

*Changes to the document circulated at our last meeting are highlighted in yellow. The area highlighted in green covers the section relating to the delegation vote which will be discussed at the 2013 meeting.*

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## **UNIFORM LAW CONFERENCE OF CANADA CRIMINAL SECTION**

### ***RULES OF PROCEDURE***

#### ***1. Delegations***

1.1 Each province and territory, as well as the federal government, shall designate the number of delegates participating in the conference.

1.2 Each delegation shall submit a list of its delegates in writing to the Executive Director on or before July 1<sup>st</sup>, each year.

1.3 Should a delegation wish to have observers present, prior approval must be sought from the Section Chair for the year in question. Attendance must be justified as being consistent with the objectives of the ULCC. The Head of the delegation must ensure that observers understand the confidential nature of deliberations.

1.4 Observers will not have voting rights.

1.5 Each delegation shall be headed by a senior delegate for the purpose of these rules.

1.6 All senior delegates shall identify themselves to the Secretary at the beginning of the conference.

1.7 Members of the judiciary attending the meetings shall be recognized as full delegates but, as a matter of principle, will not have a vote.

#### ***2. Agenda and Materials***

2.1 The agenda for the Criminal Section meeting will be prepared by the Chair for the year in question with the assistance of the Secretary.

#### ***3. Resolutions***

3.1 Format:

Resolutions shall:

- a) Be limited to a maximum of two (2) 8 ½ x 11 pages; and
- b) Contain the following headings:

- *jurisdiction submitting,*
- *subject,*
- *statutory reference, if applicable,*
- *summary, and*
- *recommendation.*

c) **Make reference to any previous resolutions on similar issues considered by the Section;**

d) Language

- Where feasible, resolutions should be provided to the Secretary in both official languages.

### 3.2 Timelines for receipt and distribution of resolutions and reports:

- Resolutions shall be sent electronically to the Secretary on or before April 30<sup>th</sup>, or as otherwise directed by the Secretary.
- Reports shall be sent electronically to the Secretary on or before June 1 or as otherwise directed by the Secretary
- Resolutions and reports shall be sent electronically to the senior delegates by the Secretary one month prior to the meeting
- The Secretary may request that any delegate who wishes to submit a resolution or report after the above-noted deadlines be responsible for distributing the relevant document to the other delegations, in both official languages.
- Supplementary agenda items shall be considered during the deliberations of the Criminal Section only if permission is granted by means of a majority vote of the delegates.

### 3.3 Presentation of Resolutions:

- The Resolutions will be presented in alphabetical order by the Provincial and Territorial delegations commencing with Alberta in 2001. The order of rotation will change from year to year with the lead delegation from the immediately preceding conference presenting resolutions last in rotation at the next conference, and in like fashion the rotation will change from year to year thereafter.
- The delegation from Canada will present Resolutions for consideration after the Resolutions received from the Provincial and Territorial delegations have been presented.
- Resolutions received by the Secretary after the deadline will be presented in the order in which they were received after the regular business of the Section has been completed if permission is granted by means of a majority vote of the delegates.
- Resolutions from the floor will be presented after the regular business of the Section has been completed if permission is granted by a majority vote of the delegates.

- e) Where the Chair wishes to present a resolution on behalf of the delegation of which he or she would ordinarily be a member, the nominated chair of the section shall assume the responsibilities of the chair while that resolution is being debated and voted upon. If the nominated chair is unable to perform this function, the immediate past chair of the section shall assume this role.
- f) A resolution that has been considered by the section within the past five years shall not be submitted for reconsideration without leave of the Chair.
- g) The order of discussion by delegates shall be at the recognition of the chair.

#### **4. Individual voting**

4.1 A delegate moving a resolution shall orally state the resolution or amended resolution before the Chair puts it to a vote of the delegates.

A majority vote by show of hands:

- a) for the resolution, or
- b) against the resolution, or
- c) abstentions

will determine if a resolution is carried or defeated. Abstentions, through show of hands, will also be recorded.

4.2 Each member of a delegation is entitled to cast a vote except in the case of a delegation vote.

4.3 The delegates may, by majority vote, decide that an item is to be carried over for another year or that no action is to be taken in regard to an item.

4.4 Individual delegates must be physically present to vote or abstain.

#### **5. Delegation Vote**

5.1 A delegation vote may be called for any agenda item or resolution where:

- a) the chair declares that the item shall be so decided;
- b) in the event of a tie in a vote of individual members for or against a resolution
- c) instead of a vote of individual members – at the request of a senior delegate and on approval of the Chair

5.2 Where a delegation vote is called, each delegation is entitled to cast three votes or to abstain from voting. The delegation's position may be unanimous or in any of the following combinations:

- a) for the resolution
- b) against the resolution
- c) abstention

5.3 The position of the delegation shall be communicated by a representative selected beforehand by the delegation.

5.4 The resolution is carried if it receives a majority of votes in its favour.

5.5 Where a delegation vote is called, this vote takes precedence over the vote of individual delegates.

## **6. Confidentiality**

Unless specifically permitted by the Chair, discussions and deliberations of the Section are confidential except in the case of consultation with government officials, including members of law enforcement agencies, or members of professional associations represented by invited delegates.

## **7. Report of the Senior Federal Delegate**

The senior federal delegate shall report on the status of the resolutions passed in prior years.