

National Rules for the Selection of Candidates for the Liberal Party of Canada

As Amended by the National Election Readiness Committee, December 17, 2013

NATIONAL RULES FOR THE SELECTION OF CANDIDATES FOR THE LIBERAL PARTY OF CANADA

These Rules regulating the procedures to be followed to select a candidate of the Liberal Party of Canada for election to the House of Commons are made pursuant to section 67 of the Liberal Party of Canada Constitution. These Rules may be referred to as the “Rules for the Selection of Candidates for the Liberal Party of Canada” or the “National Campaign Rules”.

1. CALL OF CANDIDATE SELECTION MEETINGS

1.1 Selection of Candidate. Subject to Rules 1.2 and 9.3 and any ruling of the Permanent Appeal Committee, the Candidate for an Electoral District shall be the Qualified Nomination Contestant who is acclaimed or chosen from the Qualified Nomination Contestants for that Electoral District by a vote of Eligible Voting Members of the EDA at a Meeting held in accordance with these Rules, provided, however, that, if the Leader declares in writing that it will not be his or her intention to endorse such person pursuant to paragraph 67(4)(c) of the *Canada Elections Act*, such person ceases, forthwith, to be the Candidate.

1.2 Designation of Candidate by Leader. The Leader has the authority to designate a person to be the Candidate in any election, without the need for the conduct of a Meeting as otherwise contemplated by these Rules. Notwithstanding anything in these Rules, after consultation as set out in this Rule, the Leader may decide that a Meeting shall not be held in an Electoral District and may designate a person who will be the Candidate for an Electoral District in any Election upon the Candidate executing and filing with the Provincial or Territorial Campaign Chair such forms, undertakings and agreements otherwise provided for under these Rules as may be required by the National Campaign Chair. Except when there has been a declaration of electoral urgency pursuant to Rule 13 in respect of the relevant EDA, before designating a Candidate under this Rule, the Leader shall consult with the Provincial or Territorial Campaign Chair, who shall consult with, but need not obtain the consent of, the relevant EDA President.

1.3 Responsibility for fixing Meeting date. Each Provincial or Territorial Campaign Chair is responsible to fix the date(s) of each Meeting in their province or territory but may only do so with the consent of the National Campaign Chair.

1.4 Call of Meeting. Each Meeting must be held on the date fixed by the relevant Provincial or Territorial Campaign Chair in accordance with the directions (substantially in the form approved by the National Campaign Chair) provided to the relevant EDA President by the relevant Provincial or Territorial Campaign Chair. In relation to the Meeting, the relevant Provincial or Territorial Campaign Chair shall (a) set a period of notice for the Meeting of between 13 and 20 days and (b) set the date (which shall be not later than two days and not earlier than seven days before the beginning of the period of notice for the Meeting) by which a person must have been a member of the Party in order to be eligible to vote at the Meeting (referred to as the “**Cut-off Date**”). The process of fixing a date for the Meeting and providing directions for the holding of the Meeting is referred to as issuing the “**Call**” of the Meeting.

1.5 Criteria precedent to Call. Subject to Rule 14.3, no Call of a Meeting shall be issued under Rule 1.4 until:

- (a) the EDA criteria set out in Rule 1.6 have been met;
- (b) the Nomination Contestant search criteria set out in Rule 1.6 have been met;
- (c) one or more Qualified Nomination Contestant(s) have been determined through the Green

Light Process to have met the Nomination Contestant approval criteria set out in Rule 1.8.

1.6 EDA criteria. Subject to Rule 14.3, no Call of a Meeting shall be issued under Rule 1.4 until the following criteria respecting the EDA have been met:

- (a) where boundaries of an Electoral District have been altered by redistribution between Elections, all assets, liabilities and other matters pertaining to the EDAs of the relevant pre-existing Electoral Districts have been settled to the satisfaction of the National Director;
- (b) the Electoral District Association has been registered by the Chief Electoral Officer of Canada in accordance with the *Canada Elections Act*, or, in the absence of an Electoral District Association as defined in the National Constitution because the electoral district association formerly registered as an electoral district association of the Party has been deregistered or otherwise, appropriate measures have been taken so as to permit the proper conduct of the Meeting in accordance with the *Canada Elections Act*; and
- (c) the EDA has met the thresholds relating to EDA membership, fundraising and organization as determined by the Provincial or Territorial Campaign Chair.

1.7 Nomination Contestant search criteria. Subject to Rule 14.3, no Call of a Meeting shall be issued under Rule 1.4 until one of the following criteria respecting Nomination Contestant Search has been met:

- (a) the EDA has demonstrated to the satisfaction of the Provincial or Territorial Campaign Chair that the association has conducted an acceptable search for Nomination Contestants, including documented evidence of a thorough search for potential candidates who are female and who are reflective of the demographic and linguistic makeup of the local electorate; or
- (b) the Provincial or Territorial Campaign Committee has either conducted such a search on its own behalf or has determined that no such search is necessary under all of the circumstances.

