

Constitution: The British Columbia Libertarian Party (Draft 2)

The name of the organization shall be the "British Columbia Libertarian Party" hereinafter referenced as "the party".

Duration

The duration of the party shall be perpetual.

Purpose

The purpose for which the party exists is to support the election of party candidates to the British Columbia Legislature.

Requirement for Membership

Each member shall submit a signed copy of the following Statement of Philosophy and Principles to the Party.

Statement of Philosophy and Principles

Definitions

"Liberty" is defined as "a freedom or freedoms operative between individuals."

"Aggression" is defined as "infringement of a Right."

Creation of Rights

"Liberty" is the only Right. All other Rights are derivative or special cases.

Within a community, "A Right" is created and acquired by mutual and several agreement with the three (3) following conditions:

1. "The Right" is simultaneously an acknowledged reciprocal duty of the relevant kind.
2. An agreed upon Authority exists to impose penalties on any individual who infringes the Right.
3. The relevant reciprocal duty is presumed to be a duty towards each and every other individual.

The Right of Liberty is expressed in the party by acknowledging the following five principles:

1. Freedom of Association

Individuals may voluntarily form and join associations where rules/laws may be established for the exchange of property, settling of disputes, and granting of Authority between members. The Right of Freedom of Association includes the Right to dis-associate with no risk of legal penalty.

2. Property

A person's creations and the fruits of their labour are that person's "property". Every individual has the Right to use, transform, pool, and dispose of, their property in any manner they see fit, so long as such

use, transformation, pooling, or disposal, does not infringe any Right. New property is created by agreement.

3. Defense

Every individual may use and/or delegate force, or the threat of force, to protect their person and property from Aggression.

4. Authority

The only presumed authority is personal authority over self, which may be delegated or granted to an authoritative organization or individual. No individual may legitimately claim any authority over any other individual where it has not been explicitly granted, or implicitly granted. There is no limitation to the authority that an individual may grant over self. Anyone may revoke the granting of Authority, simply by giving public notice.

5. Non-signatories

Every individual is presumed to have the same Rights as signatories, unless waived by deed or word. Non-signatories shall be left in peace, unmolested by signatories.

Signature_____ Date_____

Name (printed)_____

BYLAWS

These Bylaws shall govern the internal operations of the party and shall be consistent with the Statement of Principles. The Statement of Principles and Bylaws shall not be amended in any year in which there is a British Columbia general election.

Article 1 - Amendment of the Constitution and Bylaws

- Amendment of the Constitution shall require 75% affirmative vote of the members at any General Meeting.
- Amendment of the Bylaws shall require a 60% affirmative vote of the members at any General Meeting. Majority vote of the Officers or ruling of the standing Ethics Committee may also make temporary Amendment of bylaws.
 1. Temporary amendments must be submitted to the membership for ratification at the next General Meeting.
 2. Failure to submit the Temporary Amendment at the next General Meeting is deemed to be revocation of that amendment.
- Amendment of Standing orders may be made by a majority vote of all Officers or by written ruling of the Ethics Committee Chairman.
- All amendments must be published through the party newsletter or other public method within thirty (30) days of enactment.

Article 2: Membership

Membership requires the submission of a completed and signed *Constitution Statement of philosophy and Principles* together with required membership fees.

Fees for membership in the party shall be set and amended by majority vote of the members at the Annual General Meeting.

Membership ceases when:

- the member's dues fall into arrears, or
- an Ethics Committee expels the member, or
- the member submits a written letter of resignation to the party secretary

The party shall organize its membership to include

- party president
- vice president
- party leader
- deputy leader
- Ethics Committee chairman
- secretary
- board of directors
- voting member(s)
- non-voting member(s)

Article 3 - Officers

Officers of the party shall consist of the Directors, the Executive, Party Leader, Deputy Leader and the Ethics Committee Chairman.

Any member may be elected to any office but no member may hold more than one Office simultaneously.

Officers shall be elected at a general assembly and shall be subject to the guidelines and requirements laid out in the Constitution and Bylaws.

An honorarium may be paid to any Officer, subject to ratification at a general Meeting.

3(a) Directors

Directors may fill any office that becomes vacant. Directors may appointment any member. An appointed officer retains the office until the next Annual General Meeting.

There shall be a minimum of five (5) and a maximum of ten (10) Directors.

The Board of Directors may fill vacancies within itself by appointment by a majority vote of the entire Board, except for the positions of President and Vice President.

The Board of Directors shall take office immediately upon the close of a Convention, and shall serve thereafter until the start of the next Convention.

The Board of Directors shall have the control and management of all the affairs, properties, and funds of the party, consistent with the Constitution and Bylaws.

