

**THE QUEEN'S BENCH  
Winnipeg Centre**

BETWEEN:

**SHELLY GLOVER,**

Applicant,

– and –

**THE PROGRESSIVE CONSERVATIVE PARTY OF MANITOBA,**

Respondent,

---

**AFFIDAVIT OF SHELLY GLOVER  
SWORN: November 2, 2021**

---

FILED NOV 02 2021

**HILL SOKALSKI WALSH LLP**  
Litigation Counsel  
2670 – 360 Main Street  
Winnipeg, Manitoba  
R3C 3Z3

**Dave Hill / Melanie Wire**

Telephone: (204) 943-6740  
Fax: (204) 943-3934  
File No. 21193

**THE QUEEN'S BENCH  
Winnipeg Centre**

BETWEEN:

**SHELLY GLOVER,**

Applicant,

– and –

**THE PROGRESSIVE CONSERVATIVE PARTY OF MANITOBA,**

Respondent,

**AFFIDAVIT OF SHELLY GLOVER**

I, Shelly Glover, of the City of Winnipeg, in the Province of Manitoba,

MAKE OATH AND SAY THAT:

1. I am the Applicant herein and have personal knowledge of the facts hereinafter deposed to by me.
2. On September 16, 2021, I was confirmed as a candidate in the Respondent's Leadership Election (the "Election").
3. The Leadership Election Process is governed by the Rules and Procedures for the Conduct of the Leadership Election Process (the "Rules

and Procedures”), which are attached hereto and marked as Exhibit “A” to this Affidavit.

4. The Rules and Procedures were developed and approved pursuant to the Constitution of the Progressive Conservative Party of Manitoba, which is attached hereto and marked as Exhibit “B” to this Affidavit.

5. Voting for the Election closed at 5:00 PM on October 29<sup>th</sup>, 2021.

6. My campaign leadership was provided with a spreadsheet at 12:27 AM on October 30<sup>th</sup>, 2021, which indicated that 16,045 ballots would be counted that day.

7. The ballots were counted beginning at 8:00 AM on October 30<sup>th</sup>, 2021 at the Victoria Inn located in Winnipeg, Manitoba. I did not attend the Victoria Inn until approximately 2:30 PM and was never in the room where the votes were being counted.

8. At approximately 5:00 PM, Tom Wiebe, the President of the Respondent, announced that there were 82 spoiled ballots and 17 disputed ballots. Then, Mr. Wiebe announced that I had won 8,042 ballots. Instantaneously, given the number of votes I had received, I believed that I had won the Election.


9. However, Mr. Wiebe went on to say that Ms. Stefanson had won 8,405 ballots, leading me to conclude that a total of 16,546 ballots had been counted, rather than the 16,045 ballots that had been referred to in the spreadsheet received by my campaign leadership.

10. The margin of victory for Ms. Stefanson was 363 votes, and Mr. Wiebe declared that Ms. Stefanson had won the Election.

11. I make this Affidavit bona fide.

SWORN before me at the City of )  
Winnipeg, in the Province of )  
Manitoba, this 2<sup>nd</sup> day of November, )  
2021 )

  
\_\_\_\_\_  
**SHELLY GLOVER**

  
\_\_\_\_\_  
A Barrister-at-law entitled to practice in  
and for the province of Manitoba

This is **Exhibit "A"** referred to in the Affidavit  
of Shelly Glover sworn before me  
this 2<sup>nd</sup> day of November, 2021



---

A Barrister-at-law entitled to practice  
in and for the Province of Manitoba

**Rules and Procedures**  
**for the conduct of the**  
**Leadership Election Process**

As presented to Executive Council

August 23rd, 2021

Amended September 21, 2021

**Progressive Conservative**  
**Party of Manitoba**

## **1) Introductory**

These rules and procedures were developed by the proposed Leadership Election Committee (LEC) and approved by Executive Council at its meeting on August 23rd, 2021 under the authority of Article XIV (2) of the Constitution (Schedule A) for use by the LEC for the election of the next Leader of the Party.

## **2) Leadership Election Committee**

The LEC is authorized by Article XIV (2) of the Constitution to oversee these rules and procedures (the 'Rules') once decided by Executive Council. The membership of the proposed Committee is as follows:

Chair: George Orle<sup>1</sup>  
Member: Rae Wagner<sup>2</sup>  
Member: Liz Reimer

Subcommittees to the LEC will be recruited and are outlined in Schedule B to these Rules.

## **3) Definitions**

- a) "Applicant" means a person who is eligible and has completed a Leadership application form under these rules to be a candidate in the Party Leadership election
- b) "Constituency Association" or "CA" means a constituency association of the Party
- c) "Lapsed Membership" means a Party membership which expired within the previous 12 month period
- d) "Leadership Candidate" means an Applicant whose application has been certified by the LEC;
- e) "Leadership Election Committee" or "LEC" means the Leadership Election Committee established by Executive Council under Article XIV of the Constitution;
- f) "Member" means a member of the Party;
- g) "Membership Sales" include sales to new members and renewal or extension of a current, lapsed or expired memberships made on or after August 23rd, 2021;
- h) "Party" means the Progressive Conservative Party of Manitoba

---

<sup>1</sup> Appointed by the President on August 11th, 2021 as per Article XIV (2)(b)

<sup>2</sup> Also a member of the Board of Directors as required by Article XIV (2)

- i) "Party Headquarters" means the Party headquarters at 23 Kennedy Street, Winnipeg.



## **4) Application**

### **a) Eligibility**

Applicants must meet the following eligibility requirements at the time of their application; they must:

- i) be a Canadian citizen;
- ii) be at least eighteen years of age; and
- iii) be a Member of the Party in good standing.

