

Constitution of

The Progressive Conservative Party of Manitoba

Including amendments approved by the January 2024 Special Meeting

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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:
 - (a) Provincial Leader;
 - (b) Caucus Chairperson;
 - (c) Past President;
 - (d) President;
 - (e) Vice-President;
 - (f) Second Vice-President-Policy;
 - (g) Chairperson of the PC Manitoba Fund;
 - (h) Chief Financial Officer;
 - (i) Regional Directors (12);
 - (j) Youth Representative;
 - (k) Chief Executive Officer (non-voting);
 - (l) 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) Appoint such committees that it deems appropriate from time to time with such responsibilities as it may determine.
- (m) Pass such rules and regulations that it deems necessary and which are consistent with Articles III and IV;
- (n) 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. The Chair of the Leadership Election Committee

(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) 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 (2) other Members to the Leadership Election Committee, one of whom shall be from the Board of Directors.

(b) 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. Any rejection of a Committee member shall require a two-thirds (2/3) majority vote. If any of the Members of the Leadership Election Committee are rejected then the Executive Council shall replace those Members.

(c) The Leadership Election Committee shall recommend to the Executive Council the rules for the conduct of the Leadership Election Process in the form attached to this Constitution as Schedule “A” and the Executive Council may only amend such rules by way of motion approved by no less than a two-thirds (2/3) majority vote of those Members of the Executive Council in attendance at a duly called meeting and the rationale for the amendments must be included in the motion for review by the Members at the next annual general meeting.

(d) The principle of one (1) Member, one (1) vote, through direct election, shall apply, subject to a weighting of electoral districts based upon votes cast as set out in this Article.

(e) Each Manitoba Provincial electoral district will be allocated a minimum of between one hundred (100) points or one (1) point per vote cast, whichever is less, to a maximum of five hundred (500) points and the number of votes required to achieve the thresholds beyond one hundred (100) points in tranches of one hundred (100) points up to a maximum of five hundred (500) points is as follows:

- (i) 400 votes = 200 points;
- (ii) 700 votes = 300 points;
- (iii) 1000 votes = 400 points;
- (iv) 1300 votes = 500 points.

(f) Leadership candidates will be assigned a point total based on their percentage of the vote in each electoral district calculated in accordance with Article XIV 2.(e) above.

- (g) To become the Provincial leader, a candidate must obtain the majority of points from across the Province of Manitoba.
- (h) Voting will be by preferential vote (single transfer of the ballot).
- (i) Each leadership candidate is entitled to have scrutineers present at all stages of the vote count.
- (j) The point allocation for each riding shall be made public prior to announcement of any results. If additional rounds of ballots are required, these initial point allocations will remain.
- (k) The leadership election period shall be determined by the Leadership Election Committee but shall be no less than ninety (90) and no more than three hundred (300) days in total. If this process overlaps a Federal Election Executive Council may authorize an extension on this time period.
- (l) Electronic voting and digital ballots are permitted, although the Leadership Election Committee shall determine the method of voting. If digital ballots are utilized there shall be a minimum of two methods of voting.
- (m) The Leadership Election Committee will appoint a 3rd party firm to confirm both the ballot process and counting form.

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; and
 - (g) may allow one non-resident member to fill a vacant executive position of a constituency association.

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 the 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 places 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;

- (d) Be a non-voting member at all meetings and conventions of the Party;
- (e) Maintain an accurate, current and complete listing of Members which shall include at a minimum, each Member's name, address (mailing, physical and email), telephone number and the name of the Constituency Association to which the Member belongs and such information shall be updated annually for review by Executive Council."

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"):
 - a) 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.

b) The Board of Directors shall establish rules surrounding the formation of New Constituency Associations.

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.

Officer

ADOPTED as amended at Winnipeg, Manitoba this 13th day of January 2024

President _____

Vice-President _____

Notes:

SCHEDULE “A”- LEADERSHIP RULES AND PROCEDURES

1. Preamble

These are the recommended form of official campaign rules (“Rules”) for a Progressive Conservative Party of Manitoba (“PC Party”) leadership election (“Leadership Election”). These Rules are to be read in conjunction with the Constitution of the PC Party.