The Board of Directors shall meet in the manner and at the times and places prescribed in the Bylaws.

3(b) Executive

The executive shall consist of:

- President
- Vice President
- Treasurer
- Secretary

3(c) - Ethics Committee

- Ethics Committee members shall be elected at the General Meeting and serve until the next General Meeting. Five (5) to nine (9) members is recommended, but a minimum of three (3) is required for a quorum.
- The Ethics Committee first order of business is to elect one of their members as chairman.
- If a complaint against any Ethics Committee member is being considered by the Ethics Committee then that member must recuse themselves from the Ethics Committee for the duration of that hearing.

Article 4 - Duties of Officers

4(a) Directors

- Shall meet at least twice per year, with a quorum of four (4).
- Determine the long-term and yearly goals of the party

- Inform the executive of the party goals
- Oversee the Executive as it works toward those goals.
- Make interim appointments to committee and executive positions
- Dismiss any Officer(s) upon instruction from the Chairman of the Ethics Committee.
- One director shall be appointed to the “volunteer” committee coordinator.

In the event that there are too few Directors to form a quorum, due to resignations, dismissals or other events, the remaining director(s) shall appoint a member, or members, to interim Director Positions.

4(b) Party Leader

The party leader, in consultation with the Board of Directors, shall draft an election platform. The election platform shall state the policies that would be adopted by a Libertarian Government in the next term of office. The election platform shall not contradict or diminish any particulars of the Statement of Philosophy and Principles.

4(c) Ethics Committee Chairman

- Shall chair the Ethics Committee
- Shall hear complaints regarding any violation of the Statement of Philosophy and Principles.
- May hear other complaints brought by members.

4(d) President

- Shall be chief executive officer of the party
- responsible for party internal organization
- responsible to oversee fundraising, membership drives and other party activities
- delegate duties to members
- responsible to the Directors for accomplishing the party goals
- ex-officio member of all committees except the Ethics Committee

4(e) Vice-President

- May assist the President in all duties
- Shall be the Acting President whenever the President is unavailable, or requests it.

4(f) Secretary

- Shall keep records of membership, meeting minutes, and the current Constitution and Bylaws
- shall act as recording Secretary at all Executive meetings, or designate an alternate
- shall be responsible for giving notice of meetings to directors and members

4(g) Treasurer

- shall maintain a bank account for the party
- shall issue receipts and disburse funds
- shall make an annual financial report to members at each AGM
- shall keep complete financial records

Article 5 - Quorum

- Three Directors shall be required for a quorum of Directors
- Three Executive members shall be required for a quorum of the Executive
- Five Officers shall be required for a quorum of Officers
- Two Ethics Committee members plus the Chairman is required for quorum of the Ethics Committee.

Article 6 - Meetings of Officers

- 14 days' notice of any Meeting must be given, unless waived by unanimous agreement of the relevant Officers.
- Any Executive member may call an Executive meeting.
- Any Director may call a Director Meeting.
- Any member of an Ethics Committee may call an Ethics Committee meeting.
- Any member may attend any meeting of Officers.

6(a) - Meeting Attendance

- Meeting attendance may be in person, by telephone or other electronic teleconferencing communication method, or by letter.
- Any Executive member, who fails to attend at least one Executive meeting in any three-month period, may be replaced by appointment of another member in his place, by the remaining Executive members or by the Directors. If the Directors and the remaining Executive cannot agree on the new appointee, then the Ethics Committee Chairman shall choose between the appointees.
- Any Director who fails to attend at least one Director's meeting in any six-month period, may be replaced by the remaining Directors, through appointment of another member.
- The Ethics Committee Chairman is not required to attend any meetings, but if the Chairman cannot attend then s/he must delegate the Chair to another Ethics Committee member.

Article 7 - General Meetings

(A Convention is a General Meeting)

Meeting procedure is governed by Standing Order 5

A petition signed by 25% of the membership shall make the calling of an Extraordinary General Meeting mandatory upon Officers, within 30 days

7(a) Attendance and voting

Any member may attend any General Meeting. Only Voting Members at the Convention may vote on any matter or speak on the floor of the convention, except by a vote of the Voting Members on the floor of the convention, who may choose to allow an observer to speak but not to vote on any matter.

7(b) Notices

30 days' notice of any General Meeting must be given, in a newsletter or in a public place available to members.

7(c) Frequency

There shall be at least one general meeting every two years.

7(d) Organizer

Officers shall appoint a General Meeting Organizer, who shall oversee all aspects of the General Meeting and Chair the General Meeting. If the Officers do not appoint a General Meeting Organizer, then the first order of business at the General Meeting will be election of the Organizer. An Organizer may not be elected to any Office at that General Meeting.