1.8 Nomination Contestant approval criteria. In order to be a Qualified Nomination Contestant in an Electoral District, a person must meet the following requirements, except to the extent waived or varied pursuant to Rule 14.3 in respect of any Potential Nomination Contestant:

- (a) be a member of the Party;
- (b) be eligible to be a candidate in an election of a member to serve in the House of Commons under the *Canada Elections Act*;
- (c) deliver to the relevant Provincial or Territorial Campaign Chair, by no later than a date fixed by the relevant Provincial or Territorial Campaign Chair, original copies of the following forms fully and frankly completed and properly executed and, if required, notarized:
 - (i) a nomination form, in Form 6 (which may be in one or more counterparts), signed by at least 100 members of the EDA or at least 15% of the members of the EDA on the date set by the National Election Readiness Committee, whichever is less;

- (ii) where the Potential Nomination Contestant is a sitting Member of Parliament for the same Electoral District or of a Component Electoral District (as defined in the National Redistribution Rules) in the immediately prior general election or by-election, Form 1A, and in all other cases, Forms 1 and 2; and
 - (iii) Forms 3, 4, 5 and 8 and all other forms required by the relevant Provincial or Territorial Campaign Chair;
 - (iv) a Liberalist User Agreement and Rules of Use, in Form 10;
- (d) deliver to the relevant Provincial or Territorial Campaign Chair, by no later than a date fixed by the relevant Provincial or Territorial Campaign Chair, a non-refundable payment from the Nomination Contestant Nomination Account of \$1,000;
 - (e) provide, to the satisfaction of the relevant Provincial or Territorial Campaign Chair, current documentation as to the person's credit record and criminal record or lack thereof;
 - (f) have appointed a Financial Agent pursuant to section 478.04 of the *Canada Elections Act*, regardless of whether he or she has yet accepted contributions or incurred nomination campaign expenses;
 - (g) ensure that the Financial Agent has opened a bank account (the "**Nomination Contestant Nomination Account**") as required pursuant to section 478.12 of the *Canada Elections Act*;
 - (h) have discharged, to the satisfaction of the Provincial or Territorial Campaign Chair, all debts due to the Party and its constituent bodies by that person or by any campaign organization that supported the election of that person in any previous Election;
 - (i) have complied with all requirements in the National Constitution, these Rules, the *Canada Elections Act*, the CRTC Unsolicited Telecommunications Rules, and all other relevant statutes; and
 - (j) have obtained the approval of the Provincial or Territorial Campaign Chair to be a Qualified Nomination Contestant in such Electoral District in accordance with Rule 1.12.

1.9 Consent to background checks. It is a continuing condition of status as a Qualified Nomination Contestant that he or she, either before or after approval, consent to any and all background check(s) that the Provincial or Territorial Campaign Chair considers to be appropriate to have undertaken in the best interests of the Party. Such background checks may include, but are not limited to, the release of criminal and military service records and credit reports. The results of such background checks shall be kept confidential by the Provincial or Territorial Campaign Chair and its designates. The Provincial or Territorial Campaign Chair may only disclose such information where the person's candidacy is rejected or revoked and the person claims to have been disallowed without good reason. Notwithstanding the foregoing, the Provincial or Territorial Campaign Chair may, upon receiving potentially negative or questionable information as a result of such a background check, disclose such information to the National Campaign Chair and/or to the Leader in order to consult upon a decision, but those individuals shall not make further disclosure of such information, except in accordance with the foregoing. Nothing in this provision shall be construed as precluding the Provincial or Territorial Campaign Chair, the National Campaign Chair or the Leader from disclosing information to legal counsel for the purpose of obtaining legal advice thereon.

1.10 Continuing compliance with applicable rules. It is also a continuing condition of status as a Qualified Nomination Contestant that he or she:

- (a) at all times after approval, complies with all requirements in the National Constitution and these Rules and in the *Canada Elections Act* respecting Nomination Contestants;
- (b) without limiting the generality of Rule 1.10(a), if he or she has accepted contributions of \$10,000 or more in total or has incurred nomination campaign expenses of \$10,000 or more in total, appointed an auditor as required by section 478.25 of the *Canada Elections Act*.

1.11 Sanctions. In the event that a Nomination Contestant refuses or fails to consent to a background check as referred to in Rule 1.9, or fails, within a reasonable time after being requested to do so, to sign a document necessary in order for such a background check to be conducted or disclosed or fails to comply with Rule 1.9, the National Campaign Chair may, without consultation, and in their sole and unfettered discretion, impose any sanction otherwise available pursuant to Rule 11.

1.12 Copies of forms to National Office. Each Provincial and Territorial Campaign Chair is responsible to provide in a timely way to the National Office of the Liberal Party of Canada a copy of all completed Forms of each Qualified Nomination Contestant in their province or territory.

2. GREEN LIGHT PROCESS

2.1 Establishment of Green Light Committee. The National Election Readiness Committee shall establish the Green Light Committee as a subcommittee. The Green Light Committee consists:

- (a) one or two chair(s), who must be a member of the National Election Readiness Committee, selected by the National Campaign Chair;
- (b) one or two member(s) of the Party for each province or territory, as nominated by the relevant Provincial or Territorial Campaign Chair, subject to the approval of the National Campaign Chair.

2.2 Meetings. The Green Light Committee shall meet at the call of its chair for the purposes of consultation and establishment of processes for the recognition of Potential Nomination Contestants as Qualified Nomination Contestants.

