

# CONSTITUTION

*November 2017*



**Parti  
Libéral  
du  
Québec**

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## CHAPTER 1

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# The Party

### First Article

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By the present Constitution, a political party is formed whose philosophy is based on the following:

- a) the primacy of the person, individual freedoms and the right of each to realize their goals in respect of others;
- b) equal rights of all persons without distinction, exclusion or preference based notably on race, colour, sex, pregnancy, sexual orientation, civil status, age (except as stipulated in this Constitution), religion, language, ethnic or national origin, social condition, disability or the use of any means to manage the disability;
- c) equal opportunity for all, human dignity, solidarity and the responsibility of all members of society in the pursuit of greater social justice and the fight against poverty;
- d) the harmonization of two progressive ideas: social justice and economic vitality;
- e) faith in innovation and creativity as keys of personal and collective progress;
- f) change, with respect to democratic institutions;
- g) the protection and promotion of the French character and dynamic culture of Quebec society, while fully recognizing the legitimacy of the Anglophone community in Quebec and cultural diversity and the promotion of Quebec interests within the Canadian federation;
- h) intergenerational equity.

Unless indicated otherwise, all positions and functions covered by this Constitution are open without discrimination to women and men equally.

## **Article 2**

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The name of the party is Parti libéral du Québec and its English version, Quebec Liberal Party.

## **Article 3**

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The objectives of the Party are:

- a) to promote the political, economic, social and cultural progress of all Quebecers;
- b) to promote equal opportunity for all Quebec citizens;
- c) to promote the development of all Quebec citizens with dignity and respect of their rights;
- d) Inform and consult its members, and encourage their participation in political activity, as a means of promoting the democratic process;
- e) Elect persons who are members of the Party to Quebec's National Assembly;
- f) Advise, monitor, and question, when necessary, the government apparatus of Quebec society, and adopt policies which apply to the State;
- g) Develop, disseminate and ensure the application of the Party's platform, as defined by its members.

## CHAPTER 2

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# Members and Local Associations

### Article 4

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All persons residing in Quebec who have reached the age of sixteen (16) years and who adhere to the principles outlined in the first article of this Constitution, and who wish to contribute to the achievement of the objectives described in Article 3, are eligible to be a member of the Party, subject to the other provisions of this Constitution and Bylaws adopted by the Party.

### Article 5

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The admission of members is governed by the Bylaws of the Quebec Liberal Party. The General Council on the recommendation of the Executive Committee may create categories of members to whom distinct privileges are attached, as long as these new privileges do not interfere with the democratic process of the Party.

### Article 6

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Members of the Party are grouped into electoral riding Associations (Associations) recognized by the Executive Committee of the Party and are committed to adhering to the present Constitution and its conditions as well as Bylaws which may be adopted by the Party.

A youth member is a member who is between sixteen (16) and twenty-five (25) years of age. A youth member who is appointed or elected to a position in the Party shall continue to occupy the position until the end of the term, even if over 25 years of age.

A member of a cultural community is one who identifies as such and is recognized by the Cultural Communities Committee. Any disagreement regarding the status of a member is referred to the Party Executive Committee whose decision is final and without possibility of appeal.

### Article 7

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Only one Association may exist per electoral riding.

## **Article 8**

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The official name of an association is “Authority of the Quebec Liberal Party in the riding of...”; and an Association may also conduct its affairs under the name « Association du Parti libéral du Québec de la circonscription électorale de... » or in English « Quebec Liberal Party Association of the Electoral riding of... » and in short form, « Association libérale de... » or in English « ... Liberal Association ».

## **Article 9**

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A member may not belong to more than one Association.

A member must reside in the electoral riding for which he or she is a member. However, the Association may admit a member who does not reside in the electoral riding as long as the number of non-resident members does not exceed the percentage of the total number of Association members at the time the non-resident member is admitted under the bylaws. Subject to acquired rights, this percentage may be modified from time to time by the Executive Committee on the recommendation of Management Committee. However, for general assemblies convened to choose a candidate, members must always vote in the constituency where they are qualified voters. Therefore, a non-resident member is not eligible to vote for a candidate in a riding in which he or she has non-resident member status of the Association.

## **Article 10**

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Association business is administered by an Executive Committee (the Executive Committee of the Association).

## **Article 11**

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The Association Executive Committee is composed of:

- a) a President;
- b) a Vice-President (male);
- c) a Vice-President (female);
- d) a youth Vice-President (male or female);
- e) a Secretary;
- f) an Official Agent ;
- g) of representatives, the number of which is set by Association bylaws, and includes:
  - i) one youth representative (male);
  - ii) one youth representative (female);
  - iii) one cultural communities representative if there 10 cultural community members of the Association and a minimum of two cultural community representatives if there are 20 cultural community members of the Association, and a minimum of three cultural community representatives if there are 30 cultural community members of the Association;
  - iv) other representatives necessary for the smooth running of the Association.
- h) the Liberal MNA;
- i) the official Party candidate in the electoral riding, until the date of the election for which he/she was selected ;
- j) a representative to sit on the regional Policy Committee.

## **Article 12**

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The function and powers of the Association Executive Committee are as follows:

- a) administer Association business;
- b) appoints a Secretary of the Executive Committee;
- c) ensures the active presence of the Party among every identifiable group in the electoral riding;
- d) acts as the link between the members of the Association and other institutions within Party;
- e) informs, trains and encourages its members to participate in the work of the Party;
- f) may form subcommittees and define their mandate;
- g) subject to the approval of the Executive Committee of the Party, adopts its internal bylaws;
- h) assigns responsibilities and tasks to the members of the Association Executive Committee as required for the operation of the riding Association.



### **Article 13**

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Responsibilities devolved to the Association Executive Committee members should include:

- a) administer Association business;
- b) political affairs;
- c) communications;
- d) organization;
- e) financing;
- f) recruiting;
- g) legal affairs.

### **Article 14**

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The President, Vice-Presidents, regional Policy Committee representative and other representatives are elected by the members of the Association for a renewable two year term.

### **Article 15**

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The biennial election of the Association Executive Committee is held on a date determined by the Executive Committee of the Party.

### **Article 16**

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The Executive Committee must submit a report of its activities to members at the Association's General Meeting.

### **Article 17**

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Every year, and at the same time that the Association Official Agent submits the financial report to the Party, the Association Executive Committee must submit a written report of its activities to the Executive Committee of the Party. It must also submit written reports upon request of the Executive Committee of the Party.

### **Article 18**

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Subject to provisions in the bylaws, the President chairs all meetings of the Association members as well as Association Executive Committee meetings; the President also leads and coordinates all other Association activities.

### **Article 19**

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The Vice-Presidents assist the President and replace the President during absences or if unable to assume his or her duties.

## **Article 20**

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The Secretary of the Association maintains all documents and correspondence belonging to the Association and must keep the Association Executive Committee informed of the contents. It is also responsible for member lists and the Association archives and in general, new memberships and the renewal of membership cards in accordance with the bylaws.

## **Article 21**

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Subject to the provisions in the Election Act, the Official Agent is the Treasurer of the Association.

The Official Agent submits reports to the Association Executive Committee; administers the Association finances and remits the financial report to the Chief Electoral Officer of Quebec, in accordance with electoral law, and at the same time submits a copy of the report to the Official Agent of the Party. If applicable, the Association Official Agent must inform the Party Official Agent promptly of his or her resignation.