The Organizer shall oversee all procedures at a General Meeting, and make provisions for ballot boxes, paper, pencils, counting of Votes, and any other matters related to proper functioning of the General Meeting.

Article 8 - Election of Officers

At every Annual General Meeting, there shall be an Election of Officers, unless waived by unanimous vote of the attendees. If Election of Officers is waived, then the current Officers are deemed re-elected by acclamation. Offices are deemed to be vacant at the 'call to order' of any General Meeting which is called by petition of the membership and election of officers may not be waived at such a meeting.

8(a) Nominations

Any member may be nominated for any Office by a nominator and a second.

Any member may be nominated for any Officer position by a nominator and a second.

Members may be nominated from the floor of the meeting or in advance, by written notice to the Organizer. The Organizer may create a Nomination Committee, if needed.

8(b) Election procedure

The Organizer shall oversee election procedure, in accordance with the Bylaws where the Bylaws specify a procedure, and by providing written instructions of procedures where the Bylaws are silent.

Officers are elected by receiving the highest net number of Votes, or by unanimous show of hands, or (if only one candidate) by acclamation.

A candidate may appoint a scrutineer to oversee the counting of Votes.

Any candidate may appoint a scrutineer to oversee the counting of Votes.

8(c) Interim Party Leader.

In the event that the position of Party Leader or Deputy Party Leader is vacated, a new Party Leader or a Deputy Party Leader shall be chosen by members elected to the Legislature from among their own number. In the event that there are no elected members, a Party Leader or a Deputy Party Leader shall be chosen by those members who were candidates in the most recent provincial election.

Article 9 - Finances

the party shall keep at least one bank account

The signature of the Treasurer and one other Executive Member shall be required on all cheques.

The fiscal year shall run from Jan. 1 to Dec. 31.

The Treasurer shall make a complete financial report to the membership at every Annual General Meeting. A written copy of this report shall be given to any member, upon request.

9(a) Borrowing powers

the party may borrow money only with a consenting majority vote of the members at a General Meeting. The members must ratify the amount borrowed and other terms of the loan.

Article 10 - Parliamentary Authority

Robert's Rules of Order - Newly Revised shall be the parliamentary authority where it does not clash with the constitution or bylaws, and where the bylaws do not specify an alternative procedure.

Article 11 - Voting

- 11.1. Votes are created and allocated and cast according to the rules in the Bylaws and the Standing Orders.
- 11.2. The only alternative voting procedure is a show of hands, which must be all in favor and none against, to succeed. Abstentions are not counted.
- 11.3. Non-members may own Votes, but only voting members may cast Votes within the party elections.
- 11.4. Votes are "property", as defined in the Statement of Principles, and may be traded, acquired, and otherwise treated as each Vote owner sees fit.
- 11.5. Votes have no monetary value to the party.

Voting for Officers:

- 11.5.1. Each nominee shall have two ballot boxes, each labelled with the candidate name and position nominated for. Additionally, one shall labelled "for" and one shall be labeled "against"
- 11.5.2. The vote for each candidate shall be tallied by subtracting votes against from votes for.
- 11.5.3. The winner for each Office is the candidate with the highest tally of votes. A tie is resolved with a coin toss.

Voting on motions:

- 11.5.4. Each motion shall have two ballot boxes, each labelled with the exact wording of the motion.
- 11.5.5. one ballot box shall be labelled "for" and one shall be labeled "against"
- 11.5.6. The vote for each motion shall be tallied by subtracting votes against from votes for.
- 11.5.7. A motion with a positive vote tally vote succeeds and a motion with a zero or negative vote tally fails.

Voting where percentage is specified

- 11.5.8. There shall be two ballot boxes, each labelled with the exact wording of the motion. one ballot box shall be labelled "for" and one shall be labeled "against".
- 11.5.9. Final Percentage shall be determined adding the votes "for" with the votes "against" and then calculate the percentage of the total votes are "for".

Creation of Votes

- 11.5.10. Votes may be created by any suitable means, including (but not limited to) paper notes, metal tokens, electronic data and book entries.
- 11.5.11. No method of creating Votes is permitted, beyond those stated herein. Any member creating forgeries or knowingly using forgeries or counterfeits, shall be expelled from the party for life.
- 11.5.12. Votes shall be created and allocated at every General Meeting, in the amounts specified by Standing Orders. All newly-created Votes shall be allocated as the last order of business at every AGM.
- 11.5.13. In any year in which a general meeting does not occur, votes shall be created and allocated in an amount specified by the Standing Orders, on the last day of December of that year.

Destruction of Votes

Votes are considered destroyed after they have been cast and tallied.