2. Structure

a. In accordance with the constitution, 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 (2) other Members to the Leadership Election Committee, one of whom shall be from the Board of Directors..

b. These Rules are designed to govern a Leadership Election and are to be reviewed, updated, amended, and approved by the Executive Council by a two-thirds (2/3) majority.

c. Members of the LEC must remain neutral throughout the Leadership Election process and will not support any leadership candidate (“Leadership Candidate”) or involve themselves in any leadership campaign team (“Campaign”) in any way.

d. The EO (“Election Official”) is the chair of the LEC and is responsible for the application and interpretation of these Rules in their sole and unfettered discretion. The EO may consult with members of the LEC on the interpretation of these Rules and will make rulings on issues raised by Leadership Candidates and their Campaigns. The rulings of the EO are final and may not be appealed by any person for any reason.

e. Each Campaign, through their official representatives (“Official Representative”), will liaise directly with the EO. Each Leadership Candidate must name an Official Representative in their nomination package. In the event that a Leadership Candidate wishes to have an issue formally addressed by the LEC, the Official Representative for that Leadership Candidate must submit a description of the issue in writing to the EO.

3. Head Office

a. PC Party staff are to remain neutral through the Leadership Election process and will not support any Leadership Candidate or involve themselves in any Campaign in any way.

4. Auditors

a. The EO and LEC will select an Auditor to carry out oversight to ensure the integrity of the Leadership Election. The Auditor will also oversee the voting and vote counting processes and will provide a report verifying the integrity and accuracy of the process and vote count at the Leadership convention (“Leadership Convention”).

5. Date and Location of Leadership Convention

a. The date of the Leadership Convention and the announcement of the winner and the new PC Party Leader shall be set by the Executive Council]. The Leadership Convention may be in person, virtual or hybrid format..

b. If there is exactly one duly nominated Leadership Candidate as of the nomination deadline, that Leadership Candidate shall be immediately declared the new Leader of the PC Party. That Leadership Candidate will still be required to fulfill all relevant provisions of the Rules, including but not limited to the sections dealing with disclosure of donors and excess donations.

6. Nominations

a. Leadership nomination packages shall be in a form consistent with these Rules (“Nomination Package) and may be obtained upon request from the EO, at PC Party Headquarters, 23 Kennedy St. Winnipeg, R3C 1S5.

b. The nomination deadline for filing a completed Nomination Package is 12:00 noon CST (date to be determined but should be at least four (4) weeks from the date of the approval of these Rules by Executive Council), at PC Party Headquarters.

c. Individuals seeking candidacy are encouraged to file their Nomination Package ahead of time in order to allow for the verification of the completeness of their Nomination Packages and sufficient time for any corrections. The Nomination Package may be filed in multiple parts but it is the responsibility solely of the individual seeking nomination to ensure that all components of the package are filed on time. The EO and PC Party staff will provide updates as to the completeness of an individual’s Nomination Package only upon request by that individual. Under no circumstances whatsoever will any Nomination Package be accepted after 12:00 noon CST, (date as above). Individuals who have filed incomplete materials and who do not complete their filing before the prescribed time will have their Nomination Package rejected.

d. Nomination Packages must include a completed nomination list of at least two hundred (200) members of the PC Party in total.. This list must include the date, signature, name, address, and constituency of every

member, who, by his or her signature, indicates his or her support for the individual seeking nomination at the time of completing the Nomination Package.

e. Unless waived by the EO in consultation with the LEC, a Leadership Candidate must have been a member in good standing of the PC Party for at least six (6) months; however, to allow for inadvertent delays in renewal of membership, Nomination Package may be accepted from someone who is a member in good standing at the time of filing the Nomination Package and had been a member of the PC Party for at least the last six (6) months of the previous calendar year.