### **b) Form of Application**

Unless waived by the LEC, eligible individuals shall file the following (included as Schedule C) at Party Headquarters by the Application Deadline (5(a)):

- i) A completed and signed Leadership Candidate application
- ii) The following checks:
  - a) An original copy of a current Certificate of Conduct obtained through the RCMP or local police detachment;
  - b) Child Abuse Registry check;<sup>3</sup>
  - c) Adult Abuse Registry check
  - d) Signed authorization for the Party to conduct a credit check; and
  - e) Completed forms authorizing the Canada Revenue Agency, the Canada Border Services Agency, Citizenship and Immigration Canada, and the Department of National Defence to release any available information through the *Privacy Act* to the Party concerning any offences, infractions, or pending matters involving the Applicant under an Act, regulation, or Code enforced by those departments.
- iii) A nomination petition signed by at least fifty (50) current Members who were Members at least fourteen (14) days prior to signing the petition.
- iv) A signed declaration stating the agreement of the Applicant that:
  - a) He or she has “read, understood and do hereby affirm my personal commitment to the principles, values and policies of the Progressive Conservative Party of

---

<sup>3</sup> Obtain from: Child Abuse Registry Unit – Child Protection Branch, 201-114 Garry Street, Winnipeg, MB R3C 4V5. Telephone:(204) 945-6967 Fax:(204) 948-2222.

Manitoba and the Constitution of the Progressive Conservative Party of Manitoba”

- b) Membership information provided by the Party will be used only for the purpose of campaigning for the leadership, and not for any other purpose; and
- c) Use of the Party logo is not permitted in campaigning for the leadership.
- v) Proof of one thousand (1,000) Membership Sales<sup>4</sup>.in the form of completed membership application forms accompanied by a summary spreadsheet in electronic format. The spreadsheet must include the following information: Date membership sold/renewed, Full name of member, full address of member including mailing address, postal code and legal description. Online membership sales include a field to write in the name of a potential candidate to which they should be credited. These will be included towards the total.
- vi) An entry fee of \$25,000 is received by PC Party of Manitoba.
- vii) An interview with the Candidate Selection Committee established by the LEC. Interview to be conducted and decision on conditional approval within 48 hours of receipt of application.

### **c) Application Process**

- i) Upon receipt of a completed and signed Leadership Candidate application, along with satisfaction of all of the requirements outlined in section 4(b) except for the proof of Membership Sales requirement in 4(b)(v), and the payment of entry fee in 4(b) (vi), the LEC may consider the candidate conditionally approved and provide a list of Members<sup>5</sup> to an Applicant.
- ii) Upon receipt of a completed and signed Leadership Candidate application along with satisfaction of all of the requirements outlined in section 4b, except for the proof of Membership Sales requirement in 4(b)(v), and the payment of entry fee in 4(b) (vi), the LEC may consider the candidate conditionally approved and certify Applicant as Leadership Candidate with Elections Manitoba.
- iii) Full entry fee of \$25,000 in 4(b)(vi) must be received by PC Party by 5:00 PM September 15, 2021.

---

<sup>4</sup> See definition of “Membership Sales” in Section 3.

<sup>5</sup> Lists will include current, lapsed and expired Members.

- iv) Final proof of 1000 membership sales must be provided no later than the application deadline of September 15<sup>th</sup>, 2021 as described in 5(a).
- v) Failure to meet the final deadlines for conditions 4 c (iii) and (iv) will result in the revocation of conditional approval and disqualification from the election,
- vi) Updated lists of Members will be provided on a regular basis to certified Leadership Candidates until Thursday, September 30<sup>th</sup>, 2021, and afterwards as determined by the returning officer.

### 5) Milestones for Leadership Election Process

- a) **Application Deadline** : The LEC will accept completed candidate applications delivered to Party Headquarters up until 5:00 p.m. on Wednesday, September 15<sup>th</sup>, 2021.
- b) **Membership Cutoff**: Memberships must be submitted prior to 5:00pm on Friday October 1st, 2021 to qualify to vote.
- c) The **Final Membership List** will be compiled and distributed to Leadership Candidates by Monday, October 4<sup>th</sup>, 2021, depending on the volume of membership applications received near the end of the cutoff period. Memberships will be processed on a first in, first out basis.
- d) **Mail-in Ballots** will be mailed out to the final membership list by Tuesday, October 5<sup>th</sup>, 2021, depending on the volume of membership applications received near the end of the cutoff period, and must be completed and received at headquarters through Canada Post or authorized, secure drop-off location by 5 pm on Friday, October 29<sup>th</sup>, 2021 in order to be counted.
- e) The **Leadership Convention** will take place on Saturday, October 30<sup>th</sup>, 2021, with speeches, vote counting, and declaration of winner taking place on that day.
- f) If following the close of candidate applications (5a) there is only one Leadership Candidate, the LEC shall acclaim that person and communicate that result.

### 6) Membership

- a) Memberships cannot be paid for in cash unless the cash payment is accompanied by and affixed to, a completed application form including the residence phone number and the signature of the membership applicant.

- b)** Persons presenting multiple membership applications to Party Headquarters must certify that cash payments were received from the person(s) named in the associated membership application<sup>6</sup>.
- c)** Individual Members can only be attributed to one Applicant/Leadership Candidate for the purposes of 4(b)(v). If multiple consecutive renewals are presented by different Applicants/Leadership Candidates in respect to the same Member, only the first renewal will qualify for the purposes of this requirement.
- d)** Membership lists provided to Applicants/Leadership Candidates will include current, lapsed and expired members.

---

<sup>6</sup> A certification form will be developed for this purpose.

## **7) Voting**

- a)** The principle of one (1) eligible member, one (1) vote, through direct election will apply.
- b)** All voting by mail-in ballot or at secure drop off locations established by LEC.
  - i)** One piece of identification must include an address, such as
    - (1) Drivers License – must be clearly visible on all sides, or
    - (2) Health Card, or
    - (3) PC Manitoba Membership Card; and
  - ii)** A second piece of identification displaying the individual's name, such as
    - (1) Credit Card, or
    - (2) Utility bill
- c)** Mail in ballots will be mailed out to the final membership list by Tuesday, October 5<sup>th</sup>, 2021, depending on the volume of membership applications received near the end of the cutoff period, and must be completed and received at headquarters through Canada Post or at secure drop-off locations by 5pm on Friday, October 29<sup>th</sup>, 2021 in order to be counted. Hand delivered ballots will not be accepted.
- d)** Voting shall include ballot drop-off at secure locations established within party regions outside Winnipeg. Following consultations with the CAs, the LEC may establish one polling location to serve multiple constituencies, or more than one polling location in a single constituency at their discretion (see 7j).
- e)** Ballots will be designed such that each voter may indicate their choice for their preferred candidate. The Leader will be selected by a single preferential transferable ballot wherein voters are given the opportunity to numerically rank the Leadership Candidates<sup>7</sup>.
- f)** It is not a requirement that second, third and subsequent choices be completed in order for ballots to be valid.
- g)** Proxy voting is not permitted.
- h)** Each Leadership Candidate shall be entitled to scrutineers who may scrutinize the receipt of mail-in ballots and the counting of ballots<sup>8</sup>.
- i)** Stationary ballot boxes must be provided to receive ballots.
- j)** Regional Secure Drop-off locations shall be established by the LEC and RO in all party regions outside of Winnipeg and at least one region inside Winnipeg, Date, time and location to be determined by the Returning officer.