Abandonment of Votes

The voting system specified herein may be revoked by the party membership by unanimous show of hands at any Annual General Meeting. Abstentions are not counted.

12. Dispute Resolution Mechanism

An Ethics Committee shall investigate and resolve violations of the Statement of Principles and may adjudicate disputes between members.

Any member may bring a dispute for any reason arising out of a violation of the Statement of Principles.

The member must file a Notice of Dispute to the Ethics Committee Chairman, specifying the principle(s) violated. It is permissible to request the remedy sought.

An Ethics Committee may seek opinions within or outside the party.

An Ethics Committee may assess penalties and/or compensations in Votes. Refusal to comply with the ruling of an Ethics Committee shall result in immediate expulsion from the party.

Any decision of an Ethics Committee shall be consistent with the Statement of Principles.

Ethics Committee members are not immune to Ethics Committee complaints.

The Ethics Committee Chairman has wide discretionary powers, from imposing penalties (usually in Votes) to dismissal of an Officer, to expulsion of a member from the party.

12.1. Constitutional Challenge

A "Constitutional Challenge" may be heard by an Ethics Committee, for any question of conflict between the Statement of Principles and the Constitution, Bylaws or Standing orders. Any member may file a Notice of Constitutional Challenge with the President. Officers shall appoint four (4) additional members to an Ethics Committee hearing a Constitutional Challenge.

12.2. Rulings

A Ruling of an Ethics Committee on a Constitutional Challenge shall have force only until the next General Meeting, at which time the Constitutional Challenge ruling of the Ethics Committee shall be submitted to the members. Members will then vote to affirm or reject the ruling.

12.3. Appeal of Rulings

Appeal of any Ethics Committee ruling may be made at any General Meeting held within two (2) years of the ruling. Appeal is by vote, affirming or rejecting the ruling. Appeals (if any) must be the first order of business after call to order, at a General Meeting. Written Notice of Appeal citing the exact wording of the ruling and any reasons for appeal must be filed with the General Meeting Organizer at least fourteen (14) days prior to the General Meeting.

Standing Orders

1 - Creation of Votes

- a) At every Annual General Meeting, Votes shall be created in the amount of 500 multiplied by the number of members, and divided equally among Executive members. The Secretary shall record the number of Votes distributed, along with the names of the Executive members who receive them.
- b) At the conclusion of any general municipal, federal, provincial or international election, Votes shall be created and given to each member who ran as a candidate, in the amount of 50 multiplied by the total number of votes received by that member.
- c) Upon each new member joining the party, 50 Votes shall be created and given to that member.
- d) On January 1 each year, Votes shall be created and given to each party member in the amount of 200 multiplied by that member's full years of membership.

2 - Election procedures

- a) The Organizer will determine and oversee all voting procedures for General Meetings.
- b) Voting is either by use of Votes or by unanimous show of hands.
- c) Members vote by placing Votes into an appropriately labeled ballot box (or other suitable container).
- d) Members may place Votes in more than one ballot box.
- e) Members may cast some, none or all, to a maximum of as many Votes as they actually have.
- f) Normally, every vote will require at least two ballot boxes for each motion or candidate, consisting of "opposed/affirmative", "yes/no", "for/against" or other similar method of determining the will of the membership.
- g) Balloting may be open or secret, and must be specified in advance as part of the motion or procedure, except at General Meetings where the Organizer will specify the procedure for each motion.
- h) Votes are tallied for each candidate or motion, by subtracting opposed Votes from affirmative Votes, and the resulting largest number affirmative is the winner.

3 - Destruction of cast Votes

Cast and counted Votes are no longer "property" as defined in the Statement of Principles. Once cast and counted, they shall be destroyed. One member may be appointed by the Executive to govern all creation, destruction, collection, and keeping records of any matter directly related to Votes in accordance with the rules stated in the bylaws and standing orders. That member may not be an Officer. Once appointed, that member may be removed only by expulsion from the party for a violation of the Party Principles. That member shall collect all Votes cast, count them, and then destroy them. Willful failure to properly dispose of cast Votes is fraud, and a violation of the party principles.

4 – Communications and Internet

The Executive shall delegate the position of "webmaster" to one member, who shall have authority over all matters pertaining to the party website and any other the party Internet resources, including (but not limited to) domain administration, e-mail lists, electronic conferencing facilities, use of the party name and all server/resource operation.

5 - General Meeting order of business

The order of business at General Meetings shall be as follows:

1. President calls meeting to order and hands gavel to the Meeting Organizer.
2. Appeal of Ethics Committee Rulings, if any
3. Ratification of Ethics Committee rulings, if any
4. Executive reports
5. Other items of business
6. Election of Officers
7. Distribution of Votes
8. Adjourn