

Canada - China
Legislative Association



Association législative
Canada - Chine

TERMS OF REFERENCE

(As adopted on October 27, 1998, amended on November 18, 1999,
February 22, 2005 and November 13, 2007)

1. Name:

This association shall be known as the "Canadian Group of the Canada-China Legislative Association", hereafter sometimes referred to as the Group

2. Aim:

The aim is to exchange information and promote better understanding between Canadian parliamentarians and representatives of the National Peoples' Congress of the Peoples' Republic of China on issues of common interests and accomplishments, as well as differences and difficulties; and to propose initiatives likely to lead to a better mutual understanding of bilateral and multilateral problems and work to develop co-operation between the two countries in all the fields of human activity.

3. Membership:

Membership is open to all Members of the Senate and House of Commons of Canada on application and payment of a nominal membership fee.

4. Operating Year:

The operating year of the Section shall be the fiscal year, commencing on the first day of April and ending on the thirty-first day of March.

5. A- Annual General Meeting:

- (1) An AGM must be held within 60 calendar days of the Opening of a new Parliament.
- (2) At least one meeting of the general membership shall be convened each year. The Executive Committee or 10 members of the Association may, upon at least two week's written notice, convene a meeting of the general membership. The quorum shall be fifteen, provided that both the Senate and the House of Commons be represented.

It shall:

- (a) elect the members of the Executive Committee;
- (b) receive a summary report of the expenses of the previous fiscal year and a written report of the association's activities for that year from the Co-Chairs;
- (c) amend, where necessary and with one week's notice, the Group statutes by a two-thirds majority vote of the members present;
- (d) make suggestions and adopt resolutions in accordance with the aims of the Group;
- (e) if it is deemed appropriate, elect an Honourary Chair who shall be a member of the Group and who has demonstrated a strong and abiding interest in the aims of the Canada-China Legislative Association, who may from time to time be called upon to advise the Executive Committee and/or the Group in relation to any of their activities; and
- (f) transact any other necessary business.

B- Special General Meeting:

A Special General Meeting of the membership may be called at any time by the Co-Chairs, the Executive Committee or any ten members of the Group. Notice shall be given as for an Annual General Meeting. It shall transact only such business as was specified in the notice of the meeting.

6. Executive Committee:

- (1) A general meeting of the Group shall each year elect an Executive Committee to be composed of the following:
 - (a) Honorary Chairs: The Speakers of both Chambers;
 - (b) Co-Chairs: One from the Senate and one from the House of Commons. The term of office for the Co-Chairs shall be two years, with re-election possible: the House Co-Chair being elected on odd years and the Senate Co-Chair on even years.
 - (c) Vice-Chairs: There shall be at least eight Vice-Chairs, two of whom shall be from the Senate. The number shall be recommended by the Nominations Committee to include representation from all recognized parties in the Senate and the House of Commons. The term of office for Vice-Chairs shall be one year with re-election possible.
 - (d) Nothing precludes an independent Senator or MP from being a member of the Executive.
 - (e) Members of the Executive Committee shall be members of the Group in good standing.

- (f) The position of Co-Chair cannot be held by either a Parliamentary Secretary, a Minister of the Crown or a Chair or Co-Chair of another parliamentary association.
- (2) Upon agreement of the two Co-Chairs, meetings of the Executive Committee may be called by either of the Co-Chairs. The Executive Committee shall also meet at the call of any four of its members. A majority of the members of the Executive Committee, including at least one Co-Chair, shall constitute a quorum provided that a representative from each house is present.
 - (3) The Executive Committee shall meet at least twice yearly and its functions shall be to take all necessary measures with regard to:
 - (a) the program of activity of the Group and liaison with their Chinese counterparts regarding the convening of joint meetings including timing, agendas, format, participation, reports, publicity, etc.
 - (b) the preparation of a budget to operate the Group's annual program.
 - (c) the Group's participation in meetings and conferences of the Canada-China Legislative Association, including agendas, the size, distribution of places and selection delegations.
 - (d) taking appropriate action on an annual basis to keep the Canadian Parliament informed, by debates in the Senate and House or by reference to their Committees, of the work of the Canada-China Legislative Association
 - (e) the appointing of replacements for unexpired terms when vacancies occur on the Executive Committee.
 - (f) directing and managing the affairs and budget of the association in accordance with the decisions taken at its General Meetings and directives of the Joint Interparliamentary Council;
 - (g) drawing up a work plan and submitting it to the General Meeting;
 - (h) approving any activities, including travel, that are added to the association's work plan over the course of the year;
 - (i) convening the AGM;
 - (j) drawing up a draft budget for the upcoming fiscal year and submitting it to the Joint Interparliamentary Council (JIC);
 - (k) submitting reports to the membership as required;
 - (l) ensuring that regular reports are submitted to the Senate and House of Commons, as required in the rules and practices of both Houses.