---

<sup>7</sup> The RO designated by the LEC will develop a counting protocol.

<sup>8</sup> The number of scrutineers will be designated by the RO.

- i) allow time for ballots to be sealed in ballot boxes and transported to the venue for the Leadership Convention for counting.
- k) In the event of a tied vote at any stage of the count, the deciding vote will be cast by a majority vote of the LEC through a secret ballot process supervised by the RO.

#### **8) Modifications and Appeals**

- a) The LEC may modify or suspend these rules as it sees fit.
- b) Appeals from decisions of the LEC are to be heard by the Party Credentials Committee in a timely manner.

## **Schedule A: Relevant Constitutional Provisions**

### **Article XIV – Election of Provincial Leader**

#### **1. Leadership Elections**

*A leadership election at which the Provincial Leader is elected shall be called by the Executive Council at such time on such date and at such place within Manitoba as it deems advisable if:*

- (a) The office of Provincial Leader becomes vacant;*
- (b) The Provincial Leader is unable to act by virtue of a physical or mental incapacity;*
- (c) The Provincial Leader so requests; or,*
- (d) A resolution calling for a leadership election is passed by a simple majority of delegates at a general meeting.*
- (e) At the first annual general meeting following a general Provincial election when the Party does not form the Government and the Provincial Leader has not indicated, prior to the commencement of the meeting, an irrevocable intention to resign, the President shall put the following resolution for determination by a simple majority by way of secret ballot to a meeting: “Do you wish to have a leadership election?”.*

#### **2. Leadership Election Process**

- (a) The principle of one (1) Member, one (1) vote, through direct election, shall apply.*
- (b) Once a Leadership Election has been called, the President shall appoint the Chair of the Leadership Election Committee. The Chair shall in turn appoint at least two other Members to the Leadership Election Committee, one of whom shall be from the Board of Directors.*
- (c) At the first meeting of the Executive Council after the Leadership Election Committee has been appointed, the Executive Council may confirm or reject one or more of the members of the Leadership Election Committee. If any of the members are rejected, the Executive Council shall replace those members.*
- (d) The Leadership Election Committee shall recommend to the Executive Council the rules and procedures of the conduct of the Leadership Election Process. The Executive Council shall decide the rules and procedures after receiving the recommendations from the Committee.*

This is **Exhibit "B"** referred to in the Affidavit  
of Shelly Glover sworn before me  
this 2<sup>nd</sup> day of November, 2021



---

A Barrister-at-law entitled to practice  
in and for the Province of Manitoba



# **Constitution of**

## **The Progressive Conservative Party of Manitoba**

Including amendments approved by the 2013 AGM



## Contents

Article I	Name .....	Page 3
Article II	Definitions .....	Page 3
Article III	Objects.....	Page 4
Article IV	Jurisdiction.....	Page 4
Article V	General Membership .....	Page 5
Article VI	Officers .....	Page 5
Article VII	Management Committee .....	Page 6
Article VIII	Board of Directors.....	Page 7
Article IX	Executive Council .....	Page 9
Article X	Credentials Committee .....	Page 12
Article XI	Board Nominating Committee.....	Page 13
Article XII	Meetings .....	Page 14
Article XIII	Policy.....	Page 17
Article XIV	Election of Provincial Leader .....	Page 18
Article XV	Constituency Associations.....	Page 20
Article XVI	Principal Office.....	Page 22
Article XVII	Chief Executive Officer .....	Page 22
Article XVIII	Candidates for the Legislative Assembly of Manitoba .....	Page 23
Article XIX	PC Manitoba Fund .....	Page 24
Article XX	Liability or Indemnity .....	Page 24
Article XXI	Amendments.....	Page 24
Article XXII	Transitional Provisions.....	Page 24

# **Constitution of The Progressive Conservative Party of Manitoba**

## **Article I - Name**

The name of the Party shall be "The Progressive Conservative Party of Manitoba".

## **Article II - Definitions**

In this constitution

1. **"Affiliated Organization"** means an organization which is being recognized as such by the Executive Council of the Party pursuant to the provisions of the Constitution;
2. **"Caucus Chairperson"** means the Chairperson of the Progressive Conservative Caucus in the Manitoba legislature or designate;
3. **"Clear day"** does not include the day on which the event occurs nor the day the action commences (e.g. giving notice of a meeting - clear day does not include the day of mailing the notice nor the day of the meeting for which the notice is given);
4. **"Constituency"** means a provincial electoral division established by The Electoral Divisions Act of the Province of Manitoba;
5. **"Constituency Association"** means an association approved by the Party for a Constituency;
6. **"Constitution"** means this Constitution of the Party as amended from time to time;
7. **"Member"** means a member of the Party who meets the criteria set out in Article XV 2.;
8. **"Model Constituency Constitution"** means the constitution attached hereto and forming part hereof and marked "Schedule A";
9. **"Officers"** means those individuals elected or appointed to the positions set out in Article VI 1;

10. **" Resident"** shall have the same meaning as set forth in "The Elections Act" of the Province of Manitoba;
11. **"Party"** means The Progressive Conservative Party of Manitoba;
12. **"PC Manitoba Fund"** means the fundraising arm of the Party pursuant to Article XIX;
13. **"Provincial Leader"** means the person elected pursuant to Article XIV and includes the present Provincial Leader;
14. **"Youth Member"** is a Member of the Party no older than twenty-five (25) and no younger than fourteen (14) years of age;

### **Article III - Objects**

1. The objects of the Party are:
  - (a) To promote the interests and values of the Party in Manitoba;
  - (b) To promote and assist in nominating and supporting in any provincial election, official Progressive Conservative candidates;
  - (c) To provide procedures and practices which are proper, reasonable and efficient to the end that all Members may participate meaningfully and effectively in the deliberations and activities of the Party.