## **Article 22**

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If the presidency becomes vacant for whatever reason, the Association Executive Committee names a President who will serve the duration of the term.

## **Article 23**

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Local Associations are grouped together into regions under a Regional Council. The number of regions and the ridings in those regions are determined from time to time by the Executive Committee, which, after consulting with the Management Committee, amends the Bylaws to this effect. This amendment subsequently must be ratified by the General Council. Should the National Assembly change the electoral boundaries, the Executive Committee of the Party may, in the same manner and if justified by the circumstances, move an Association from one region to another, or modify a region. Such changes must be ratified by the General Council.

## CHAPTER 3

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# The Leader

### Article 24

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The Leader directs the Party and is responsible for all its activities.

### Article 25

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The Leader is elected by ballot as detailed in the Bylaws, which provides the conditions for a member to be considered in good standing and eligible to vote for the selection of the Leader during a special convention called the Leadership Convention. The Bylaws establish a weighting formula for each riding, according to which each riding is awarded the same number of points, and each leadership candidate receives, for each riding, the number of points representing the percentage of votes that he or she received from that riding. The candidate who has obtained 50 percent plus one of the total number of points obtained for all the ridings, is elected Leader. If no candidate succeeds in obtaining 50 percent plus one in the first round, the Executive Committee will announce a second round runoff between the two candidates having obtained the greatest number of points.

The Bylaws also establish a formula granting members aged 25 years and younger, a weight of 33 $\frac{1}{3}$  % in the result of each round of voting.

### Article 26

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The position of Leader of the Party becomes vacant if the Leader dies, resigns or is unable to fulfill his or her duties.

### Article 27

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When the position of Party Leader becomes vacant, the Executive Committee of the Party, with the agreement of the Liberal caucus sitting in the Quebec National Assembly, names an MNA interim Leader until a new Leader is elected.

When the position of Party Leader becomes vacant, the Executive Committee determines the date, the place and the parameters for the Leadership Convention. The candidates attend the Convention and the results are revealed.

## **Article 28**

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At the Convention immediately following a Quebec General Election, if the Party has not elected enough MNAs to the National Assembly to form a government (majority or otherwise), the delegates vote on whether they maintain confidence in the Leader.

## CHAPTER 4

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# Institutions

## SECTION 1 : THE CONVENTION

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### Article 29

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The Members' Convention (the Convention) is the ultimate gathering of the Party and is the Party's general meeting in which all members in good standing may participate. The Convention must be held every two years at a date and location determined by the Executive Committee of the Party. However, if the circumstances justify, the Executive Committee may extend the period between Conventions, but this period must not exceed three years from the date of the last Convention.

### Article 30

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At least 90 days prior to the opening of a Convention, the Party Secretary shall notify the Secretaries of the Associations of the date and location of the Convention.

In the event of a Special Convention, this notification period may be shortened, but may not be less than seven (7) days prior to the date of the Special Convention. The only subjects permitted to be discussed at a Special Convention are those listed on the agenda by the Executive Committee of the Party, and that fall within the parameters of the Bylaws. The Executive Committee, as required, adopt the regulations relative to the delegates to this Special Convention as well as alternates, and inform the Associations.

## Article 31

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The delegates to the Members' Convention are:

a) Superdelegates:

- the Party Leader;
- members of the Party Executive Committee;
- members of the Party Management Committee;
- Association Presidents;
- Liberal MNAs as well as official candidates of the Party designated according to the provisions in Article 80, up to the date of the election for which they were chosen;
- 66 representatives named by the Cultural Communities Committee, selected as much as possible from each of the regions mentioned in Article 23;
- 40 representatives named by the Youth Commission, selected as much as possible from each of the regions mentioned in Article 23;
- 40 representatives named by the Policy Committee;
- 4 members named by the Seniors Committee;
- Vice-Chairpersons and Secretaries from the other Party Permanent Committees;
- 10 members from the Regroupement des ex-parlementaires du Parti libéral du Québec.

b) Elected:

Twelve (12) members of each of the riding Associations, elected at a general assembly of the Association.

The 12 delegates must be split as follows:

- Six (6) women, two of whom must be youth members and one aged 65 and over;
- Six (6) men, two of whom must be youth members and one aged 65 and over.

Each Association delegation must include one (1) member of cultural communities if there are ten (10) members of cultural communities in the Association, a minimum of two (2) members of cultural communities if there are twenty (20) members of cultural communities in the Association, and a minimum of three (3) members of cultural communities if there are thirty (30) members of cultural communities in the Association.

c) Alternates:

Four (4) members of each Association elected at a general assembly. These four alternates must be split as follows:

- Two (2) women, one of whom must be a youth member;
- Two (2) men, one of whom must be a youth member.

## **Article 32**

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In addition to powers and duties already vested to the General Council in accordance with Article 37 below, the powers of the Convention notably include:

- a) the election of members of the Executive Committee and Management Committee, namely the President and Vice-President, the President and the Vice-President of the Cultural Communities Committee, and a Vice-President from the English-speaking community;
- b) adoption of the Party program;
- c) the vote of confidence in the Leader, according to the circumstances outlined in Article 28;
- d) adoption of any amendment to the Quebec Liberal Party Constitution subject to the provisions in Articles 82 and 83 of this present Constitution;
- e) adoption of measures to delegate all or some of the powers and duties of the Convention to the General Council of the Party with respect to any questions regarding the agenda and the changes that could be made there.

## **Article 33**

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A member in good standing for at least 20 days prior to the date of the Convention, and who has paid the registration fee, has the right to intervene and may vote on any resolution of a political nature. However, only the delegates present at the Convention may elect members of the Executive Committee and the Management Committee of the Party as identified in Article 32, participate in the leadership vote of confidence as outlined in Article 28, or vote on any amendment to the Constitution. Observers who have submitted a written request to the Party no later than 5 days prior to the opening of Convention, may also participate, in accordance with the conditions established by the Party.

## SECTION 2 : THE GENERAL COUNCIL

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### Article 34

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The General Council is the Party's main institution between two Conventions. The General Council usually meets twice a year. However, when circumstances warrant it, the Party's Executive Committee may, after consulting with the Management Committee, decide to augment or reduce this number.

The General Council may also meet upon the request of 500 members who have the right to vote, or 25 Associations. The meeting is convened by the Secretary of the Party.

### Article 35

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The General Council includes the following individuals:

- a) the Party Leader ;
- b) members of the Executive Committee ;
- c) members of the Management Committee ;
- d) Association Presidents (or in case of absence, an Association President may be replaced by a member chosen by the Executive Committee of the Association, for a General Council meeting);
- e) 2 members of each Association, chosen by the Executive Committee of the Association;
- f) Liberal MNAs as well as official candidates of the Party designated according to the provisions in Article 80, up to the date of the election for which they were chosen;
- g) 40 representatives named by the Cultural Communities Committee, selected as much as possible from each of the regions mentioned in Article 23;
- h) 40 representatives named by the Youth Commission, selected as much as possible from each of the regions mentioned in Article 23;
- i) 20 representatives named by the Policy Committee;
- j) The Chairperson of each of the regional Policy Committees or a replacement;
- k) a member from each of the Regional Councils who is not a member of the General Council designated by the Regional Council;
- l) the Vice-President and Secretary of each of the Permanent Committees;
- m) of one additional youth member per electoral riding
- n) 10 members from the Regroupement des ex-parlementaires du Parti libéral du Québec; the delegation chosen according to the internal rules of governance of the Regroupement.



