



**Liberty Local
Winnipeg, MB**

**BY-LAW NO. 1
OF THE LIBERTY LOCAL**

1. **NAME**

1.1 The organization shall be called the Liberty Local Inc.

2. **OBJECTS**

- 2.1 To promote the history and culture of the Metis people and otherwise to promote the cultural pride of its membership.
- 2.2 To promote and encourage Secondary Education within its membership.
- 2.3 To promote the education of its members respecting their legal, political, social and other rights
- 2.4 To promote participation of its members in community, municipal, provincial, federal, Metis, Aboriginal and other organizations.

3. **DIRECTORS**

- 3.1 There shall be four directors who shall form an executive committee of the Local. One of the directors shall be elected as Chairperson, one of the directors shall be elected as Vice-Chairperson, one of the directors shall be elected as Secretary, and the fourth director shall be elected as Treasurer of the Local.
- 3.2 Between meetings of the Local the Executive of the Local shall have all such powers as are granted by this constitution and further by-laws of the Local to conduct business for the Local. All decisions made by the Executive shall at the next following meeting of the Local be brought to the attention of the membership of the Local and such decisions must be ratified by appropriate resolution of the members at such meetings.

4. **DEFINITIONS AND APPLICATIONS FOR MEMBERSHIP**

4.1 **Definition:**

- a) **"Aboriginal person"**: any person who declares him/herself to be an Aboriginal person on account of descent or personal relationships with a family of Aboriginal persons and who is accepted as an Aboriginal person by an Aboriginal community in accordance with the procedure in this article.
- b) **"Metis"**: any person who declares him/herself to be a Metis on account of descent or personal relationship with a family of Metis persons, and who is accepted as a Metis by a Metis community in accordance with the procedures established in this article.
- c) **"Children"**: Includes all natural or adopted children, whether legitimate or illegitimate under Canadian Law.
- d) Any persons who declares him/herself to be Metis on account of personal relationship with a family of Metis persons shall not be accepted as a member unless his; or her application is supported by at least 10 members and a special resolution accepting his or her application is passed and the person is accepted as a member of the Liberty Local Inc. until meeting all the requirements: such person shall not be entitled to be a member of the Local.

4.2 Classes of Membership

- a) **Individual Member:** Metis persons of the age of 18 .
- b) **Honorary Members:** Such persons as may from time to time be admitted by resolution of the Local. Honorary members shall have no vote and no right to hold office.
- c) **Children:** Children (under the age of 18) of individual members shall be entitled to the benefit of the services of the organization and to such other benefits as shall be determined by resolution of the Local.
- d) **Associate Members:** Associate Members who are **active** members shall be entitled to all benefits that members enjoy, including voting rights with the Local.

5. BY-LAWS

5.1 The members may, from time to time, enact such by-laws, as they may consider appropriate with respect to the affairs of the Local. Any such by-law, confirmed by a majority of the votes, cast at a general meeting of the members duly called for that purpose, is effective until repealed at a meeting of the members by majority vote, ceases to have effect at and from that time.

6. NOT FOR PROFIT

6.1 Except as otherwise herein provided no member of the Local shall (except for repayment of expense incurred on behalf of the Local) receive any of the income of the Local. The activities of the Local shall be carried out on without a view to profit by Local members.

7. DISSOLUTION

7.1 On dissolution of the Local, the net assets remaining after payment of all debts shall be transferred to an organization as is approved by a majority vote of the members.

8. AMENDMENT

8.1 This constitution may be amended, from time to time, by a special resolution (a two-thirds majority of the votes cast) at the annual general meeting of the members or any other meeting expressly called for such purpose any such amendment shall be effective as soon as it is possible.

9. DEFINITIONS

9.1 "Area represented by Liberty Local" shall mean the Province of Manitoba.

9.2 "Members" means member of the Liberty Local who has paid the subscribed fees and completed the appropriate application for membership in the Liberty Local and whose admission to membership has been accepted by the then existing members of the Liberty Local. For the purposes immediately following this by-law the membership list shall include those persons who are recognized at the enactment of this constitution as members in the Liberty Local.

9.3 "Active members", means members must participate in volunteer work and have been with the local for 1 year.

10. APPLICATION OF THIS BY-LAW TO OTHER BY-LAWS

10.1 All subsequent by-laws of the Local are expressly subject to the provisions of this by-law and no enactment, amendment, change, alteration or interpretation should have the effect of altering this by-law, shall be effective unless such by-law enacted by two thirds majority vote of members present at such duly called meeting for that purpose.

11. REMOVAL OF MEMBERS

11.1 Any member of the Local may be struck from the membership list and refused further participation in the Local either indefinitely or for a defined period of time. Such revocation of membership shall undertaken only for just cause as is hereinafter defined and shall be effective only upon the passing of a special resolution of the members of the Local requiring the removal of such member.