### **Article IV - Jurisdiction**

1. The Party shall have jurisdiction over all activities of the Party within Manitoba. For any purpose of this Constitution, all Constituency Associations and Affiliated Organizations shall obtain and maintain their recognition by the Party in accordance with any procedures established by the Party.

## **Article V - General Membership**

1. The general membership of the Party shall consist of every Member of each Constituency Association of the Party, all members of the Progressive Conservative Caucus, the Provincial Leader and former Provincial Leaders of the Party.
2. Any Member of the Party may withdraw from the Party by delivering to the Party a written resignation and lodging a copy of same with the Chief Executive Officer of the Party.
3. Any Member of the Party may have their membership revoked by majority vote of the Board of Directors at any duly convened meeting, provided that such member be granted an opportunity to be heard at such meeting.
4. Any Member of the Party may be expelled from the Party by the Credentials Committee in accordance with the provisions of Article X of this Constitution.

## **Article VI - Officers**

1. **Officers** The officers of the Party shall be Members and consist of the following:
  - (1) Provincial Leader;
  - (2) Caucus Chairperson;
  - (3) Past President;
  - (4) President;
  - (5) Vice-President;
  - (6) Second Vice-President-Policy;
  - (7) Chairperson of the PC Manitoba Fund;
  - (8) Chief Financial Officer;
  - (9) Regional Directors (10);
  - (10) Youth Representative;

(11) Chief Executive Officer (non-voting);

(12) Secretary.

(Collectively referred to as the “Officers”)

2. **Duties** The duties of the Officers shall be those usually incidental to the respective offices together with such further or other duties as the Executive Council may direct from time to time and, in particular, the President shall preside at all general, special and leadership convention meetings of the Party and all meetings of the Executive Council and the Board of Directors. The President shall be a member of all committees of the Party. The President or other person presiding at any meeting in his or her place shall have a casting vote in the event of a tie.

## **Article VII – Management Committee**

1. **Composition** There shall be a Management Committee of the Board of Directors consisting of the Provincial Leader or designate, President, Chief Financial Officer, Chairperson of the PC Manitoba Fund and one Regional Director elected by the Regional Directors, and the Chief Executive Officer (non-voting).
2. **Powers and Duties** The Management Committee shall:
- (a) Supervise the financial affairs of the Party through budget development and monitoring of expenditures and make any decisions that it deems necessary until the next meeting of the Board of Directors at which time it shall report any such decisions;
  - (b) Report to the Board of Directors and to Executive Council;
  - (c) In the absence of the Chief Executive Officer, assume and perform those duties and responsibilities;
  - (d) Exercise the powers and carry out the duties set out in this Constitution.

## Article VIII – Board of Directors

1. **Composition** There shall be a Board of Directors of the Executive Council consisting of the Officers.
2. **Quorum** A majority of the Board of Directors shall form a quorum.
3. **Notice** Five clear days notice of meetings of the Board of Directors shall be given and may be given by telephone or by electronic mail (e-mail). Meetings may be held on less than five clear days notice if all members waive notice and notice may be waived before or after the meeting and in any manner.
4. **Duties** The Board of Directors shall perform the duties and exercise all of the functions of the Executive Council between meetings of the Executive Council and, without limiting the generality of the foregoing shall:
  - (a) Exercise the powers and carry out the duties of the Party directly or indirectly through the employees and agents of the Party and direct the management of the business affairs of the Party;
  - (b) Exercise control and direction of the principal office, staff and property of the Party;
  - (c) Appoint a Chief Executive Officer of the Party in consultation with the Provincial Leader;
  - (d) Consider and make the recommendations on all matters to come before the Executive Council;
  - (e) Make written reports to the Executive Council of matters considered by it;
  - (f) It will be the duty of the Regional Directors to ensure that all Constituency Associations under their jurisdiction have a properly constituted executive and that regular constituency meetings are held at least on an annual basis and to undertake such other activities in their region as may be identified from time to time by the Management Committee or Executive Council. Division of the provincial constituencies to the Regional Directors shall be the responsibility of the Executive Council;

- (g) Pass such rules and regulations that it deems necessary in an emergency situation to give effect to this Constitution consistent with Article III hereof. Such rules and regulations shall remain in effect until the next meeting of the Executive Council;
- (h) Direct, mandate and enforce through the Credentials Committee the procedures and rules to be followed for any delegate selection meetings or nomination of candidates for the Party for any Provincial Election;
- (i) Appoint a Board Nominating Committee, at least two (2) months prior to each Annual General Meeting, consisting of at least three persons, at least one of whom shall be the President of a Constituency Association and at least one of whom shall be a Member of the Legislative Assembly of Manitoba;
- (j) Provide notice to all the presidents of all Constituency Associations of the establishment of the Board Nominating Committee and its membership;
- (k) Appoint a Candidate Selection Committee, consisting of at least five persons, at least one of whom shall be the President of a Constituency Association or a Regional Director, and at least one of whom shall be a Member of the Legislative Assembly of Manitoba, to oversee the rules and procedures established for candidate selection pursuant to Article XVIII.
- (l)
- (m) Appoint such committees that it deems appropriate from time to time with such responsibilities as it may determine.
- (n) Pass such rules and regulations that it deems necessary and which are consistent with Articles III and IV;
- (o) Promote compliance by the Party with all election laws and election financing laws;
  - i. Promote compliance by all Constituency Associations and elections committee with all elections laws and election financing laws;
  - ii. Promote compliance by all candidates of the Party with all election laws and election finance laws;

5. **Members Seeking Nomination** If any member of the Board of Directors, other than a person who is already a sitting member of the Legislative Assembly of Manitoba, intends to seek nomination for any



political party in an election, that person must notify the Board of Directors in writing of his or her intention and shall take a leave of absence as a member of the Board of Directors until such time as the nomination process has been completed. If that person becomes a nominated candidate for an election, that person must resign his or her position on the Board of Directors.