2.3 Responsibilities. Each member of the Green Light Committee shall have the following responsibilities and authority in respect of his or her province or territory:

- (a) to liaise with each Potential Nomination Contestant on behalf of the Provincial or Territorial Campaign Committee;
- (b) to process and review the forms delivered by each Potential Nomination Contestant in accordance with Rule 1;
- (c) to make all inquiries which he or she, in his or her sole and unfettered discretion, consider to be necessary or appropriate in order to assess the suitability of a Potential Nomination Contestant as a Candidate of the Party, including, without limiting the generality of the foregoing, obtaining background checks of any nature and determining the veracity of any

statements contained in the forms referred to in the preceding paragraph;

- (d) to conduct interviews of a Potential Nomination Contestants as required;
- (e) to evaluate, in their sole and unfettered discretion, whether it is in the best political interests of the Party that a Potential Nomination Contestant be a Candidate of the Party and, on the basis of that evaluation, recommend to the chair of the Green Light Committee approval or, where appropriate in the circumstances, refuse to recommend approval or reject, each Potential Nomination Contestant as a Qualified Nomination Contestant.

2.4 **Delegation.** Subject to the approval of the chair of the Green Light Committee, a member of the Green Light Committee may delegate such of his or her responsibilities and authority as he or she may see fit, to one or more other members of the Party.

2.5 **Scope of review.** In carrying out the evaluation, the Green Light Committee and its members are responsible to consider, at minimum, the following non-exhaustive criteria, as well as such other criteria as may from time to time be determined by the Green Light Committee:

- (a) background checks;
- (b) financial affairs and liabilities;
- (c) any ethical questions or concerns;
- (d) history of contribution to the community and/or participation in public life;
- (e) whether the candidate has a demonstrated history of commitment to the Party; and
- (f) whether the candidate subscribes to the policies and values of the Party.

2.6 **Approval.** After receiving a recommendation under Rule 2.3(e), the chair of the Green Light Committee may, in their sole and unfettered discretion, acting in the best political interests of the Party, approve a Potential Nomination Contestant as a Qualified Nomination Contestant. Any approval shall not be construed as in any way precluding the Leader from subsequently expressing an intention, pursuant to Rule 1.1, that it will not be his or her intention to endorse such person pursuant to sections 67(4)(c) and 68 of the *Canada Elections Act*.

2.7 **Revocation of approval.** Any approval given under this Rule may be revoked by the National Campaign Chair or the Leader, in their sole and unfettered discretion, at any time.

3. ACCESS TO MEMBERSHIP AND MEMBERSHIP APPLICATION FORMS

3.1 **Access to membership lists.** Qualified Nomination Contestants are entitled to receive from the Party access exclusively through Liberalist to information concerning the identification of members of the Party who live in the electoral district represented by the relevant EDA in accordance with the National Membership Rules and the Liberalist User Agreement and Rules of Use.

3.2 **Violation of Liberalist User Agreement.** A violation of Liberalist User Agreement and Rules of Use by a volunteer working in support of a Qualified Nomination Candidate may be deemed by the relevant Provincial or Territorial Campaign Chair to be a breach by the Qualified Nomination Candidate

personally. A violation of the Liberalist User Agreement and Rules of Use constitutes non-compliance with these Rules for the purposes of the application of Rule 11.

3.3 **Access to membership forms.** Each Qualified Nomination Contestant may have access to membership application forms for the relevant EDA in accordance with the National Membership Rules.

4. **RESTRICTIONS ON USE OF PARTY LOGO**

No Potential or Qualified Nomination Contestant shall use any current or previous logo or mark of the Party or use any confusingly similar logo or in a manner that suggests any association with the Party, and if he or she does so, the Provincial or Territorial Campaign Chair, or such other person as may be empowered to do so in accordance with these Rules, may take such action as he or she may consider to be appropriate in the interest both of fairness and of the Party. Such action may include the issuance without notice of a prohibition on the distribution of any material which violates this Rule, and notwithstanding Rule 12.10, the outcome of a meeting shall not be disturbed by the Permanent Appeal Committee on the basis that such an action was taken.

5. **ARRANGEMENTS FOR MEETINGS**

5.1 **Approval of dates and locations.** The dates, times and locations of a Meeting called under Rule 1.4 must be approved in advance by the relevant Provincial or Territorial Campaign Chair.

5.2 **Times of Meetings.** Each Meeting must be held on a day, or days, and at a time of day that is, in the opinion of the Provincial or Territorial Campaign Chair, reasonably convenient for those members entitled to vote at the Meeting. No Returning Officer may deny a member eligible to vote at a Meeting the opportunity to do so if they are in the line established by the Returning Officer for registration or voting at the expiry of the voting hours. Where appropriate, in order to permit orderly voting and to ensure that members have a fair opportunity to vote, the relevant Provincial or Territorial Campaign Chair may (a) in their sole discretion, direct that voting hours for a particular Meeting be varied and (b) with the approval of the National Campaign Chair, (i) establish one or more advance polling stations open within the week before the Meeting and (ii) provide for mail-in ballots.

5.3 **Deemed presence of members.** A member of the Party who attends in person at an advance polling station and a member of the Party who votes by mail-in ballot in accordance with the procedures established by the relevant Provincial or Territorial Campaign Chair for that ballot is deemed for all purposes of these Rules and the National Constitution to be present at the Meeting.

5.4 **Report on possible meeting locations.** Each EDA may, as directed by the relevant Provincial or Territorial Campaign Chair, submit a written report to the relevant Provincial or Territorial Campaign Chair proposing one or more locations for the Meeting which satisfy the following requirements:

- (a) the facilities available for the Meeting at each location must provide adequate space for all members who might reasonably be expected to vote at that location;
- (b) each location must be reasonably convenient in terms of the time and expense required to travel to that location by all members who might reasonably be expected to vote at that location but the location of a Meeting is not required to be within that federal electoral district;
- (c) where extraordinary geographic circumstances warrant, multiple meeting locations will be considered;

- (d) each location must be reasonably accessible to physically disabled persons;
- (e) the locations, taken together, must permit the Meeting to be conducted in an orderly and fair manner and otherwise in accordance with these Rules;
- (f) the locations, taken together, must ensure the reasonable enfranchisement of all members entitled to vote at the Meeting.