## **Article 36**

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May participate in a General Council without the right to vote: Persons invited by the Leader, the President or Executive Committee of the Party. May also participate: Observers who have submitted a written request to the Party no later than 5 days prior to the opening of the General Council, under all conditions established by the Executive Committee of the Party.

## **Article 37**

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The powers and responsibilities of the General Council are as follows:

- a) receives the report on the Party's budget as submitted by the Executive Committee;
- b) receives the report on the Party's financial statements;
- c) receives the reports of the Executive Committee, whose decisions it may overturn, except in any case affecting the rights of a third party;
- d) to ratify or revise Bylaws adopted by the Executive Committee;
- e) it may review the decisions made by the Executive Committee of the Party affecting Associations on the request of the Association Executive Committee President concerned, or by resolution of the Executive Committee of the Association, or by the written request of 25 members of the Association or 5 Association Presidents;
- f) to define the Party's general orientation as adopted by the Convention;
- g) it fulfills the mandates assigned to it by the Convention;
- h) it can receive and execute amendments to the Constitution as authorized by the Convention;
- i) it may also delegate to other Party institutions, all or some of the powers listed above, except those outlined in paragraphs g) and h).

## SECTION 3 : THE EXECUTIVE COMMITTEE

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### Article 38

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The Executive Committee is composed of:

- a) the Party Leader;
- b) the Party President;
- c) the first Vice-President;
- d) the Party Secretary;
- e) the Legal Committee Chairperson;
- f) the Official Agent of the Party;
- g) An MNA who sits on the Management Committee:
- h) Five members (one of whom must be from a largely rural region) elected from the members of the Management Committee, and two who are 25 years of age or under;
- i) the Executive Director of the Party, without right to vote;
- j) the Chief Organizer of the Party, without right to vote;

Invited as observers, without right to speak except as permitted by the Committee:

- k) the Chief of Staff of the Party Leader or his or her representative;
- l) Executives of the Party.

## Article 39

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The responsibilities of the Executive Committee are as follows:

- a) oversees the day-to-day operations of the Party;
- b) adopts the Party's budgets and financial statements;
- c) identifies the main risks inherent to the Party's activities and evaluates the implementation of risk management strategies including, as necessary, the purchase of liability insurance;
- d) forms the committees necessary for the sound administration of Party affairs and grants these institutions the power to delegate some of their authority;
- e) may also delegate to the Management Committee, to any committee or to any other person, all or part of the powers specified in the current article, and any other mandate which it deems appropriate except those expressly delegated by the Convention or General Council;
- f) adopts, subject to ratification by the General Council, all the Bylaws of the Party, including the bylaw referenced in Article 25 relative to the voting procedures for the choice of a Leader;
- g) has a duty and general power of supervision, of control and intervention in order to ensure that the Constitution and Bylaws are respected and, in this regard, may investigate and proceed with the suspension and dismissal of any member or person, employee or volunteer, who hold a position with the Party, or put an Association under guardianship, or take other disciplinary action, all in accordance with the terms provided, where appropriate, to the Bylaws;
- h) works to ensure a culture of integrity is maintained throughout the organization;
- i) prepares the content of and gathers the information necessary to develop the general positions assumed by the Party;
- j) prepares the work of the Management Committee, ensures the implementation of Management Committee decisions and acts in case of emergency;
- k) defines the methodology for carrying out the plans and programs proposed by the General Council and the Convention and ensures they are respected;
- l) examines and recommends a strategic planning process to the Management Committee and the directives arising from this process;
- m) appoints, except as set out in the specific provisions of this Constitution, individuals to non-elected positions within the Party;
- n) chooses, on recommendation of the Audit Committee, the external auditors who must be appointed by the General Council, and approves their fees;
- o) reports on its activities to the Management Committee, the General Council and the Convention.

The Executive Committee meets at least eight times a year. Party executives, and as needed, other individuals, may be invited as observers. The Executive Committee also meets on an ad hoc basis at the request of the Leader or the President of the Party or three of its members. Decisions are made by consensus, or by majority vote. After three consecutive absences, members may be replaced at the Committee's discretion.

## SECTION 4 : THE AUDIT COMMITTEE

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### Article 40

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The Audit Committee, which reports to the Executive Committee is composed of six members, namely:

- a) a Chairperson chosen by and from the members of the Executive Committee;
- b) the Official Agent of the Party;
- c) two members of the Executive Committee selected by their peers;
- d) a member of the Management Committee selected by their peers and having expertise in accounting;
- e) the Executive Director of the Party, without right to vote, and who may be excluded from deliberations of the Audit Committee when the Committee is discussing the day-to-day operations of the Party for which the Executive Director is responsible.

The Audit Committee has the mandate to:

- a) monitor the proper administration of the Party's business;
- b) propose the Party's budgets to the Executive Committee;
- c) submit the objectives of the fundraising campaign, and the allocation of Party funds to the Executive Committee for study and adoption;
- d) ensure the integrity of the internal financial and information control systems;
- e) receive the Party's financial statements, and recommend their adoption to the Executive Committee;
- f) evaluate on a continuous basis, the administrative policies of the Party.

## **SECTION 5 : THE GOVERNANCE AND HUMAN RESOURCES COMMITTEE**

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### **Article 41**

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The Governance and Human Resources Committee, which reports to the Executive Committee, is composed of seven members, namely:

- a) a Chairperson chosen by and from the members of the Executive Committee;
- b) two members of the Executive Committee selected by their peers;
- c) of two members of the Management Committee selected by their peers;
- d) a member of the Ethics Committee or the Legal Affairs Committee designated by the Executive Committee, as a guest without the right to vote;
- e) the Executive Director of the Party, without the right to vote, and who may be excluded from deliberations of the Governance and Human Resources Committee when the Committee is discussing the day-to-day operations of the Party for which the Executive Director is responsible.

The Governance and Human Resources Committee, which reports to the Executive Committee has the following responsibilities:

- a) develop and make recommendations about the approach the Party should take with regard to the questions of Party governance including its policies, procedures and activities;
- b) recommend policies and procedures that will help foster a culture of transparency, participation and integrity throughout the Party, taking into account the work and recommendations of the Ethics Committee;
- c) receive, analyze and recommend to the Executive Committee and the Party Leader all nominations for appointed positions following a consultation which provides Permanent Committees the opportunity to express their preferences for chairs of Permanent Committees and other senior officials of the Party, and using an open and rigorous talent search promoting gender equality within Party Committees and reporting periodically to the Executive Committee and to the Party Leader on the progress made toward the achievement of these objectives;
- d) assess the effectiveness of the Executive Committee, the Management Committee and Party Committees as a whole and the contribution of their members;
- e) establish goals for the Executive Director's office, and evaluate staff in that office on the basis of those goals;
- f) see to it that all members of the various party institutions receive training so that they properly understand their role, the role of the Party institutions and contribution expected from each individual.

