a National Convention on the public website of the Party at least 27 days before such National Convention.
5. A constitutional amendment takes effect on the later of the time it is adopted and the date (if any) specified in the amendment.
6. After each convention at which this Constitution is amended, the Constitutional and Legal Adviser shall oversee the publication of this Constitution as amended and may, in so doing, and subject to the ratification of the National Board:

    a. renumber the provisions of this Constitution to accommodate the changes that have been made;
    b. correct typographical errors, spelling errors, and cross-references between provisions which are no longer accurate;
    c. correct errors which are purely typographical;
    d. replace gender biased language with gender neutral language; and
    e. correct inconsistencies between the English and French versions of this Constitution only insofar as such changes will not change the substantive meaning of any provision.

7. This Constitution will be governed by the interpretation provisions of this paragraph, and the National Board will have authority to interpret this Constitution, and:

    a. words importing the singular include the plural, and vice versa;
    b. the power to appoint includes the power to replace;
    c. the power to make a by-law or adopt rules includes the power to amend or repeal the by-law or rule;
    d. wherever any period between two events is expressed as a number of days, the days on which the first and second events take place are not to be counted;
    e. wherever it is stated that a person must have been a Registered Party Member for a number of days immediately preceding an event, then their application to be a Registered Party Member must have been received (a) during regular business hours on a day when the receiving office was open at least that number of days before the event or (b) electronically in a manner approved by the National Board of Directors before midnight, local time of the residence of the applicant, that number of days before the event. For all purposes of this Constitution, a Registered Party Member will be considered to live at the place of their ordinary residence, which must be determined in accordance with the *Canada Elections Act*.
    f. each member of the House of Commons, each candidate at a general election or a by-election and each Registered Party Member living with the member of the House of Commons or candidate is entitled to be deemed to have a place of ordinary residence in the electoral district represented by the Member of Parliament or in which the candidate seeks to be elected, as the case may be; and,
    g. a document is delivered to a person when it is actually received by that person, and a document is delivered to an office designated by the National Board when it is actually received at that office.

8. Unless this Constitution otherwise provides, any notice to a Registered Party Member may be given by mail to each household, by electronic mail, or in any other manner established by the National Board. A notice need not be given to any Registered Party Member designated as “inactive” in accordance with procedures established by the National Board in a by-law, or who has requested not to receive correspondence. The inadvertent failure to give notice to any Registered Party Member of anything does not invalidate the notice, the meeting or any business of the meeting

XIV. ENFORCEMENT AND INTERPRETATION OF THE CONSITITUTION

1. The Constitution is to be interpreted and read subject to the provisions of the Canada Elections Act. Unless the context otherwise requires, words and phrases used in the Constitution have the same meaning as in the *Canada Elections Act*.
2. To the extent that there is any conflict between any provisions of this Constitution and the Canada Elections Act or other applicable law, the law under the *Canada Elections Act* or other applicable law shall prevail.
3. The National Board shall provide rules and procedures for the giving or any notice required under the Constitution.

4. This Constitution shall govern the affairs of the Party subject to the *Canada Elections Act* as stated above in paragraph 1, and in the event of any other conflict between this Constitution and any other document, this Constitution shall prevail.

XV. LIABILITY AND INDEMNITY

1. When acting within the scope of their authority, no employee, volunteer, officer, director, or member of any committee established by the Party shall be liable for any debts, actions, claims, demands, liabilities or commitments of any kind of the Party.
2. The Party shall indemnify and hold harmless each such person against any debt, action, claim, demand, liability or commitment whatsoever.

XVI. DISPUTE RESOLUTION

1. Except for any dispute related to the leadership selection process, any ten (10) members of an EDA or affiliated organization may give notice in writing to the National Board of a dispute as to whether the requirements of the Constitution, a by- law or any rules and procedures are being met by the electoral district association or affiliated organization or any committee thereof.
2. The National Board shall appoint one or more members to investigate the merits of the dispute, which member(s) shall be authorized to intervene to attempt to resolve the dispute.
3. If the members appointed pursuant to paragraph #2 above decide not to intervene or are unsuccessful in resolving the dispute, National Board shall, in writing, refer the matter to a specifically appointed Arbitration Committee.
4. The National Board may also refer any other matter or class of matter, other than a matter related to the leadership selection process, to the specially appointed Arbitration Committee for adjudication by a panel.
5. On receipt of a referral from the National Board, the specially appointed Arbitration Committee shall select a panel of three (3) Registered Party Members from any other EDA but not from the EDA where the complaint arose, to arbitrate and decide on the dispute.
6. The decision of the specially appointed Arbitration Committee panel is final and binding and there shall be no appeal or review on any ground whatsoever.
7. Subject to any specific directions from any specially appointed Arbitration Committee panel, the National Board is empowered to implement the decisions of that specially appointed Arbitration Committee panel.
8. The general rules and procedures for the specially appointed Arbitration Committee and its panels shall be determined by the specially appointed Arbitration Committee itself, subject to ratification by the National Board within 30 days of the election of a National Board at convention.
9. The National Board shall appoint the chair and members of the specially appointed Arbitration Committee. None of them shall be on the National Board in any capacity and at least one of them shall have legal training. They shall be appointed for terms of office of at least one year.

XVII. INDEX OF DEFINED TERMS

- "Registered Party" member means a member of The Common Sense Party that has paid the registration fee and been accepted by the National Board
- "EDA" means Electoral District Association.
- "Caucus" mean those Registered Party members that have been elected and sit in the House of Commons.
- "Chief Agent" means the Canadian Economic Charter of Rights and Responsibilities ("CEC").