## **Article IX - Executive Council**

1. **Composition** There shall be an Executive Council of the Party. The Executive Council shall be members of the Party and shall include:
  - (a) The Progressive Conservative Members of the Legislative Assembly of Manitoba;
  - (b) The Progressive Conservative candidate who has been nominated for the next provincial election, provided that where no such candidate has been nominated, the unsuccessful Progressive Conservative candidate in the last provincial election or by-election;
  - (c) Members of the Board of Directors, as set out in Article VIII 1.;
  - (d) The President of each recognized provincial Constituency Association;
  - (e) Former Presidents of the Party resident in Manitoba;
  - (f) Former Provincial Leaders of the Party resident in Manitoba;
  - (g) The Chairperson or designate of any Affiliated Organization.
  
2. **Ex-officio** The following persons shall be non-voting members of the Executive Council;
  - (a) The Chief Executive Officer; and
  - (b) The Chairperson of all committees established by the Executive Council where those chairpersons are not already members of the Executive Council.

3. **Duties** The Executive Council shall have the following duties and powers:
- (a) To exercise any of the powers and authority of the Party between general meetings as it deems necessary or desirable in the best interests of the Party;
  - (b) To establish or cause to be established such rules and regulations as it deems necessary for the good order and government of the Party, including without restriction rules and regulations respecting the recognition of Constituency Associations and Affiliated Organizations, rules and regulations for the conduct of their meetings and of the meetings of the Executive Council and the Party, and rules and regulations for the election of the Provincial Leader, Officers, delegates and candidates;
  - (c) To appoint:
    - a. The Credentials Committee as set out in Article X
    - b. The Resolutions and Constitution Committee consisting of: the Provincial Leader or designate, the President or designate, One Member of the Legislative Assembly, the Chief Executive Officer, one Regional Director and two Members of the Party;
    - c. Such other committees that it deems appropriate from time to time with such responsibilities as it may determine;
  - (d) To receive, consider and approve with or without amendment, refer back or otherwise deal with the reports of all committees and the recommendations therein contained, if any, including reports of the Board of Directors, the Credentials Committee, and the Resolutions and Constitution Committee;
  - (e) To fill any vacancy in an office of the Party excluding that of Provincial Leader, but including that of President, unless the First Vice-President or failing that, the Second Vice-President consents to fill the vacancy in the office of President;
  - (f) To establish from time to time membership fees for annual or other periods of time in Constituency Associations and the allocation thereof between the Party and the Constituency Associations;

- (g) To establish categories of membership and assign to each category such rights, privileges, powers and obligations as the Executive Council may determine from time to time;
  - (h) To carry out or cause to be carried out such other duties and authorities referred to in this Constitution or assigned to it by any general or special meeting;
  - (i) To establish and recognize Affiliated Organizations which support the principles, objects and policies of the Party.
4. **Meetings** The Executive Council shall meet twice in each calendar year at the call of the Board of Directors and at such time on such date and at such place within Manitoba as the Board of Directors shall from time to time determine. Upon receipt by the President or Vice-President, Chief Executive Officer, or Secretary of a requisition for a meeting of the Executive Council, signed by twenty (20) members of the Executive Council, a meeting of the Executive Council shall be called within sixty (60) days of receipt of such requisition.
  5. **Notice** Notices of meetings of the Executive Council shall be mailed or be made by e-mail to all members thereof at least ten (10) clear days prior to the day set for the meeting which notice shall contain a brief statement of the matters then expected to come before the meeting.
  6. **Quorum** Twenty-five (25) members of the Executive Council present in person or represented by proxy shall constitute a quorum for the conduct of business.
  7. **Proxies** Any member of the Executive Council, who for any reason will not be attending a meeting of the Executive Council may appoint, in writing, one other member of the Party as his or her proxy with the same voting rights as the absent member; provided that any president of a Constituency Association or the Youth Representative may only appoint as proxy a member of the Constituency Association or a Youth Member respectively.
  8. **Voting** Each member of the Executive Council shall have one (1) vote only notwithstanding that the member may qualify in more than one capacity.
  9. **Mail Resolutions** Where the Executive deems it appropriate to do so, resolutions may be presented to the Executive Council by mail or electronic transmission. Each resolution shall be provided to each member of the Executive Council with background information appropriate

for an understanding of the resolution and a mail-in ballot containing places to vote for and against each resolution presented. The ballot shall clearly state the date by which the ballot must be mailed in return and the postmark shall be conclusive evidence of compliance with such date. The receipt of fifty (50) ballots by mail or delivery to the place for return thereof and the decision of the majority of the votes on each of the resolution(s) shall be as good and effective as a resolution passed by a meeting of the Executive Council.

## **Article X - Credentials Committee**

1. **Appointment** Immediately before each general meeting of the Party, the Executive Council shall meet and appoint a Credentials Committee consisting of three (3) Members of the Party, one to be designated as Chairperson. The members of the Credentials Committee so appointed shall assume their duties immediately upon appointment and shall continue to carry on their duties until their successors are appointed.
2. **Recognition** The Credentials Committee shall forthwith upon application or on the request of the Chief Executive Officer or on its own motion, inquire into, hear and determine all matters of recognition, including without restriction, whether Constituency Associations or any Affiliated Organizations should have its credentials recognized and may grant, suspend or withdraw recognition as in its discretion it deems advisable, subject to any criteria or direction established or given to it by the Executive Council or it may report thereon to the Executive Council.
3. **Credentials** The Credentials Committee shall inquire into and approve, if satisfied, the credentials of each Member nominated, elected or appointed to be a delegate and alternate delegate to meetings of the Party.
4. **Complaints by Board of Directors** Where the Board of Directors decides that any conduct of a member of the Party is detrimental to or contrary to the best interests of the Party, or is in conflict with the objects defined in Article III, then the Board of Directors shall refer such conduct to the Credentials Committee. Where the Credentials Committee receives such a referral, it shall consider the conduct and decide to take such action against the Member that it deems necessary, including expulsion from the Party.
5. **Complaints by Members** Where ten (10) or more Members believe that a decision or action of a Constituency association, or any Affiliated Organization, is detrimental to or contrary to the best interests of the

Party, or is in conflict with the objects defined in Article III, those Members may complain in writing about the decision or action to the Credentials Committee. Such a complaint shall be made within ten (10) days of the decision or action that is the subject of the complaint, unless the Credentials Committee, in its absolute discretion, decides to extend that time limit. Where the Credentials Committee receives such a complaint, it shall consider the matter and decide to take such action that it deems necessary. This may include setting aside the decision or action that is the subject of the complaint.