## SECTION 6 : THE MANAGEMENT COMMITTEE

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### Article 42

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The Management Committee is composed of:

- a) the Party Leader;
- b) the Party President;
- c) the first Vice-President;
- d) the Vice-President of the English speaking community;
- e) the Vice-President of Cultural Communities, recognized by the Cultural Communities Committee;
- f) the youth Vice-President man or woman;
- g) the Party Secretary;
- h) the Official Agent of the Party;
- i) the Chairpersons of each of the Permanent Committees;
- j) the regional Presidents;
- k) two representatives of members 25 years of age and under;
- l) three MNAs, of which one must represent ridings in eastern Quebec and one must represent ridings in western Quebec and one must be either the caucus President or Party Whip;
- m) the Executive Director of the Party, without right to vote;
- n) the Chief Organizer of the Party, without right to vote.

Invited as observers, without right to speak except as permitted by the Committee:

- o) the Chief of Staff of the Party Leader or his or her representative;
- p) Executives of the Party.

### **Article 43**

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The Management Committee has the following responsibilities:

- a) contribute to the development and the adoption of the strategic direction of the Party, in particular by developing a plan that will specify the short term, medium term and long term responsibilities of other Party institutions;
- b) receive the reports of the regional Presidents and ensure that they are followed up on and that the regional action plans are fulfilled;
- c) receive and ensure follow-up and fulfillment of the action plans of the Party's Permanent Committees;
- d) ensure decisions made by the Convention and General Council are implemented;
- e) receive and disseminate information between Party stakeholders;
- f) fulfill the responsibilities conferred upon it from time to time by the Convention or the General Council;
- g) report on its activities to the General Council and the Convention.

### **Article 44**

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The Committee meets at least four times a year. It also meets at the request of the Leader, the President or seven of its members. Decisions are made by consensus, otherwise by a simple majority of votes cast. The members of the Committee are required to attend at least three meetings in person, by phone or by any other means enabling all participants to communicate directly with each other. After three consecutive absences, members can be replaced by Committee decision.

## SECTION 7 : ELECTED AND APPOINTED POSITIONS

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### Article 45

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The Party President chairs meetings of the Executive Committee, the Management Committee, the Convention and the General Council and is an ad hoc member of all committees, commissions and other bodies of the Party and may, at his or her discretion, attend all their meetings. He or she represents the Party to its members and third parties and perform other duties assigned by the Executive Committee or the Management Committee, as appropriate. The Party President takes the steps necessary to ensure the proper functioning of the Executive Committee and the Management Committee, and that staff and volunteer members holding positions in the Party, implement resolutions and other decisions of the Executive Committee and the Management Committee as well as guidelines and programs of the Party in general.

### Article 46

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The first Vice-President of the Party assists the President and replaces the President in the latter's absence, or if the President is unable to assume his or her duties. In case of the President's death or resignation, the first Vice-President assumes the role of interim President until a new President is nominated by the Executive Committee and whose term expires at the election of his or her successor at the next Convention. Additionally the first Vice-President executes the mandates conferred upon him or her by the Executive Committee of the Party.

### Article 47

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The voting members of the Executive Committee designated in item (a) of paragraph 1 of Article 32, are elected by the members.

In the case of a vacancy, the Management Committee appoints the members of the Executive Committee, on the recommendation of the Governance and Human Resources Committee.

In the case of vacancy of the Chairperson of the Cultural Communities Committee, the Vice-Chairperson assumes the role of Interim Chairperson until the Convention. If he or she cannot do so, the Executive Committee, after consulting with the Management Committee, shall determine the rules for electing an Interim Chairperson. The new Vice-Chairperson of the Cultural Communities Committee is appointed or elected in accordance with the provisions of Article 67 of this Constitution.

The Chairpersons of other Permanent Committees (except those of the Youth Commission) are appointed by the Executive Committee on the recommendation of the Governance and Human Resources Committee, and after consulting with the Management Committee.



#### **Article 47.1**

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The four (4) positions on the Management Committee held by members of the Youth Commission, namely the President, Vice-President and young male and female representatives of the Youth Commission, are elected during the Youth Convention each year, by attending members aged 16 to 25 under the electoral rules adopted by the Youth Commission's Council of Regional Presidents.

In the case of a vacancy, the President of the Youth Commission, elected or interim, shall appoint a person to the interim position until the end of the term, on the condition that this appointment is endorsed by the Youth Commission's Council of Regional Presidents by a simple majority vote by a quorum of members at the meeting following such a nomination. Based on the result of this vote, a recommendation is then presented to the Party's Management Committee, which is ultimately responsible for confirming the appointment of people appointed in the interim until the end of a term prescribed by the Youth Commission's internal bylaws.

#### **Article 48**

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The Chief Organizer of the Party is named by the Executive Committee upon the recommendation of the Party Leader.

#### **Article 49**

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The regional Presidents are elected by the Regional Council of their respective regions, as established in Article 57.

#### **Article 50**

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The Party Secretary is appointed by the Executive Committee, on the recommendation of the Governance and Human Resources Committee after consultation with the Management Committee. He or she is the custodian of the Constitution and Bylaws as well as the minutes of the Executive Committee and Management Committee. He or she convenes the General Council and the Convention.

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## **Article 51**

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The Official Agent of the party is appointed by the Leader of the Party in accordance with the Elections Act. As such, he or she enjoys all the powers and assumes all of the obligations under the law within the Party. The Official Agent is the Treasurer of the Party.

In collaboration with the Audit Committee and the Executive Director of the Party, the Official Agent:

- a) prepares the annual budget of the Party which provides operating funds for all permanent services;
- b) administers all Party funds;
- c) submits a financial report to the Executive Committee of the Party for approval;
- d) performs any other duties as may be assigned by Party institutions.

## **Article 52**

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The Executive Director of the Party is appointed by the Executive Committee of the Party. He or she manages the permanent services and the employees of the Party. The Executive Director recommends action plans for ongoing services and executes the mandates conferred upon him or her by the Executive Committee and the Management Committee. The Executive Director reports on the administration and day-to-day management of Party business to the Executive Committee and Management Committee.

## SECTION 8 : THE REGIONAL COUNCIL

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### Article 53

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Associations are grouped into regions to create a Regional Council according to the territorial divisions outlined in Article 23.

### Article 54

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The Regional Council is the link between the Associations and the Party Executive Committee. It is mandated to provide political guidance, organize members and associations, and to ensure the transmission of information on policies and Party affairs in the regions.

### Article 55

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The Regional Council is composed of the following individuals:

- a) regional President;
- b) Presidents of the region's Association executive committees;
- c) Chairperson of the regional Policy Committee;
- d) a communications advisor;
- e) an organization advisor;
- f) a recruitment advisor;
- g) a legal advisor;
- h) one or more regional advisors from the region, sitting on the Conseil des représentants régionaux (CDR) of the Youth Commission;
- i) one or more regional advisors from the region, sitting on the Conseil des représentants régionaux (CDR) of the Cultural Communities Committee;
- j) the MNA chairperson of the regional caucus or the MNA sponsoring the region if it does not have a Liberal MNA;
- k) the Quebec Liberal Party coordinator for the region who does not have the right to vote.