5.5 Additional requirement for multiple meeting locations. If the Meeting is to be conducted at more than one location, then the report must also include:

- (a) a timetable for the proceedings at each location (which may be different for each location);
- (b) a plan for the conduct of the ballot (including by means of a travelling ballot box or in any other way established by the Provincial or Territorial Campaign Chair); and
- (c) a plan to ensure that each member entitled to vote only votes once.

5.6 Additional requirements for disabled person. If any location is not reasonably accessible to physically disabled persons, then the report must also include a plan for alternate arrangements which will reasonably accommodate such persons.

5.7 Final decision on meeting locations. Within 10 days after receiving a report on possible meeting locations, the Provincial or Territorial Campaign Chair must accept the report or direct that the meeting be held at one or more locations specified by the Returning Officer.

6. NOTICE OF MEETINGS

6.1 Responsibility for notice of EDA meetings. Each PTA is responsible (at its expense or that of the EDA) to ensure that notice of each Meeting is given in accordance with these Rules.

6.2 Membership lists. For the purposes of confirming the right to vote, only information provided by the National Office or a PTA Office may be used.

6.3 Rules for notice. In the case of the notice of each Meeting, the following rules apply to the notice of meeting:

- (a) the notice must be given to all Eligible Voting Members by email or by any other means (such as mail, posting on the website of the Liberal Party of Canada or of the Relevant PTA or by newspaper advertisement) approved by the Provincial or Territorial Campaign Chair;
- (b) the notice must be given no fewer than the number of days of the period of notice set by the relevant Provincial or Territorial Campaign Chair under Rule 1.4, unless otherwise approved (whether before or after the notice is given) by the National Campaign Chair;
- (c) the notice must be substantially in the form specified by the National Campaign Chair.

6.4 Failure to give notice and waiver of notice. The accidental omission to give notice of any Meeting as required by the National Constitution and these Rules does not invalidate the notice, the

Meeting or any proceedings at that meeting unless such omission is, in the opinion of the National Campaign Chair (which is subject to appeal to the Permanent Appeal Committee), so grave as to compromise fundamentally the fair conduct of the Meeting. Any person entitled to notice of a Meeting may, in writing or otherwise, waive or reduce the period of notice of such meeting.

6.5 **Additional advance notice.** If, in the opinion of the Provincial or Territorial Campaign Chair, notice in addition to the notice required under Rule 6.3 is required to ensure a representative attendance at a Meeting, then the Relevant PTA is responsible at its expense to give sufficient advance notice by advertisement or otherwise.

7. MEMBERSHIP LISTS AND CHALLENGES

7.1 **Notice of Cut-off Date.** The Cut-off Date must be specified in the notice calling the meeting.

7.2 **Challenges.** If a person entitled to vote at the Meeting or any other interested party (who is a member of the Party) wishes to challenge any individual's right to vote, then the member must do so at least 72 hours before the scheduled time of voting. Challenges may be made with respect to:

- (a) whether the member has provided proof that he or she has paid for their membership;
- (b) whether the address shown on the membership list is accurate;
- (c) whether the member lives at such address;
- (d) where relevant to the class of membership, whether the age or birth date indicated on the membership list is correct;
- (e) whether the member is a member of another federal political party; and
- (f) whether any other qualifications under the Constitution of the Relevant PTA have been satisfied.

7.3 **Method of making challenge.** Challenges must be made in writing setting out the reasons for the challenge and must be delivered to the National Membership Secretary or their designate.

7.4 **Adjudication of the challenge.** After receiving the challenge, the National Membership Secretary or their designate is responsible to ensure that a copy of the challenge is available at reasonable hours for inspection by any person entitled to vote at that Meeting. The National Membership Secretary or their designate may at any time before or at the Meeting:

- (a) reject any challenge;
- (b) after giving the challenged individual an opportunity to answer the challenge, accept a challenge and decide that a challenged individual is not eligible to vote at the Meeting.

The National Membership Secretary must not authorize the issue of a ballot to a challenged individual before deciding all challenges relating to that individual.

7.5 **Finality of decision.** The decision of the National Membership Secretary may be appealed in accordance with Rule 12 except insofar as the decision relates to matters within the sole competence of the appeals tribunal of the Relevant PTA, in which case the appeal lies only to that appeals tribunal.

8. CONDUCT OF THE MEETING

8.1 **Appointment of chair and Returning Officer.** The Provincial or Territorial Campaign Chair is responsible to appoint a chair and a Returning Officer for each Meeting.

8.2 **Deputy Returning Officers.** The Returning Officer may appoint deputy returning officers and such other officials necessary for the conduct of the Meeting.

8.3 **Declaration of neutrality.** Before or forthwith after their appointment, the persons appointed as the chair of a Meeting, as the Returning Officer for a Meeting or as a deputy returning officer or other official for a Meeting must sign a declaration of neutrality in Form 11. If any such person does not sign the declaration forthwith after their appointment, then their office will be deemed vacant and another person may be appointed to their office in their place.

8.4 **Duties of meeting chair.** It is the duty of the chair of the Meeting to ensure that the Meeting is conducted in a fair, orderly and democratic manner. The meeting chair may require the meeting to be delayed, adjourned, postponed or moved to another meeting location within the electoral district or may require any alteration of the physical arrangement of the meeting location as the chair may see fit in order to comply with the provisions of these Rules or to conduct an orderly and fair meeting.