f. Each Leadership Candidate must provide a current criminal record report and a full current Credit Report as well as a complete listing of all social media accounts used in the last ten (10) years and links to those accounts if they are still active.

g. Nomination packages must be accompanied by a \$15,000 deposit in the form of a certified cheque or bond, refundable provided that the leadership candidate:

- i. Does not withdraw and completes the election (the candidate's name appears on the leadership ballot);
- ii. Completes and complies with the licensing agreement for the use of the PC party membership list;
- iii. Meets all disclosure requirements for their campaigns;
- iv. Pays any fines due; and
- v. Complies with the rules and agreements of the election

h. Failure to comply with any of these provisions shall result in the forfeiture of the Leadership Candidate's \$15,000 deposit

i. Within 6 weeks of the leadership candidate receiving access to the PC party membership list they are required to submit a minimum of \$20,000 in donations to the PC party. A failure to submit these required funds shall result in disqualification of the candidate.

j. The LEC shall reserve the right in its sole and unfettered discretion to approve, reject or revoke the application or candidacy of any Leadership Candidate.

k. The PC Party Membership List shall only be made available to a Leadership Candidate after his or her nomination has been approved by LEC, once the licensing agreement for use of the Membership List has been executed by the EO and Official Representative for that Leadership Candidate, and upon payment of the Filing Fee, at which point the Leadership Candidate becomes a nominated candidate ("Nominated Candidate"). The Membership List, and subsequent updates until the list is embargoed, may be obtained from PC Party staff once the above requirements have been met.

7. Membership Sales Cut Off Dates

a. New memberships or membership renewals must be received by staff at the PC Party office by 5:00 pm CDT on a date set by the LEC (date should be at least three (3) weeks in length after the cutoff for nomination submissions). Any memberships received after this time will not result in such member(s) being eligible to vote in the Leadership Election and their name(s) will not be added to the Official Voters' List (as defined below).

8. Official Voters' List

a. The PC Party staff will be responsible for maintaining and updating the PC Party Membership List.

b. As of (date TBD, but should be the same time frame as allowance for nomination submissions of a minimum of four (4) weeks), membership submissions by Leadership Candidates and Campaigns will be embargoed and no updates to the Membership List shall be provided to Campaigns until after the membership cutoff date of 5:00 pm CST on (date TBD, but should be at least three (3) weeks after cutoff date for nomination submissions) has passed. The EO may, at his or her sole direction, periodically provide updates to the Membership List submitted by individuals and constituency associations but never in any event from Campaigns.

c. As of 5:00 pm CST on (date TBD, but will be the same date as the membership cutoff date) the EO will compile an official voters' list ("Official Voters' List") and will then provide this list to all Nominated Candidates and their Campaigns in as timely a manner as possible, and absolutely no later than 5:00 pm CST on (date TBD, but should be within seven (7) days of final date for membership submissions)

d. The Official Voters List shall consist of all members entitled to vote in a Leadership Election, as set out in the PC Party Constitution.

e. All members on the Official Voters' List will be entitled to vote in a Leadership Election. No member who does not appear on the Official Voters' List shall be entitled to vote in a Leadership Election.

9. Verification of Membership Submissions

a. The EO will have the sole discretion of verifying any membership(s) submitted by Campaigns and may refuse any membership(s) that are inconsistent with the provisions of the Constitution or the Rules. In the event that a membership is refused, the EO will advise the Campaign that submitted the membership(s) within seven (7) days of the decision to refuse the membership(s).

b. Verifications of memberships by the EO will take at least one (1) day and no more than seven (7) days. Campaigns notified of membership defects or deficiencies after the cutoff date and time of 5:00 pm CST on (date TBD) will have twenty-four (24) hours from the time of notification by the EO to correct and resubmit the membership(s) for processing and verification.

- c. Unless deemed appropriate with due reason by the EO or a majority of the LEC, no penalty shall be imposed for incomplete or incorrect membership submissions by a Leadership Candidate or Campaign.
- d. All Campaigns are bound by and must follow the PC Party's membership policy as approved by the Executive Council.