## **Article 56**

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The responsibilities of the Regional Councils are:

- a) to strengthen the work of the Associations in their area in all aspects of Party life;
- b) assist Associations in achieving their objectives;
- c) to carry the voice of the regions to the Management Committee through the regional President, as well as through participation in the wide variety of Party commissions and committees by naming representatives to these commissions and committees;
- d) to promote the Quebec Liberal Party program and ensure by working with the regional Associations, the visibility of the Party in the region;
- e) to set up a regional Policy Committee that has the mandate to promote reflection and leadership on regional issues among its members;
- f) act as the point of information for the Executive Committee, the Management Committee and the Associations in the region, while respecting, as appropriate, the confidentiality of the information discussed at the Executive Committee and Management Committee;
- g) for coordination purposes, annually receive action plans that reflect the objectives of the Party, from the Associations in their region;
- h) Organize with the Associations, a regional symposium prior to the Convention;
- i) organize a regional symposium between general elections.

## **Article 57**

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The President of the Regional Council is elected by the Presidents of the regional Associations at the time and in the manner prescribed by the Bylaws. The mandate is for two years and is renewable.

## **Article 58**

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The representatives on the Regional Council are appointed for a renewable two year term by the Presidents of the Associations in the region.

## **Article 59**

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The Regional Council must provide an annual report of its activities to the Associations of the region as well as to the Management Committee.

## **Article 60**

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The Regional Council must meet a minimum of four times per year.

## **Article 61**

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If the post of regional President becomes vacant for any reason whatsoever, the Presidents of the Associations of the region shall appoint a President for the unexpired term of the individual being replaced. This appointment must be approved by the Executive Committee of the Party.

## **Article 62**

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The Association Presidents assist the regional President and one of them, as chosen by their peers, replaces the President during absence or the inability to fulfill his or her duties.

## **Article 63**

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Subject to provisions in the Bylaws, the regional President chairs meetings of the Regional Council and has overall leadership and coordination of all activities of the Regional Council.

## **Article 64**

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The regional Policy Committees may in particular:

- a) participate in the planning and organization of political activities taking place at the regional level;
- b) examine and analyze social, economic and political issues at play in the territories of the various regions in Quebec;
- c) draft, as needed, documents related to themes that are relevant to regional concerns;
- d) identify issues of concern for the various regions in Quebec and draft resolutions;
- e) present and propose resolutions to Party institutions such as the General Council and the Convention;
- f) propose a Chairperson and Vice-Chairperson to the Regional Council to oversee the regional Policy Committee.

## SECTION 9 : PERMANENT COMMITTEES

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### Article 65

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The Party has seven Permanent Committees. They are:

- a) The Organizing and Activity Committee;
- b) The Policy Committee;
- c) The Youth Commission;
- d) The Communications Committee;
- e) The Seniors Committee;
- f) The Cultural Communities Committee;
- g) The Legal Committee.

The Party's Permanent Committees fulfill the specific responsibilities conferred upon them. A Committee also fulfills the responsibilities conferred upon them by the Executive Committee of the Party. The Permanent Committees also support, as needed, the Regional Councils in the preparation of Regional Conventions.

Each Permanent Committee must, on an annual basis, submit an action plan and report on its activities to the Management Committee of the Party. The Management Committee follows up on the action plans of the Permanent Committees, and establishes indicators of success. This follow-up is part of the strategic planning process. The Permanent Committees also draft a written report on how their work is proceeding and present it at the next General Council.

A Permanent Committee may adopt a bylaw for its internal governance, which will not come into effect until after it is approved by the Party's Executive Committee.

### Article 66

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A Permanent Committee is composed of:

- a) a Chairperson;
- b) at least one Vice-Chairperson;
- c) a Secretary;
- d) any other persons that it deems necessary to fulfill its mandate.

### Article 67

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The Executive Committee of the Party appoints the Chairperson of each Permanent Committee, subject to the special provisions of this Constitution. The Vice-Chairperson (except the Vice-President of the Youth Commission) and the Secretary of each permanent committee are appointed or elected by the members of these committees according to the terms set out in their internal bylaws or specified on occasion by these committees.

## Article 68

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### **The Organization and Activity Committee**

The Organization and Activity Committee is responsible for organizing Party activities. It brings together experienced individuals from all regions of Quebec who have substantial knowledge of the terrain. During election campaigns, the Committee is responsible for the election of the Party's candidates. It also trains organizers, coordinates their work, and works to implement decisions made by the Party institutions.

The Organization and Activity Committee is composed of:

- a) one representative from each region, chosen by the relevant Regional Council;
- b) a minimum of two members who come from each of the following groups:
  - i) members who are 25 year of age and younger;
  - ii) cultural communities;
  - iii) members who are 65 years of age and older.
- c) a representative of the 26 - 35 Committee;
- d) a representative of New Members Committee;
- e) a member of the Party staff responsible for activities;
- f) Chief Organizer of the Party, without right to vote;
- g) Any other persons that it deems necessary to the fulfillment of its mandate.

### **Regional coordinators also participate in the Committee meetings.**

The Organization and Activity Committee has the following responsibilities:

- a) to coordinate the work of the Party in every region of Quebec, according to the strategic direction chosen by the Party;
- b) to coordinate the organization of province-wide activities;
- c) to train local and regional Party institutions in organization and fundraising;
- d) to review best practices in mobilizing voters and organizing them during election campaigns.

## Article 69

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### Policy Committee

The Policy Committee has the responsibility to determine, by consulting members at all levels, and in collaboration with the Parliamentary Wing and the Leader, the political positions taken by the Party.

The Policy Committee is composed of:

- a) the Chairpersons of the each of the Regional Policy Committees;
- b) a minimum of two members who come from each of the following groups:
  - i) members who are 25 year of age and younger;
  - ii) cultural communities;
  - iii) members who are 65 years of age and older.
- c) member of the Party staff responsible for policy, without right to vote;
- d) Any other persons that it deems necessary to the fulfillment of its mandate.

The Policy Committee has the following responsibilities:

- a) to prepare Party policy and the Party's electoral platform by consulting members at all levels, and in collaboration with the Party's Parliamentary Wing and the Party Leader;
- b) ensure follow-up of policy resolutions adopted by Party institutions;
- c) to support the Regional Councils in the preparation of Regional Conventions;
- d) to follow up on election promises when the Party forms the government and report on the fulfillment of these promises to the Management Committee at least once a year. The Policy Committee may for this purpose, establish a committee for the follow-up of election promises, on which it may confer relevant responsibilities.



## **Article 70**

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### **The Communications Committee**

The Communications Committee has the responsibility to facilitate communications between the various Party institutions and to disseminate the Party's objectives and platform.

The Communications Committee is composed of:

- a) one representative for each region, chosen by the relevant Regional Council;
- b) a minimum of two members who come from each of the following groups:
  - i) members who are 25 year of age and younger;
  - ii) cultural communities;
  - iii) members who are 65 years of age and older.
- c) the Party's Director of Communications, without right to vote;
- d) a member of the Parliamentary Wing's communications team, without right to vote;
- e) any other persons that the Committee deems necessary to the fulfillment of its mandate.

La Communications Committee has the following responsibilities:

- a) to fully participate in the development of internal and external communications plans, at the initiative of the Party's Communications Director;
- b) to recruit, to maintain, to continuously add to and train a network of regional and local members who will responsible for communications;
- c) support the Regional Councils in the preparation of Regional Conventions;
- d) to review best practices in communications, marketing and media relations;
- e) to act as an advisor for internal and external communications.