8.5 **Conduct of the Meeting.** The conduct of each Meeting and the voting at the Meeting is under the sole control of the chair and the Returning Officer appointed for the Meeting. All members of the Party must follow the direction of the meeting chair and the Returning Officer. The chair and the Returning Officer may, except to the extent that it is not inconsistent with the National Constitution, these Rules and other Party Bylaws as well as any directions and interpretation bulletins issued by the National Campaign Chair, rely on the current edition of *Robert's Rules of Order* or the *code Morin* for guidance in the conduct of the meeting and as a source of authority for their directions.

8.6 **Appointment of representatives during vote.** Each Qualified Nomination Contestant may appoint a number of representatives to be present at the taking of the vote and the counting of the ballots. During the taking of the vote, he or she is entitled to:

- (a) one representative for each voting station;
- (b) one chief representative;
- (c) one representative to monitor the ballot box; and
- (d) one representative for each official who will operate a credentials verification station or "trouble desk", if such a station is established.

8.7 **Appointment of representatives during count.** During the counting of the ballots, each Qualified Nomination Contestant is entitled to:

- (a) one representative for each counting station, and
- (b) one chief representative.

8.8 **Chief representative.** The chief representative of a Qualified Nomination Contestant shall be named in writing by the Nomination Contestant, and such individual shall have full authority to speak on

behalf of the Nomination Contestant, and to bind the Nomination Contestant to any agreement he or she might be called upon to make on the Nomination Contestant's behalf, during the voting and counting processes.

8.9 Identification standards. To be eligible to vote at any Meeting, a person must provide the identification prescribed by Party Bylaws.

8.10 Separate ballot box. Voters must be given an opportunity to mark their ballots in secret and must deposit their ballots in a separate sealed ballot box before leaving the room where the vote is being conducted.

8.11 Voting procedure (two Contestants). At any Meeting in which there are only two Qualified Nomination Contestants, voting shall be by a simple ballot on which voters may indicate a choice for only one Qualified Nomination Contestant. The ballots must be counted under the direction of the Returning Officer, and the Qualified Nomination Contestant who receives more than 50% of the votes on any ballot is selected as the Candidate. In the case of a tie vote, the winner will be determined by a toss of a coin by or under the direction of the Returning Officer.

8.12 Voting procedure (more than two Contestants). At any Meeting in which there are more than two Qualified Nomination Contestants, voting shall be by a preferential ballot on which voters indicate their preference for Qualified Nomination Contestants, using a form of ballot approved by the National Campaign Chair. The ballots must be counted under the direction of the Returning Officer according to the following process:

- (a) voters are not required to indicate a preference for all Qualified Nomination Contestants;
- (b) on the first count, each voter's first preference is recorded in favour of the Qualified Nomination Contestant preferred;
- (c) on the second count, the Qualified Nomination Contestant who received the least votes on the first count is eliminated and that Qualified Nomination Contestant's first count ballots are distributed among the remaining contestants according to the second preferences indicated, if any;
- (d) on each subsequent count, the Qualified Nomination Contestant who received the least votes in the preceding count is eliminated, and that Qualified Nomination Contestant's ballots are distributed among the remaining Qualified Nomination Contestant according to the next preferences indicated, if any;
- (e) the first Qualified Nomination Contestant to receive more than 50% of the votes on any count is elected to the office;
- (f) in the case of a tie vote, the winner will be determined by a toss of a coin or by the drawing of lots by or under the direction of the Returning Officer.

8.13 Further directives. The National Campaign Chair may issue further written directives regarding balloting procedures for Meetings including, without limiting the generality of the foregoing, the explanations about counting of votes for Qualified Nomination Contestants under preferential balloting.

8.14 Conclusion of voting. At the conclusion of voting, the Returning Officer is responsible to count the ballots and report the results of the count to the relevant Provincial or Territorial Campaign Chair.

8.15 **Review of unofficial results.** The relevant Provincial or Territorial Campaign Chair must review the counts and calculations as soon as possible after receiving them and determine the official results. In any case where doubt exists as to the correct determination of the official results, the Provincial or Territorial Campaign Chair must advise and consult with the National Campaign Chair and comply with any instructions received from the National Campaign Chair.

8.16 **Notification of official results.** As soon as possible after the Provincial or Territorial Campaign Chair determines the official results in respect of a Meeting, the Provincial or Territorial Campaign Chair must certify the results as official and communicate them to the National Campaign Chair in accordance with procedures established by the National Campaign.

8.17 **Custody of ballots.** After the conclusion of a Meeting, the Returning Officer must seal all ballots and all documents used in the tabulation of the result and retain them in a secure place. The Returning Officer having custody of the ballots and related documentation must retain them under seal until the earlier of:

- (g) an appeal of the result of the Meeting is submitted under these Rules; and
- (h) ten days have passed since the determination of the official result.

8.18 **Transmittal of ballots on appeal.** If an appeal of the result of a Meeting is submitted under these Rules, then the Returning Officer having custody of the ballots and related documentation must forthwith transmit them to one of the chairs of the Permanent Appeal Committee or their designate. At the conclusion of the appeal, the materials must be disposed of in accordance with the direction of the Permanent Appeal Committee.

8.19 **Destruction of ballots.** If ten days have passed since the determination of the official result and there is no appeal of the result of a Meeting submitted under these Rules, then the Returning Officer having custody of the ballots and related documentation must destroy them in a manner that ensures that they are not subject to inspection by any person.