6. **Rules and Regulations** The Credentials Committee shall have full jurisdiction to make rules and regulations for the exercising of the jurisdiction conferred upon it by this Constitution and the Executive Council.
7. **Criteria on Inquiries** In any inquiry, the Credentials Committee shall have regard to any criteria or direction established or given to it by the Executive Council, to protect the interests of the Party and to what may be fair and equitable in the circumstances and to all other considerations that appear to it to be relevant, including, without restriction:
  - (a) Whether proper and reasonable procedures have been followed;
  - (b) Whether meetings have been fairly and properly held;
  - (c) Whether notices have been adequate; and
  - (d) Whether the principle of one member one vote has been adhered to.
8. **Quorum** Two members of the Credentials Committee shall form a quorum.
9. **Action by Executive Council** The Executive Council may on its own or upon application of any member, confirm, vary or rescind any action of the Credentials Committee.

#### **Article XI – Board Nominating Committee**

1. **Duties** The Board Nominating Committee, which shall be appointed under Article VIII 4., shall ensure that there is at least one nominee for each of the offices to be elected at the Annual General Meeting of the Party. The report of the Board Nominating Committee shall be included with the materials

distributed to the delegates to the Annual General Meeting and shall clearly indicate that Members may make additional nominations from the floor.

2. **Members Seeking Office** Any Member interested in seeking office should notify the principal office in writing or provide electronic transmission of such notice, provided that nominations may be also accepted from the floor of the Annual General Meeting with the support of ten (10) Members.

## **Article XII - Meetings**

1. **General Meetings** The Executive Council shall convene a general meeting of the Party once in each calendar year at such time, on such date and at such place within Manitoba as it shall determine; provided that any general meeting may be postponed in any calendar year in which there is a general election (federal or provincial), a leadership convention or other reason justifying such postponement but, subject thereto, no postponement shall result in the holding of a general meeting more than twenty-four (24) months from the previous general meeting.
2. **Special Meetings** Special meetings of the Party may be called at any time, on any date and at any place within Manitoba deemed advisable by the Executive Council.
3. **Notice** Notice of general and special meetings and of leadership elections may be given by mail or by e-mail notice thereof to all members of the Executive Council of record at least sixty (60) clear days prior to the date of the meeting.
4. **Quorum** Two hundred (200) delegates present in person shall constitute a quorum for the conduct of business at general and special meetings.
5. **Delegates**
  - (a) Any Member of the Party may attend general and special meetings but only delegates may vote. Delegates to meetings shall be paid-up Members who have held membership in the Party for a minimum of thirty (30) days prior to their election as a delegate;
  - (b) Subject to Article X 3., delegates to meetings shall be paid-up Members and comprise:
    - (i) The members of the Executive Council;

- (ii) Ten (10) delegates from each Constituency Association, at least one of whom shall be a man, one a woman and one a Youth Member. There shall be ten (10) alternate delegates designated as to their priority as "first alternate", "second alternate", "third alternate", "fourth alternate" and so on and in the absence of a delegate, the designated and accredited alternate delegate shall be deemed to be a delegate;
- (iii) Seven (7) delegates and seven (7) alternates from each of:
  - University of Manitoba (including affiliated colleges)
  - University of Winnipeg
  - Brandon University, and
  - Canadian Mennonite University

elected by and representing the members of all Affiliated Organizations from each university;
- (iv) Seven (7) delegates and seven (7) alternates from each of:
  - Assiniboine Community College
  - University College of the North
  - Red River College

Elected by and representing the members of all Affiliated Organizations from each college.

## 6. **Policy Resolutions**

- (a) Any Member of the Party, Constituency Association, Affiliated Organization or the Executive Council may propose a policy resolution to be presented and voted upon at an annual general meeting;
- (b) For any policy resolution to be presented at a general meeting, the following procedure must be followed:
  - (i) The policy resolution must be submitted in writing to the Chief Executive Officer of the Party at the principal office at least thirty (30) days before the General Meeting;
  - (ii) If the proposed policy resolution is from a Constituency Association or an Affiliated Organization, it must be passed

by the executive of the Constituency Association or of the Affiliated Organization;

- (iii) If the proposed policy resolution is from a Member of the Party, it must be supported by at least ten (10) other Members who show their support for the policy resolution by signing it;
- (iv) The resolutions committee shall review each policy resolution to determine if it is in the best interests of the Party. If the resolutions committee rejects a policy resolution, it must advise the proposer of the reasons for the rejection;
- (v) A rejection of a proposed policy resolution by the resolutions committee may be appealed to the Executive Council. Such appeal shall be heard by the Executive Council at its next meeting after the rejection of the policy resolution by the resolutions committee, but before commencement of the General Meeting.

7. **Procedures at Meetings** Subject to Article XXI hereof a majority of delegates voting at any meeting shall decide all issues.

The suggested order of business at all general meetings shall be as follows:

- (i) Calling Meeting to Order;
- (ii) Reading of Minutes;
- (iii) Election of Committees;
- (iv) Report of the President;
- (v) Report of the Chief Financial Officer, which report shall include a review of the financial statements at the annual general meeting of the Party;
- (vi) Report of the Chair of the PC Manitoba Fund;
- (vii) Report of the Youth Representative;
- (viii) Report of the Credentials Committee;
- (ix) Receiving and voting upon resolutions;
- (x) Report on election rules and regulations;
- (xi) Reports of committees;
- (xii) Motions and Notices of Motions;
- (xiii) Any new or other business not provided for or as Executive Council may decide.



8. **Election of Officers**

- (a) Each general meeting of the Party shall elect from the membership the Officers referred to in sub-sections (4), (5), (6) and (12) of Section 1 of Article VI. The Chief Financial Officer and the Chair of the PC Manitoba Fund shall be Members appointed by The Provincial Leader.
- (b) The Regional Directors referred to in sub-section (9) of Section 1 of Article VI shall be elected at each general meeting of the Party and are to be elected by the area constituencies that they represent.
- (c) The Youth Representative referred to in sub-section (10) of Section 1 of Article VI shall be elected at each general meeting of the Party and is to be elected by all Youth Members registered as delegates.