10. Submission of Memberships

- a. Memberships must be submitted to the PC Party office via the online membership option of the PC Party website, by membership slips that must be completely filled out with the accompanying payment, or by a party approved spreadsheet physically delivered no less than 48 hours before the membership cut off date.
- b. Incomplete membership slips or memberships submitted that do not have the appropriate funds will be rejected.

11. Spending Limits

- a. A \$400,000 spending limit has been established for the Leadership Election and campaign period for each Nominated Candidate. Each Campaign must submit a detailed audited list of expenditures and expenses to the EO within sixty (60) days after the completion of the Leadership Election. The spending limit and audited list must include all expenses incurred that are related to the Campaign, whether they were incurred before or after the Leadership Candidate became a Nominated Candidate.

12. Soliciting Donations

- a. Donations may be accepted from any individuals and organizations that are able to donate to registered political parties solicited under *The Election Financing Act* of Manitoba with the following exceptions.
- b. Donations may not be solicited or collected from any federal or provincial political parties, or the constituency associations of any federal or provincial political parties.
- c. Any and all donations solicited and/or collected for the PC Party must be submitted directly to staff at the PC Party office along with complete name and address information for the donor.

- d. The Official Representatives of the Nominated Candidates shall not deposit in the bank account for his or her Nominated Candidate any donations intended for the PC Party.

13. Disclosure of Donors

- a. Nominated Candidates and their Campaigns are required to complete and file leadership election returns with the PC Party (“Leadership Election Returns”).
- b. The final Leadership Election Return must be submitted to PC Party office no later than 5:00 pm sixty (60) days after the Leadership Election date and must include a complete and final list of:
 - i. All donors who made total donations of \$250 or more;
 - ii. Total dollar amount and number of donors under \$250;
 - iii. Any donations-in-kind received; and
 - iv. All expenses incurred.
- c. Leadership Election Returns must be completed in their entirety and must include the name and address of the donor, as well as the total amount of the donation made. The donor lists must include all donations collected by the Campaign, whether they were collected before or after the Leadership Candidate became a Nominated Candidate.
- d. In the event that there is only one Nominated Candidate for the Leader of the PC Party, the deadline for submission of the final Leadership Election Return will be sixty (60) days after the close of nominations.
- e. The final Leadership Election Returns submitted by each Nominated Candidate and their Campaign will be public documents and will be posted on the PC Party website.

14. Excess Donations

- a. Nominated Candidates shall pay all donations in excess of their expenditures to the PC Party.

15. Voting System

- a. The Leadership Election will be conducted on a preferential ballot system.
- b. In order for a member to be eligible to vote, that member’s name must appear on the Official Voters’ List.
- c. Voting will be by electronic means, by mail-in ballot or in person at a leadership convention (“Leadership Convention”). A member cannot vote twice, ie. by mail in ballot and then again in person at a Leadership Convention. Electronic voting systems have developed to the point that they are a viable option and are encouraged over mail-in ballots.

16. Voting Packages

- a. Each member who appears on the Official Voters’ List will be sent a voting package. The voting package will be delivered to either the email address or the mailing address that appears on the Official Voters’ List.
- b. The voting package will contain the following materials:
 - i. Voting instructions;
 - ii. A voting declaration form;

- iii.A ballot;
 - iv.A ballot envelope (only if mail-in);
 - v.A return envelope (only if mail-in);
 - vi.A list of acceptable identification to be included in the return envelope for verification purposes for mail in voting or to be scanned in for electronic voting; and
- c. The LEC will assign a unique voting number to return envelopes for mail in ballots or an electronic number for electronic voting for the purpose of determining which members have voted and ensuring that no one votes more than once (“Voting Package”).