9. RESULTS OF MEETING; APPROVAL AND REVOCATION

9.1 The Returning Officer for each Meeting is responsible to file a report with the National Office of the Liberal Party of Canada, fully completed and in the form required pursuant to section 478.02 of the *Canada Elections Act*, not later than the close of business on the business day next following the completion of the Meeting.

9.2 Each Qualified Nomination Contestant shall provide to the National Office of the Liberal Party of Canada, a copy of any report which he or she may file with the Chief Electoral Officer, at the same time as it is provided to the Chief Electoral Officer.

9.3 If the Leader chooses not to endorse any Candidate, or revokes the endorsement of any Qualified Nomination Contestant or Candidate, the Qualified Nomination Contestant or Candidate must forthwith take all necessary steps to withdraw as an Qualified Nomination Contestant or Candidate of the Party, and cease to represent himself or herself as an Qualified Nomination Contestant or Candidate of the Party.

10. DISCLOSURE OF CONTRIBUTIONS AND EXPENSES

10.1 Each Qualified Nomination Contestant shall:

- (a) comply with the *Canada Elections Act*;
- (b) ensure that his or her Financial Agent complies with the *Canada Elections Act*;
- (c) ensure that his or her auditor, if required to be appointed, complies with the *Canada Elections Act*;
- (d) in addition to the requirements of the *Canada Elections Act*, submit to the National Office of the Liberal Party of Canada the complete name, address, phone number and email address of all contributors (including those who contribute amounts under \$200);
- (e) ensure that any report required to be made by him or her, or by his or her Financial Agent or auditor, as the case may be, is filed with the Chief Electoral Officer on time;
- (f) provide a copy, in a form specified by the National Director, of any such report including the Contestant's Nomination Campaign Return (EC 20171) to the National Office of the Liberal Party of Canada at the same time as it is provided to the Chief Electoral Officer;
- (g) where the total nomination campaign expenses or contributions are \$1,000 or less, provide a report, in a form specified by the National Director, to the National Office of the Liberal Party of Canada disclosing all contributions or a nil report if applicable; and
- (h) comply with the spending limits defined by the *Canada Elections Act*.

10.2 Each Qualified Nomination Contestant is responsible to ensure that his or her Financial Agent disposes of any surplus of nomination campaign funds in accordance with the *Canada Elections Act*.¹

10.3 The Financial Agent shall provide a copy of the *Contestant's Nomination Statement of Surplus* to the National Office of the Liberal Party of Canada at the same time as it is provided to the Chief Electoral Officer.

11. SANCTIONS

11.1 In the event that a Nomination Contestant fails to comply with the *Canada Elections Act*, these Rules or any agreement or undertaking made or given in accordance with these Rules, the disciplinary measures, if any, to be imposed will be, subject to applicable laws, at the sole and unfettered discretion of the Provincial or Territorial Campaign Chair, in consultation with the National Campaign Chair, and shall take into consideration both the severity of the apparent violation and the best interests of the Party.

11.2 Notwithstanding the generality of the foregoing, the disciplinary measures may include the disqualification of a successful Qualified Nomination Contestant, a declaration that another Qualified Nomination Contestant is to be the Candidate, the conduct of a new Meeting, and a prohibition against a person found to have been in violation of these Rules being permitted to be a Qualified Nomination Contestant in a new Meeting or a future Meeting in any Electoral District.

12. APPEALS

12.1 All disputes relating to the Party's candidate nomination and selection procedure or the

¹ See section 478.41 of the *Canada Elections Act*.

construction or application of these Rules, the National Constitution, the Party Bylaws or the Constitution of Provincial or Territorial Association in which the EDA is located shall be referred to the Permanent Appeal Committee.

12.2 The Permanent Appeal Committee shall expeditiously deal with all appeals based on these Rules.

12.3 An appeal to the Permanent Appeal Committee shall only be commenced by notice of appeal in writing received not later than 72 hours after the time fixed for the commencement of a Meeting or, if a decision is made outside a Meeting context, not later than 72 hours after the decision requiring review has been made. This time limitation is subject to extension at the discretion of the Permanent Appeal Committee, in accordance with its rules of procedure.

12.4 After a Meeting has been completed, only a Qualified Nomination Contestant or the Candidate may invoke the appeal process before the Permanent Appeal Committee.

12.5 The Permanent Appeal Committee may require appropriate fees or deposits to be paid by an appellant before any appeal is heard.

12.6 The delivery of a notice of appeal shall not cause a Meeting to be postponed or delayed unless specifically ordered by the Permanent Appeal Committee.

12.7 The Permanent Appeal Committee shall advise in writing the Leader, each of the National Campaign Co-Chairs, the relevant Provincial or Territorial Campaign Chair, the president of the relevant Provincial or Territorial Association, the relevant EDA President, the Qualified Nomination Contestants and any other person deemed appropriate by the Permanent Appeal Committee, of an appeal under this Rule.

12.8 The Permanent Appeal Committee may delegate all aspects of an appeal, including the hearing, to a panel of one or more members of the Permanent Appeal Committee or to such other person(s) appointed from time to time by the Permanent Appeal Committee, and in so doing shall attempt to ensure that a majority of the members or other persons so appointed shall be residents of the relevant province or territory in which the EDA giving rise to the appeal is located.