7. Selection of Delegations:

- (1) The Executive Committee and the Party Whips in both Houses, shall constitute the Selection committee.

- (2) In accordance with 6 (c) above, it will notify the membership of the Group activities and select delegates to activities of the Canada-China Legislative Association.
- (3) In making its selection the Committee shall take into account the following:
 - (a) that selection should be based on active participation in Parliamentary Committees or in study groups examining relevant issues of Canada-Chinese relations and the need for some continuity.
 - (b) that participation provides a valuable opportunity to increase understanding about attitudes and policies and that this educative experience should be available to the widest possible number of parliamentarians.
 - (c) that fair representation on delegations be given to recognised parties.
 - (d) that, as a condition of participation, prospective delegates must agree to take part in briefing programs and to give the time required to prepare themselves to make a contribution at these bilateral meetings.

8. Nominations Committee and the election of the Executive Committee:

- (1) The Nominations Committee shall consist of the Executive Committee of the Group and the Whips or the representatives of all recognised Parties in both Chambers.
- (2) A meeting of the Nominations Committee shall be convened at the call of the Co-Chairs.
- (3) The Committee shall:
 - (a) determine the size of the Executive Committee and the basis of representation from recognised Parties of both Chambers.
 - (b) present a report to a meeting of the general membership called to elect the Executive Committee.
- (4) The guiding principles for selection of nominees as members of the Executive Committee shall be demonstrated interest in Canada-Chinese relations, willingness to accept the post and to give the time required to carry out the duties and responsibilities.
- (5)
 - (a) The Executive Secretary shall distribute nomination forms to all members of the Association;
 - (b) Nominations shall be received at least three working days in advance of the AGM. The Executive Secretary shall prepare a nominations report based on nominations received. Once the deadline has passed, the nominations shall be made public;

- (c) In order to be eligible to vote, parliamentarians shall be members of the association at least three working days prior to the AGM. Once the deadline has passed, the names of all members eligible to vote shall be placed on a voters list;
- (d) Nominations will only be accepted from the floor at the AGM for positions for which no candidate has been nominated;
- (e) The election shall be presided over by a parliamentarian to be chosen from a list that has received the approval of the Speakers of the Senate and the House of Commons who is not nominated for a position on the executive of the association. Elections shall be conducted by secret ballot with the support of the Executive Secretary and additional necessary staff from the International and Interparliamentary Affairs Directorate;
- (f) The ballot box shall be placed in full view and each parliamentarian shall insert his or her own ballot into the box;

9. Staffing Arrangements:

- (1) The International and Interparliamentary Affairs Directorate of the Parliament of Canada is responsible for providing the organisation and administrative support for the Group's activities.
- (2) The Executive Secretary of the Group shall be responsible for the management of the activities of the Group and shall be accountable to the Executive Committee, and particularly to the Co-Chairs.

10. Dissolution of Parliament:

In the event of a dissolution of Parliament the Executive Committee in office at that time shall carry on the affairs of the Group until a general meeting elects a new Executive Committee in accordance with 6 above and with due regard to policies and related procedures set out in the *Financial Management and Policy Guide for Parliamentary Associations*.

* **Rule 5** was amended at the Annual General Meeting held on November 18, 1999.

* **Rules 1, 5, and 6** were amended and **Rule 5(e) was added** at the Annual General Meeting held on February 22, 2005.

* **Rules 5A(2), 5B, 6, 8, 9 and 10** were amended and **Rules 5A(1), 6(1) (d), (e), (f), 6(3) (f), (g), (h), (i), (j), (k), (l) and 8(5)(a), (b), (c), (d), (e), (f)** were added at the Annual General Meeting held on November 13, 2007.