17. Voting Process

- a. The EO will email or mail out the Voting Packages as soon as possible after the Official Voters’ List has been compiled.
- b. If mail-in is an option for voting, then voting envelopes will continue to be received until 5:00 pm CDT on (date TBD). Voting envelopes may be mailed to or dropped off at the PC Party office or an alternate location as determined by the EO in consultation with the LEC. If alternative voting is an option for voting, then electronic votes will continue to be received until 5:00 pm CDT on (date TBD).
- c. Once voting has closed, ballots shall be counted at a specific time to be determined by the EO. For the purpose of counting the ballots, the EO may establish as many counting stations as deemed necessary. Each Campaign may have one scrutineer at each counting station.
- d. If the LEC determines that a leadership convention (“Leadership Convention”) will take place, then in advance of the start of the Leadership Convention, the EO will compile an official convention voters’ list (“Official Convention Voters’ List”), exclusive of all members of the Official Voters’ List whose mail in ballot has been received. Only members on the Official Convention Voters’ List will be entitled to receive a ballot and vote at the Leadership Convention.
- e. If there is no Nominated Candidate with a clear majority (fifty percent (50%) plus one (1) of the votes counted), the Nominated Candidate with the lowest number of votes will be dropped from the ballot and his or her votes will be distributed to the other Nominated Candidates as per the preferential balloting system. This process shall continue until one Nominated Candidate receives fifty percent (50%) plus one (1) of the votes counted, at which time the EO shall announce the results of the Leadership Election. The result of each round of counting shall be announced when it is completed. The President shall cast a ballot which will remain sealed and will only be opened and counted if there is a tie between two or more of the Nominated Candidates with the lowest number of votes and a tie breaking vote is needed to determine which Nominated Candidate is eliminated.

18. Leadership Events

a. The EO and LEC will schedule and organize a minimum of (TBD) but not more than (TBD) events where all Nominated Candidates will be invited to participate (“Nominated Candidate Forum”) and only Nominated Candidates will be entitled to participate in Nominated Candidate Forums

b. It will be the responsibility of the EO to ensure that the Nominated Candidate Forums are organized and conducted in a fashion that is fair to all Nominated Candidates. As such, all Nominated Candidate Forums will be organized with the input of the Campaigns’ Official Representatives.

19. Campaign Materials

a. Nominated Candidates are only permitted to use the PC Party logo once their Nomination Package has been approved and upon payment of the Filing Fee. A digital copy of the logo may be obtained from the PC Party office. Any and all use of the PC Party logo must comply with the requirements of the PC Party and must be approved by the EO.

b. The EO may assess penalties for the misuse of the Party Logo. All materials produced and distributed by a Nominated Candidate or their Campaign, including but not limited to correspondence, brochures, websites, and electronic communications must include the following authorization tag: “Authorized by (insert first and last name of Official Representative), Official Representative for the (insert name of Nominated Candidate) Leadership Campaign.”

c. Furthermore, a copy of each printed item produced and distributed by a Campaign, including but not limited to letterhead, business cards, brochures, tickets and the like must be sent to the PC Party office for archival purposes.

20. Dispute Resolution

a. Disputes between the PC Party and any Nominated Candidate, between Nominated Candidates or between Campaigns about the outcome of a Leadership Election will be resolved by the EO through binding review with the EO as mediator (“Election Dispute”). The EO will be entitled to conduct an investigation and a review process and provide a summary of the Election Dispute to the LEC, after which the EO will render a binding decision on the Election Dispute. The decision of the EO is final and no appeals will be entertained.

b. If it is alleged that a Nominated Candidate or a Campaign is violating the terms of the licensing agreement, the EO will conduct an investigation into the alleged violation with the support of the LEC. Upon completion of the investigation, the LEC will determine whether there has been a violation and if so will then, by majority vote, enforce any penalty it deems appropriate, including but not limited to:

i. a fine not to exceed \$15,000, which would be taken from the refundable

- portion of the Nominated Candidate's Filing Fee;
- ii. Suspension from participation in Nominated Candidate Forums; and
- iii. Disqualification from the Leadership Election