12.9 Decisions of the Permanent Appeal Committee (or any appointed panel) are final and binding upon any member of the Liberal Party to whom they may relate, and not subject to appeal or review on any ground whatsoever.

12.10 Subject to Rule 8.14, the Permanent Appeal Committee (and any appointed panel) has all the powers necessary to give effect to its decisions, including, without limiting the generality of the foregoing, the powers to postpone a Meeting, declare a Meeting void, order a new Meeting and declare a Qualified Nomination Contestant duly elected at the Meeting despite any flaw or irregularity.

12.11 In the event that the Permanent Appeal Committee postpones a Meeting or orders that a new Meeting be held, the list of members eligible to vote or to renew their membership at the original Meeting shall in no way be affected by the delay. In particular, no person shall be refused the right to vote at such further Meeting on the basis that his or her membership expired between the time of the originally-scheduled Meeting and the time of the further Meeting. If such a person would have been eligible to renew his or her membership at the meeting as originally scheduled, he or she shall, despite the passage of time, be eligible to renew his or her membership at the further Meeting. Nothing in the foregoing shall be construed to affect or delay the Cut-off Date as originally determined pursuant to these Rules.

12.12 Where applicable, the Permanent Appeal Committee shall, in its decision, give appropriate direction to all affected Qualified Nomination Contestants with respect to the destruction of membership lists received pursuant to Rule 3.1, and of personal information given to them or their representatives in the course of an appeal.

13. ELECTORAL URGENCY

If, in the opinion of the National Campaign Chair, a situation exists in Canada or in any Electoral District or Electoral Districts, such that he or she is of the view that the political situation in the affected Electoral District(s) is such that the time lines contained in these Rules may not be appropriate, he or she may issue a declaration of electoral urgency in respect either of Canada or of the affected Electoral District(s). Such notice shall be provided to the Leader, the Party President, the National Director, the affected Provincial and Territorial Campaign Chairs and to the presidents of all of the affected Provincial and Territorial Associations and EDAs. In any such state of electoral urgency, the National Campaign Chair or his or her designate may alter the time lines and procedures fixed by these Rules in such manner as he or she, in his or her sole and unfettered discretion, may see fit, for any Electoral District(s), provided that any changes to these Rules so enacted shall forthwith be communicated in writing to any affected EDA President and to any Potential Nomination Contestant (of whom the National Campaign Chair or designate has knowledge) who may be affected. The failure of any such person to receive such notice shall not invalidate the declaration of electoral urgency. The authority of the National Campaign Chair to make such determinations may be delegated in writing to one or more Provincial or Territorial Campaign Chairs. The Provincial or Territorial Campaign Chair responsible for an EDA subject to a declaration of electoral urgency is empowered to, and shall amend these Rules to conform to any changes made by the National Campaign Chair, and may, further, amend these Rules in such manner as may be appropriate in order most effectively to address the political situation at hand.

14. INTERPRETATION AND APPLICATION

14.1 **Rules of interpretation.** These Rules shall be interpreted and applied in a manner that is fair and equitable to all participants in the Candidate selection process, having regard to all of the circumstances and in the best interests of the Party.

14.2 **Status of other rules.** These Rules are enacted pursuant to the National Constitution and supersede all other rules affecting the selection of Candidates for the Party.

14.3 **Provincial or Territorial waiver or variation of Rules.** In respect of any Province or Territory, any of these Rules may be waived or varied by the relevant Provincial or Territorial Campaign Chair with the consent of the National Campaign Chair. Without limiting the generality of the foregoing, the relevant Provincial or Territorial Campaign Chair may, with the consent of the National Campaign Chair, waive or vary any of the requirements of Rules 1.5, 1.6, 1.7 or 1.8 in respect of any one or more EDAs, Qualified Nomination Contestants or Potential Nomination Contestants, as the case may be, except for those requirements that are set-out in the National Constitution.

14.4 **Definitions.** In these Rules:

- (a) **“Canada Elections Act”** means the *Canada Elections Act*, S.C. 2000, c. 9, as amended;
- (b) **“Call”** of a Meeting is defined in Rule 1.4;
- (c) **“Candidate”** means any person who is selected pursuant to Rule 1.1 to represent the Party to seek election as a member of the House of Commons for an Electoral District in an

Election or who is designated in accordance with Rule 1.2

- (d) **“Cut-off Date”** is defined in Rule 1.3;
- (e) **“Election”** means any federal general election or by-election to elect a member or members to serve in the House of Commons;
- (f) **“Electoral District”** means a place or territorial area that is entitled to elect a member to serve in the House of Commons;
- (g) **“Electoral District Association” or “EDA”**:
 - (i) an Electoral District Association as defined in the National Constitution; or
 - (ii) in the absence of an Electoral District Association as defined in the National Constitution because the electoral district association formerly registered as an electoral district association of the Party has been deregistered or otherwise, such member or members of the Party as designated by the National Campaign Chair as appropriate in the circumstances to permit the proper conduct of the Meeting or to exercise the authority of the EDA, the executive of the EDA or the EDA President under these Rules;
- (h) **“Eligible Voting Member”** means any person who meets the requirements fixed by the National Constitution and these Rules entitling the person to vote at a Meeting;
- (i) **“Financial Agent”** means any person appointed in accordance with the *Canada Elections Act* by a Potential Nomination Contestant to administer his or her financial transactions in the event that he or she becomes a Qualified Nomination Contestant;
- (j) **“Green Light Process”** means the process described in Rule 1.12 for liaising with Potential Nomination Contestants and for recommending the approval or rejection of Nomination Contestants by the Provincial or Territorial Campaign Chair;
- (k) **“Leader”** means the leader of the Party;
- (l) **“National Constitution”** means the constitution adopted by the Party, as amended from time to time;
- (m) **“Party”** means the Liberal Party of Canada;
- (n) **“Meeting”** means a meeting of members of an EDA called for the purpose of selecting, with or without competition, a Liberal Candidate for that Electoral District for any Election;
- (o) **“National Campaign Chair”** shall be construed as referring collectively to the National Campaign Co-Chairs and the chair of the National Campaign Committee;
- (p) **“National Campaign Committee”** means the subcommittee of the National Election Readiness Committee established from time to time pursuant to subsection 39(3) of the National Constitution, provided, however, that from the date of a federal general election