12. JUST CAUSE OF REMOVAL

Just cause for removal shall be defined as any of the following situations:

- a) Where a member voluntarily renounces his/her membership in Liberty Local Inc.
- b) Where a person ceases to be a Metis person as defined from time to time in the by-laws of Liberty Local Inc.
- c) Any action deemed to be a conflict of interest pursuant to provisions in this by-law or in any subsequent by-law.
- d) Any action, which in the opinion of the members involves a breach of trust in the handling of funds of the Local or which actions, statements, or other activities is designed to bring the Local into general disrespect and lessens the reputation of the Local in the eyes of the general public.
- e) Where a member ceases to live in the geographic area served by the Liberty Local.

13. CONFLICT OF INTEREST

13.1 A person shall be deemed to be in a conflict of interest for the purpose of removal of any of the following breach of provisions:

- i) If he or she, either personally, or vicariously by reason of membership in any other organization, he or she exposes views directly in opposition to the aims and objectives of the Liberty Local Inc.
- ii) If he or she releases information to, discusses the activities with, or otherwise utilizes his or her membership in the Local for information received by virtue of his or her membership for the advancement of the objects of another body organization, corporation or person, without the express consent of the membership being first had and obtained.
- iii) Any other activity, action statement or other action that is expressly contrary to the by-laws of the Local where the natural and obvious inference from the actions, statement or other activity is that the person made such statement, action or activity in flagrant disregard for the by-laws of the Local.

BY-LAW NO. 2
EXECUTIVE COMMITTEE LIBERTY LOCAL

1. **MEMBERSHIP IN EXECUTIVE COMMITTEE**

- 1.1 There shall be four members of the Executive Committee who shall be the Chairperson, Vice-Chairperson, Secretary, and Treasurer of the Local.
- 1.2 An appointed person shall be elected by members to oversee financial affairs.

2. **ELECTION**

- 2.1 Commencing from the Annual General Meeting held in 1991, elections shall be held at the meeting of the Local by poll in the manner as otherwise set out herein.

3. **TERM OF OFFICE**

- 3.1 Each candidate elected shall hold office for a period of two (2) years thereafter until his or her successor shall be elected, or until his or her reelection, at the meeting of the Local. Thereafter, each member elected shall hold office for a two-year term unless such member is elected by the membership for the duration to serve an unexpired term of an Executive Member who has been removed or has resigned his or her position.
- 3.1 a) Staggered positions with previous candidates on executive committee:
Chairperson with Treasurer or Vice-chairperson with Secretary

4. **QUALIFICATIONS FOR OFFICE**

Any candidate for office must at the time of the election fulfill the following requirements:

- 4.1 Must be 18 years of age or older
- 4.2 Must be at the time of election, and have been for a period of one year prior to the election been a paid up member of the Local.
- 4.3 Any candidate for office must have in the preceding year (January 1st to December 31st) of the preceding year attended at least six (6) of the nine (9) regularly scheduled meetings of the Local in such year and have attended in all cases a majority of the meetings both regular and special called for the membership for that year.
- 4.4 Must not be an undischarged bankrupt.

5. **PROCESS OF ELECTION**

The Electoral Officer (CEO) will be chosen by the **executive committee** at the annual general meeting of the Local.

- 5.1 Members that are present at the Annual General Meeting of the Local shall nominate candidates for office.
- 5.2 If no person objects to any candidates, or after satisfaction of any objection, the Electoral Officer shall declare the polls open for the election and shall allow all person then registered as members of the Local and who are present to cast ballots for the candidates by secret poll.
- 5.3 No person shall be declared elected unless he or she receives a majority of votes cast in favor of his or her candidacy. If more than two electors are contesting any position, the Electoral Officer shall count the ballots cast and if no candidate has received a majority of the votes he shall post the number of votes obtained by each of the candidates and shall continue to hold polls until one person shall receive a majority of votes.
- 5.4 Each successful candidate shall take office from his predecessor immediately upon being declared the winner by the Electoral Officer after having reviewed the ballots cast and determining that a majority of votes had been cast for the winner.
- 5.5 Upon declaring a person elected, the Electoral Officer shall ask if there is *any reason why the ballots should not be destroyed*. If any objection shall be raised, the membership shall review the information respecting such allegation and shall determine whether or not such allegation is well founded. If no objection is taken, or upon determination of the issue raised by objection, the Electoral Officer shall then ask for *a motion to destroy the ballots* and the members may move and second such motion and the Electoral Officer shall hold an open destruction of the ballots, the ballots shall be held by the Electoral Officer for safekeeping until resolution of any dispute or claim respecting the election has been resolved.