9. **Voting at Meetings**

- (a) The election of Officers and Regional Directors shall be by secret ballot;
- (b) The vote on any resolution asking delegates if they wish a leadership election shall be by secret ballot unless unanimously waived;
- (c) In all other cases, voting shall be by a show of hands except that a vote shall be by secret ballot on any matter if requested by fifty (50) or more delegates;
- (d) In the case of a vote taken by secret ballot, the Chairperson shall appoint scrutineers and direct how the vote shall be taken;
- (e) No delegates shall be entitled to more than one (1) vote even if he or she is present in more than one representative capacity, except that in the case of a tie, the President or other person presiding at any meeting in his or her place shall cast the deciding vote.

**Article XIII – Policy**

- 1. Policy is an important part of the Party and policy is to be determined in consultation with the members of the Party.
- 2. At every annual general meeting of the Party, a policy convention shall take place, at which time policy resolutions in accordance with Article

XII (6) shall be discussed, debated and accepted or rejected by the voting delegates in attendance at the annual general meeting.

3. The Provincial Leader and elected members of the Legislative Assembly of Manitoba are obligated to formally respond to resolutions approved at the annual general meeting as the official Party platform for general elections is developed prior to any election.
4. All policy initiatives will be coordinated by the Second Vice President of Policy in consultation with the Policy Steering Committee and the policy directors of the Constituency Associations of the Party.
5. Within twelve months of a general election, the Board of Directors shall appoint a Policy Steering Committee, co-chaired by the Second Vice President of Policy and a Member of the Legislative Assembly.
6. The Policy Steering Committee shall establish and communicate to the party membership a process for the engagement of the membership in policy development, including but not limited to:
  - i. the establishment of sectoral policy advisory councils, each to be co-chaired by a party member selected by the Policy Steering Committee and the member of the legislative Caucus who is responsible for the relevant area of public policy; and
  - ii. discussion of policy at annual general meetings; and
  - iii. engagement of the membership in policy development.

#### **Article XIV – Election of Provincial Leader**

1. **Leadership Elections** A leadership election at which the Provincial Leader is elected shall be called by the Executive Council at such time on such date and at such place within Manitoba as it deems advisable if:
  - (a) The office of Provincial Leader becomes vacant;
  - (b) The Provincial Leader is unable to act by virtue of a physical or mental incapacity;
  - (c) The Provincial Leader so requests; or,
  - (d) A resolution calling for a leadership election is passed by a simple majority of delegates at a general meeting.

- (e) At the first annual general meeting following a general Provincial election when the Party does not form the Government and the Provincial Leader has not indicated, prior to the commencement of the meeting, an irrevocable intention to resign, the President shall put the following resolution for determination by a simple majority by way of secret ballot to a meeting: “Do you wish to have a leadership election?”.

## 2. **Leadership Election Process**

- (a) The principle of one (1) Member, one (1) vote, through direct election, shall apply.
- (b) Once a Leadership Election has been called, the President shall appoint the Chair of the Leadership Election Committee. The Chair shall in turn appoint at least two other Members to the Leadership Election Committee, one of whom shall be from the Board of Directors.
- (c) At the first meeting of the Executive Council after the Leadership Election Committee has been appointed, the Executive Council may confirm or reject one or more of the members of the Leadership Election Committee. If any of the members are rejected, the Executive Council shall replace those members.
- (d) The Leadership Election Committee shall recommend to the Executive Council the rules and procedures of the conduct of the Leadership Election Process. The Executive Council shall decide the rules and procedures after receiving the recommendations from the Committee.

## 3. **Office of the Provincial Leader**

- (a) The Provincial Leader is the Chief Public Official of the Party;
- (b) The Provincial Leader shall promote the Party, its principles, its policies and objectives.
- (c) The Provincial Leader shall provide a report to and carry out an accountability session with, the delegates of every special or general meeting of the Party.

## Article XV - Constituency Associations

1. **Constituency Association** A Constituency Association shall be formed in each constituency to promote the objectives of the Party within the constituency.
2. **Membership** All Members of the Party shall be members in a Constituency Association, which shall be open to all individual persons who:
  - (a) Are resident in the constituency; and
  - (b) Are supporters of the Party; and
  - (c) Pay the applicable membership fee; and
  - (d) Complete and sign an application for membership; and
  - (e) Are fourteen (14) years of age or more; or
  - (f) Have been granted Honorary Life Membership in the Party.
3. Family memberships may be obtained by any member of the immediate family of a Member of the Party described in paragraph 2.
4. **Date of Membership** Subject to Article XII 3. and sub-paragraph (b),
  - (a) A person shall be deemed to have become a Member of the Party on the date his or her application is deposited at or where deposit of an application is impracticable, notification of an application may be mailed or electronic transmission and shall be effective on the date that the application is received at the principal office. Membership shall be suspended upon failure to pay any applicable membership fee and, where the suspended member's name appears on the list of members maintained by the principal office, shall be automatically renewed upon payment of the then current membership fee;
  - (b) Where a Constituency Association provides in its Constituency constitution that voting memberships may be purchased at meetings, paragraph 8(f) of Article VII of the model constituency constitution shall not apply.
5. **M.L.A.'s and Candidates As Members** Any Member of the Party who is a member of the Legislative Assembly of Manitoba shall be deemed to be

a member of the Constituency Association. If there is no such MLA, then the candidate of the Party who has been nominated shall be such member of the Constituency Association. If no such candidate has been nominated, then the unsuccessful candidate of the Party in the last election or by-election shall be such member of the Constituency Association.