until the time that a National Campaign Committee is struck for the next federal general election, the National Election Readiness Committee, established pursuant to subsection 39(1) of the National Constitution, shall be construed to constitute the National Campaign Committee, pursuant to these Rules;

- (q) “**National Election Readiness Committee**” means the committee established pursuant to subsection 39(1) of the National Constitution;
- (r) “**National Membership Rules**” means the National Membership Rules, as amended from time to time;²
- (s) “**National Office of the Liberal Party of Canada**” means the office of the Party at 81 Metcalfe Street, Suite 600, Ottawa, Ontario, K1P 6M8;
- (t) “**Nomination Contest**” means a competition for the selection of a person to be proposed to the Party for the Party’s endorsement as its Candidate in an Electoral District;
- (u) “**Nomination Contestant**” has the meaning set out in the *Canada Elections Act*, and includes, where the context so requires, both a Potential Nomination Contestant and a Qualified Nomination Contestant;
- (v) “**Permanent Appeal Committee**” means the committee established under the National Constitution³ for the hearing of appeals;
- (w) “**Potential Nomination Contestant**” means a person who desires to be a candidate for an Electoral District and who takes any steps to meet the requirements fixed by these Rules for becoming a Qualified Nomination Contestant or the Candidate for an Electoral District;
- (x) “**Provincial or Territorial Campaign Chair**” means, with respect to a province or territory, shall be construed as referring collectively to any person elected as the Provincial or Territorial Co-Chair for that province or territory pursuant to paragraph 39(1)(c) of the National Constitution who has not resigned or been replaced and to any person appointed as a Provincial or Territorial Co-Chair for that province or territory pursuant to paragraph 39(1)(d) of the National Constitution;
- (y) “**Provincial or Territorial Association**” means a provincial or territorial association recognized under the National Constitution;
- (z) “**Provincial or Territorial Campaign Committee**” means, with respect to a province or territory, a committee appointed by the Provincial or Territorial Campaign Chair (and such committee may consist of only the Provincial or Territorial Campaign Chair);
- (aa) “**Qualified Nomination Contestant**” means a Potential Nomination Contestant who has met all of the requirements set out in Rule 1.8 except to the extent the Provincial or Territorial Campaign Chair has waived or varied any of such requirements in respect of any one or more Potential Nomination Contestants;

² The current version of the National Membership Rules are available on the website of the Party.

³ See chapter 11 (section 51 to 53) of the National Constitution.

- (bb) **“Returning Officer”** means the person appointed by the Provincial or Territorial Campaign Chair to be the official responsible for the conduct of the voting process for a particular Meeting.

14.5 **Terms defined in *Canada Elections Act* or National Constitution.** Terms used in these Rules which are not defined in these Rules have the meaning set out in the *Canada Elections Act*, and if not defined therein, in the National Constitution.

14.6 **Computation of time.** Wherever any period between two events is expressed as a number of days, the days on which the first and second events take place are not to be counted.

As an example, if a meeting was to be held on Friday, September 28, and some entity must give 41 days written notice of that meeting, then the notice must be given on or before Friday, August 17.

14.7 **Weekends and holidays.** Where the time for doing an act under these Rules expires on a weekend or a holiday generally recognized in the relevant province, the act may be done, and if done, shall be deemed to have been done in timely fashion, if it is done on the next day that is neither a weekend nor a holiday generally recognized in the relevant province.

14.8 **Time of delivery.** A document delivered to the National Office of the Liberal Party of Canada or to the office of a Provincial or Territorial Association after 5:00 p.m. local time or at any time on a day that is a weekend or a holiday generally recognized in the relevant Province, shall, except where a contrary intention appears in the applicable rule, be deemed to have been delivered on the next day that is neither a weekend nor a holiday generally recognized in the relevant Province.

14.9 **Designates of Leader.** Any action or decision that may be taken by the Leader under these Rules may be taken by any person designated by the Leader, including, if so designated, the National Campaign Chair or a Provincial or Territorial Campaign Chair.

14.10 **Designates of National Campaign Chair.** Any action or decision that may be taken by the National Campaign Chair under these Rules may be taken by any person designated by the National Campaign Chair, including, if so designated, a Provincial or Territorial Campaign Chair.

14.11 **Designates of Provincial or Territorial Campaign Chair.** Any action or decision that may be taken by a Provincial or Territorial Campaign Chair under these Rules may be taken by any person designated by the Provincial or Territorial Campaign Chair.

14.12 **Discretion.** Any action or decision that may be taken by the Leader, the National Election Readiness Committee, the National Campaign Chair, the National Campaign Committee or its chair, a Provincial or Territorial Campaign Chair or any of their respective designees under these Rules may be taken in the sole and unfettered discretion of such body or person.