## **Article 71**

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### **The Youth Commission**

The Youth Commission has the responsibility of ensuring that young people participate in the political action of the Party. It is composed entirely of members aged 16 to 25 years of age. It is represented in the various Party institutions in the manner prescribed in this Constitution. The Youth Commission is responsible for the organization of an annual meeting of its members, known as the Youth Convention.

## Article 72

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### **The Cultural Communities Committee**

The Cultural Communities Committee has the mandate to ensure that persons from cultural communities participate in the political action of the Party.

The Cultural Communities Committee is composed of:

- a) representatives of cultural communities who serve on other Party institutions;
- b) any other persons that the Committee deems necessary to the fulfillment of its mandate:

The Cultural Communities Committee has the following responsibilities:

- a) to promote the Party's actions within diverse cultural communities;
- b) to guarantee the presence of members of cultural communities in each of the Party's institutions, by recommending candidates to the Governance and Human Resources Committee for positions reserved for cultural communities;
- c) to confer upon these representatives the mandate of ensuring that issues of importance to Quebecers from cultural communities are taken into account;
- d) to carry the votes of members from cultural communities to the Management Committee;
- e) to coordinate the organization of province-wide activities having particular relevance to this clientele;
- f) to support the New Members Committee in its work.

## Article 73

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### The Legal Committee

The Legal Committee has the following responsibilities:

- a) to draft the bylaws, resolutions, rules and legal documents that are necessary to ensure the sound operations of the Party and to contribute to their dissemination;
- b) to advise the Party on the Elections Act, related legislation, and in general on any and all legal issues;
- c) to recommend persons to chair deliberative meetings during the Members Convention or the Conseils généraux, and advise the Party as to the application of the rules governing those institutions;
- d) to support candidates, paid staff and volunteers during election campaigns by overseeing the legality of their actions;
- e) to coordinate communications with the Chief Electoral Officer and his or her representatives, and assist the Party in replies to the DGEQ;
- f) to assist in the training and dissemination of information to members with regard to the content and methodology for applying the Code of Ethics and Conduct, and to deal with any request made by a member relative to the Code;
- g) to receive all complaints from members, to verify whether the complaint is founded and to report it to the Ethics Committee;
- h) to assume any other mandate conferred upon the Legal Committee from time to time by the Party Leader, the Executive Committee, the Management Committee, the Executive Director, Chief Organizer or other party institutions.

## Article 74

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### The Seniors Committee

The Seniors Committee has the mandate to ensure that seniors participate in the political action of the Party.

The Seniors Committee is composed of:

- a) des membres de plus de 65 ans siégeant aux autres instances du Parti;
- b) de toute autre personne que la Commission jugera bon de s'adjoindre.

The Seniors Committee has the following responsibilities:

- a) to guarantee the presence of members 65 years of age and older within each and every Party institution, in particular by recommending candidates to the Governance and Human Resources Committee for positions reserved for member who are 65 years of age and older;
- b) to coordinate the action of the representatives of other Party institutions who are 65 years of age and older;
- c) to confer upon these representatives the mandate of ensuring that issues of importance to seniors are taken into account in the deliberations of the institutions in which they serve;
- d) to coordinate the organization of province-wide activities having particular relevance to this clientele.

## SECTION 10 : THE COMMITTEES

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### Article 75

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#### The Ethics Committee

The Ethics Committee is composed of:

- a) a person who has held the position of Leader, Executive Director or President of the Party, but is no longer an MNA or an employee;
- b) a person who is a member of the Quebec Bar;
- c) a professor, researcher or expert in ethics;
- d) A person with specific knowledge of the context from which the member who is the subject of the complaint comes from, who will be one of the following people, depending on the case:
  - i) The MNA who holds the position of whip in the National Assembly, as the representative of the parliamentary wing;
  - ii) The President of the Party, as the representative of the members of the Party;
  - iii) The Executive Director of the Party, as the representative of the employees of the Party;
  - iv) The Whip's Chief of Staff, as the representative of riding, National Assembly and ministers' office staff.

The first three members of the Ethics Committee are appointed by the Executive Committee of the Party for a renewable term of one year, and depending on the context, choose among those above, the fourth member in the context of the complaint. The members of the Ethics Committee will select their chair and will be assisted by a Secretary from the Legal Committee whose duties will include preparing the minutes but who will not take part in deliberations and will not have a vote. In the case of a tie, the Chairperson shall cast the tie-breaking vote.

The Ethics Committee has the following responsibilities:

- a) to apply the Party's Code of Ethics and Conduct provided for in Article 90 of this present Constitution, serving for this purpose as a disciplinary body;
- b) to verify any complaint received and duly submitted by the Legal Committee, which concerns the failure to comply with the Code of Ethics and Conduct;
- c) to issue and apply sanctions;
- d) to establish a conflict resolution mechanism;
- e) to present an annual report to the Executive Committee.

## **Article 76**

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### **The Regroupement des ex-parlementaires libéraux**

The Regroupement des ex-parlementaires libéraux is composed of former Liberal MNAs who are members in good standing of the Party. The rules of internal governance of the Regroupement des ex-parlementaires libéraux are subject to ratification by the Executive Committee.

## **Article 77**

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### **The New Members Committee**

The New Members Committee is composed of members who are appointed from time to time by the Chief Organizer. The Committee reports to the Organization and Activity Committee. The New Member Committee has the following responsibilities:

- a) to ensure the involvement and integration of new members in the various Party institutions;
- b) to prepare, manage and periodically update an orientation program for new members;
- c) to identify target clienteles where the Party should concentrate its recruitment efforts, in particular within the cultural communities;
- d) to fulfill any other mandate that is conferred upon it from time to time by the Organization and Activity Committee.

## **Article 78**

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### **The 26 - 35 Committee**

The 26 – 35 Committee is composed of active members of the Party who are at least 26 year of age and under 35 years of age and members in good standing, whether or not they have belonged to the Youth Commission. The rules of internal governance and the action plans of the 26 - 35 Committee are approved by the Organization and Activity Committee to whom it reports. The 26 - 35 Committee supports the work of the Organization and Activity Committee and appoints one member to serve on it and participate in its work. Members of the 26 – 35 Committee also support, as needed, other Party Committees and institutions.

## CHAPTER 5

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# Miscellaneous Provisions

## SECTION 1 : THE SELECTION OF A CANDIDATE FOR ELECTION

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### Article 79

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The Party Leader will require, before every election, that each riding hold an Annual General Meeting for the purposes of choosing a candidate. The procedures for the AGM are stipulated by the Party's Bylaws. In case of emergency, or for important reasons, the Party Leader may appoint the candidate.

Notwithstanding the Bylaws, only Association members in good standing may vote on the nomination.

### Article 80

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The person officially recognized as the Party candidate receives a notice as to such from the Party Leader. This candidacy is valid until the date of the election for which the candidate was chosen.

## SECTION 2 : FINANCES

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### Article 81

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The fiscal year is the calendar year.