6. **Members Who Move** Any Member of a Constituency Association who ceases to be resident in the Constituency shall, on the date of the physical move, automatically cease to be member of the constituency Association; provided that should that person become resident in another Constituency, he or she shall, upon the production of reasonable evidence thereof, automatically become a Member of that other Constituency Association.
7. **Constituency Constitution** On and after the date this Constitution is adopted, each Constituency Association shall be deemed to have adopted the Model Constituency Constitution for the governing of its affairs. The Constituency Constitution may be amended to include additional provisions that are not inconsistent with the provisions of the Model Constituency Constitution or this Constitution.
8. **Effective Date of Constituency Constitution** A Constituency Constitution shall take effect immediately upon the termination of any meeting of the Party at which it is adopted and thereafter all previous Constituency Association constitutions are repealed; provided that all officers of Constituency Associations shall continue to hold office until the next annual meeting of the Constituency Association at which officers are elected.
9. **Filing of Constituency Constitution** Constituency Constitutions and all amendments thereto shall forthwith after adoption thereof be filed with the Chief Executive Officer from whom copies may be obtained by Members upon payment of the fee thereof established from time to time by the Board of Directors. Should any Constituency Constitution or any amendment thereto be inconsistent with the Model Constituency Constitution or this Constitution, the matter shall be forthwith referred to the Credentials Committee by the Board of Directors.
10. **Formation of Constituency Associations** Where there is no Constituency Association in existence or where it appears to the Board of Directors that there is no functioning Constituency Association, the Chief Executive Officer, with the approval of the Board of Directors, and only after being unsuccessful in having the Members of the Constituency hold a meeting on their own motion, may by notice, convene a meeting of

Members for the purpose of organizing or reviving a Constituency Association or transacting such business as to the Board of Directors appears necessary.

11. **Compliance with the Requirements of the Party** All Constituency Associations shall comply with such requirements as to their financial management and reporting as may be implemented by Executive Council.

#### **Article XVI - Principal Office**

1. **Location** The principal office of the Party shall be located at 23 Kennedy Street in Winnipeg or at such other place in Manitoba as the Executive Council may establish from time to time.
2. **Function** The principal office shall serve as the organizational, administrative and coordinating centre of the Party and the Constituency Associations.
3. **Membership** Each Constituency Association and Affiliated Organization shall provide continuously updated lists of Members and officers to the principal office of the Party and the principal office shall maintain such lists for such period as may be determined by the Board of Directors. Such lists shall include the names of Members whose memberships are suspended by reason of failure to pay membership fees. Such lists, excluding suspended members, shall constitute the Members and officers of record. Upon the approval of the Chief Executive Officer, copies thereof may be obtained through the respective President upon payment of the fee thereof established from time to time by the Board of Directors.

#### **Article XVII – Chief Executive Officer**

1. **Chief Executive Officer** The Chief Executive Officer shall:
  - (a) Carry out the directions of the Provincial Leader and the Board of Directors and perform those responsibilities conferred upon the position by this Constitution;
  - (b) Be responsible for the supervision, management and control of the principal office of the Party;
  - (c) Maintain a neutral position in all meetings and conventions of the Party;

- (f) Be a non-voting member at all meetings and conventions of the Party;
- (g) The Chief Executive Officer shall maintain a listing of Members of the Party which shall include at a minimum, each Member's name, address, telephone number and the name of the Constituency Association to which the Member belongs.

#### **Article XVIII– Candidates for the Legislative Assembly of Manitoba**

1. The rules and procedures for candidate selection shall be approved by the provincial Board of Directors and overseen by the Candidate Selection Committee.
2. The Candidate Selection Committee shall have the right to disallow the candidacy of any person before or after nomination at the nomination meeting of the Constituency Association. This right will only be exercised in the event a serious problem is identified by the committee, at their sole discretion exercised reasonably in the best interests of the Party. In the event a nomination is disallowed by the committee, a detailed written decision must be published and made available to all Party members within five business days of the decision.
3. Appeals of decisions by the Candidate Selection Committee are heard by the Credentials Committee.
4. No such person shall be considered for selection as a candidate of the Party unless that person has signed the following affirmation: "I have read, understand and do hereby affirm my personal commitment to the principles, values and policies of the Progressive Conservative Party of Manitoba and the Constitution of the Progressive Conservative Party of Manitoba".

## **Article XIX - PC Manitoba Fund**

1. Is a fundraising arm of the Party, the members of which shall be appointed by the Provincial Leader.
2. The PC Manitoba Fund, in consultation with the Chief Financial Officer and the Chief Executive Officer shall annually, or as often as may be required, prepare a budget for the Party for approval by the Board of Directors.

## **Article XX – Liability or Indemnity**

1. When acting under the scope of their authority, no employee, volunteer, officer, director, or Member of the Party or any committee thereof shall be liable for any debts, actions, claims, liabilities or commitments of any kind of the Party. The Party and the PC Manitoba Fund shall indemnify and hold harmless each such person to any debt, claim, liability or commitment whatsoever.

## **Article XXI - Amendments**

Amendments to this Constitution may be made at any general or special meeting of the Party by a 2/3rds majority vote. A notice of motion in writing of the proposed amendment must be forwarded to the Chief Executive Officer or Secretary at the Principal Office of the Party at least sixty (60) *days* before such meeting is held. Upon receipt of any such notice of motion, the Chief Executive Officer shall notify the membership of the Party of the proposed amendment by including it in the next regular mailing to the membership not less than 20 days prior to the general meeting or the special meeting.

Any amendments adopted with or without further amendment shall take effect within 10 business days of the close of the meeting at which adopted.

## **Article XXII - Transitional Provisions**

1. Immediately after the next report of the Electoral Divisions Boundaries Commission as received by the Board of Directors, "Constituency" shall



mean an electoral division established by that Commission pursuant to the provisions of The Electoral Divisions Act of Manitoba. (herein called the "New Constituency"). On the date so determined, all Constituencies established under The Electoral Divisions Act, (herein called the "Old Constituency") shall cease to exist and their assets and liabilities, if any, shall be distributed as nearly as possible on an equitable basis to New Constituencies as directed by the Board of Directors in consultation with the Executive Committees of the Old Constituency Associations affected.

2. Notwithstanding subsection 1, if, after the date determined in subsection 1, a writ is issued for a by-election in any Old Constituency, the association formed in the Old Constituency shall be deemed to be revived for the purposes of the by-election.

**ADOPTED** as amended at Brandon in  
Manitoba this 19<sup>th</sup> day of October, 2013.

---

President

---

Vice-President

**Notes:**