### Article 81.1

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At all times, the Executive Committee must ensure that it limits its borrowing power to ensure the long-term sustainability of the Party, in such a way that total loans cannot surpass 50% of the net worth of the Party's immovable and must be in accordance with its ability to repay. In an election period, the planned loan must be set by the Executive Committee, on the recommendation of the Audit Committee, at least 6 months before the election (except in the case of early general elections, in which case it must be set by the Executive Committee as soon as possible). This maximum loan that is authorized in view of the election will not be modifiable before the election except by the Convention or a General Council.

## **SECTION 3 : AMENDMENTS TO THE CONSTITUTION**

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### **Article 82**

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A draft amendment to the Constitution must be sent to the Party Secretary 30 days prior to the opening day of the Convention. The Secretary immediately submits the draft amendment to the Party Executive Committee who determines its admissibility.

### **Article 83**

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At least 20 days prior to the opening of the Convention, the Secretary of the Party sends delegates the text of any draft amendment proposal accepted by the Party Executive Committee.

### **Article 84**

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An amendment is ratified if it receives the approval of two thirds of the delegates in attendance at the Convention.

A proposed amendment submitted to the Convention in accordance with the procedures stipulated in Articles 82 and 83, may not be the subject of a substantive amendment proposed during deliberations on the Convention floor, unless the substantive amendment is deemed receivable by the Party's Executive Committee and both the proposer and the seconder have given their consent to the presentation of the substantive amendment for debate.

Notwithstanding the preceding provisions, the decision of the Chair of the meeting as to the nature of an amendment which is proposed on the floor of the Convention is final and cannot be appealed.

### **Article 85**

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An amendment to the Constitution, once adopted by two thirds of the Members Convention delegates, comes into force on the thirtieth day following the closing of the Convention.

## **SECTION 4 : A VACANCY**

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### **Article 86**

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Subject to the provisions of this Constitution, a vacancy for a position in one of the Party institutions is filled in the manner provided for in the Bylaws.

## **SECTION 5 : THE CODE OF ETHICS AND CONDUCT**

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### **Article 87**

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The Party's Code of Ethics and Conduct, included in Annex 1 defines the moral principles that should guide the behaviour of office holders within the Party, and the rules and obligations guiding certain specific situations. This Code forms an integral part of this present Constitution.

## **SECTION 6 : INTERPRETIVE PROVISIONS**

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### **Article 88**

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In calculating delays, the day that marks the starting point is not counted, but the last day is.

### **Article 89**

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The masculine is used to designate either gender unless the context indicates otherwise.

### **Article 90**

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Whether referring to many persons or to many things of the same category, the singular may be used each time that the context allows for it.

### **Article 91**

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The power to appoint also includes the power to dismiss at any time while in office or function.

### **Article 92**

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The procedures at the Party's deliberative meetings are governed by the general by-laws of the Party.



## ANNEX 1

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# CODE OF ETHICS AND CONDUCT OF THE QUEBEC LIBERAL PARTY

## FOREWORD

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The Quebec Liberal Party (QLP) is a political party composed of many people from different backgrounds who share common Liberal values.

The QLP is an extremely complex organization in that it is composed of elected representatives, volunteers whose levels of involvement vary, and employees paid by the Party or the State. In addition, it has a wide spectrum of decision-making bodies, positions and responsibilities, some more formal than others, that assign various powers and prerogatives to several hundred individuals.

The QLP Code of Ethics and Conduct applies to members who hold the following positions within the QLP:

- Members of the National Assembly;
- Members of riding association executive committees;
- Members of the Permanent Committees and of the Party's Executive Committee;
- Political staff at the National Assembly;
- Political staff in ministers' offices;
- Political staff in MNAs' riding offices;
- Party employees;
- Candidates in elections;
- Volunteers who hold positions of authority in a candidate's election organization;
- Individuals who hold a certificate authorizing them to solicit contributions.

This Code has been prepared to provide guidelines for the exercise of the rights, privileges and obligations of each of these positions. Its objective is to complement the legislation, professional standards, employment contracts and other regulations that do not specifically cover the powers associated with party politics.

This Code must not be interpreted as limiting, replacing or duplicating the other obligations imposed on individuals who hold positions within the QLP, and in the event of conflict between this Code and a document for which the Quebec Ethics Commissioner is responsible, the

latter document will prevail for MNAs and employees who are subject to it, and in particular for acts carried out at the National Assembly.

This Code draws on the best practices followed in various kinds of activities, in several provinces and in numerous foreign countries. In the event that a situation calling for an ethical judgment is not expressly covered by this Code, it would therefore be appropriate to refer to the best practices recognized, in order to determine the appropriate conduct.

To ensure that this Code is succinct and easy to understand, it is divided into two parts. The first section relates to ethics and sets out the four major moral principles that must guide the conduct of the various people who hold positions within the QLP; the second part relates to conduct and sets out a number of rules and obligations by which conduct must be guided in five specific situations.

In this Code, if an act is prohibited, an attempt to commit the act is also prohibited, as is any form of participation in the act or incitement to commit the act.

In the event of any conflict between the French and English versions of the Code, the French version shall prevail.

## ETHICS

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Individuals who hold positions within the QLP agree that their decisions and conduct will comply at all times with the following four guiding principles:

### **1. Honesty and obedience to the law**

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- 1.1 Abide by the legislation and charters in force in Quebec and Canada.
- 1.2 Abide by the Election Act and the regulations made by the Chief Electoral Officer of Quebec.
- 1.3 Abide by the provisions of the Constitution and Bylaws of the QLP.
- 1.4 Abide by the highest ethical standards in carrying on political activity.
- 1.5 Report to the police any crime of which the member becomes aware, by virtue of their position.

### **2. Respect for individuals**

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- 2.1 Act respectfully and fairly toward all individuals, all organizations and all political parties.
- 2.2 Abstain from intolerance, discrimination, sexism, ethnocentrism, fanaticism, racism and any other conduct that does not respect individuals' fundamental rights.
- 2.3 Respect freedom of expression.

### **3. Integrity of and respect for institutions**

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- 3.1 Act in such a way, in both word and deed, as always to preserve the reputation and dignity of political work, volunteerism and democracy at all times.
- 3.2 Act in the best interests of Quebec rather than in their personal interests or the interests of another person or organization, in a manner that is consistent with justice and individual rights.
- 3.3 Act fairly and loyally, in both word and deed, in such a way as always to preserve the reputation and dignity of the QLP.

### **4. Accountability and responsibility**

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- 4.1 Take all reasonable measures to avoid misconduct on the part of individuals for whom a person is responsible by virtue of their position, and for example, by providing information and training.
- 4.2 Promptly inform every person to whom a member reports by virtue of his or her position of any initiative for which that person could be held responsible and accountable, and have the initiative approved by that person.
- 4.3 Maintain the confidentiality of information obtained by virtue of their position.
- 4.4 Carry out the duties and responsibilities assigned by the QLP with diligence and professionalism.

## **CONDUCT**

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Individuals who hold positions within the QLP agree that they will comply at all times with the specific rules that guide their conduct in the following five situations:

### **1. Conflict of interest**

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- 1.1 Avoid any situation where there is a conflict of interest or an appearance of conflict of interest between the obligations of the person's position and their personal interests or the interests of an individual or organization with which the person is linked.
- 1.2 Promptly declare any personal interest and any direct or indirect interest in an organization, a business, an association or another political party that might conflict with the position held in the QLP, by reporting it orally or in writing to everyone concerned who might be influenced by or held responsible for the situation. The declaration must be made at the beginning of every discussion, motion, vote or other exercise of a decision-making power and must be repeated if the potential conflict recurs. If the declaration is made in a situation where minutes are recorded, it must appear in the minutes.
- 1.3 Refrain from participating in an activity, arrange to be temporarily removed from a position or resign from a position, depending on the duration and severity of the conflict of interest or appearance of conflict of interest.
- 1.4 Not exploit their status to secure an undue advantage, whether direct or indirect, for themselves or for a family member or friend.

## **2. Abuse of power**

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- 2.1 Not require, request or suggest that anyone violate this Code.
- 2.2 Not require, request or suggest that anyone waive his or her fundamental rights.

## **3. Gifts and benefits**

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- 3.1 Not solicit, accept or agree to accept later, for themselves or for another person, any gifts or benefits that might create an impression of indebtedness or that might give the impression of influencing the person's judgment in the performance of the position they hold.
- 3.2 Are acceptable gifts, souvenirs or promotional items where the total value from a single person or a single organization, over a 12-month period, is no greater than the amount for which a disclosure statement must be made to the Commissioner under the Code of Ethics and Conduct of Members of the National Assembly of Quebec (in 2014: \$200), as long as such gifts, souvenirs or promotional items do not create an impression of indebtedness and do not give the impression of influencing the person's judgment in performing the duties of the position they hold.
- 3.3 Gifts, souvenirs or promotional items received in the context of a purely private relationship are also acceptable, as long as they are not intended to influence the actions of the Party or the State, whether directly or indirectly.
- 3.4 Return to the donor, as soon as possible, any gift or donation that is required to be refused but that could not be refused for protocol, cultural or other reasons, or deliver it to the Ethics Committee, except when the cost of returning it to the sender exceeds the cost of the item.

## **4. Use of QLP or State property**

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- 4.1 Not use property, equipment, services, information, premises, financial resources or other things belonging to the QLP for purposes other than those intended by their owner.
- 4.2 Protect the confidentiality of information and data belonging to the QLP and the State, and not use it to benefit oneself or another person or organization.

## **5. Pre-employment and post-employment**

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- 5.1 Obtain a judicial pardon (record suspension) for any criminal record resulting from a Criminal Code offence that is related to or would be incompatible with the position held in the QLP before accepting any position offered by the QLP.
- 5.2 Not derive any undue advantage as a result of a position previously held in the QLP.

## IMPLEMENTATION AND ENFORCEMENT

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Although the actions of each person are primarily their personal and individual responsibility, acceptance of a position or responsibility within the QLP carries with it a duty to adhere to and comply with the principles and directives set out above.

For better understanding of the content of this Code and to provide members with a mechanism for consultation, training, verification, discipline and dispute resolution, the Party has assigned mandates to two bodies, the details of which are set out in the structure and procedure section of this document.

### Final provisions

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1. This Code may be amended or changed in accordance with the rules provided in the Constitution.
2. This Code will come into force and apply to all members subject to its provisions 30 days after it is adopted, and applies to all situations that arise after that date.

## STRUCTURE AND PROCEDURE FOR ETHICS-RELATED MATTERS

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### Mandates and responsibilities

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The mandate of the Legal Committee is to explain the QLP Code of Ethics and Conduct and serve as a point of liaison with members for dealing with complaints.

- Provide training and information for all members concerning the content of the Code and the manner in which it is enforced.
- Deal with all requests from members for information about the Code.
- Receive all complaints made by members, determine whether they may be considered, and report to the Ethics Committee.

The mandate of the Ethics Committee is to enforce the QLP Code of Ethics and Conduct and serve as a disciplinary body.

- On receipt of a complaint referred by the Legal Committee, ascertain whether there has been a violation of the Code.
- Impose and enforce sanctions.
- Adopt a dispute resolution mechanism.
- Report to the Executive Committee of the Party on its activities on an annual basis.

## Composition of the Ethics Committee

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The Ethics Committee is composed of individuals who are recognized for their impartiality, integrity and high ethical standards.

The composition of the Ethics Committee will vary, depending on the position of the member about whom a complaint is made. Some individuals will participate in all cases, while others will be called on only if the complaint concerns a member of their wing.

The members of the Ethics Committee are as follows, with the first three being appointed by the Executive Committee of the Party for renewable one-year terms:

1. A person who has held the position of Leader, Executive Director or President of the Party, but is no longer an MNA or an employee.
2. A member of the Quebec Bar.
3. A professor, a researcher or a person with relevant practical experience in ethics-related matters.
4. A person with specific knowledge of the context from which the member who is the subject of the complaint comes from, who will be one of the following people, depending on the case:
  - 4.1 The MNA who holds the position of whip in the National Assembly, as the representative of the Parliamentary Wing.
  - 4.2 The President of the Party, as the representative of the member of the Party.
  - 4.3 The Executive Director of the Party, as the representative of the employees of the Party.
  - 4.4 The Whip's Chief of Staff, as the representative of riding, National Assembly and ministers' office staff.

The members of the Ethics Committee will select their chair and will be assisted by a secretary from the Legal Committee whose duties will include preparing the minutes but who will not take part in deliberations and will not have a vote.

Decisions will be made by a majority of the vote cast and must be explained.

## Complaint process

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Submitting a complaint to the Ethics Committee must be regarded as a last resort for remedying a problematic situation. Conciliation is encouraged as an alternative approach.

In order for a complaint to be considered by the Committee, the complainant member must first have completed the following steps:

1. Ascertain the veracity of the facts underlying the problematic situation, to the extent possible.
2. Ascertain whether the principles and rules in the Code apply to the problematic situation, to the extent possible.
3. Discuss the problematic situation, directly or through a third party, with the person who is in apparent violation of the Code, to the extent possible.
4. Ascertain whether other mechanisms are available and use them, to the extent possible, to resolve the problematic situation.

The complaint must be submitted to the Legal Committee and a copy must be sent to the secretary of the Ethics Committee. The Legal Committee will ascertain whether the complaint may be considered and ensure that the grounds stated are succinct, and then submit its report to the Ethics Committee.

The Legal Committee and the Ethics Committee will keep the identity of a person who has provided information to them or filed a complaint confidential, subject to the applicable legislation.

However, the Ethics Committee must automatically consider any case in which a member has been charged under the Criminal Code or the Election Act, while being mindful of the presumption of innocence.

Members against whom a complaint is made are entitled to submit their version of the facts, in person or in writing, before a decision is made by the Ethics Committee, and are also entitled to be assisted by another person of their choice.

The decision of the Ethics Committee is final.

## **Sanctions**

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The Committee may impose sanctions for violations of the rules in the Code, which may range from a warning to suspension, removal from a position or expulsion from the Party. Sanctions will depend on the context in which the violation occurred and certain mitigating or aggravating factors, including the recurrent nature or severity of the violation, intent, remorse, admission, cooperation and the existence of other violations.

## **Information**

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A member who wishes to obtain information about this Code or submit a complaint may do by telephone or email. The information will be treated confidentially.

514 216-3462

[ethique@plq.org](mailto:ethique@plq.org)

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800 361-1047

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