

# NATIONAL RULES FOR THE SELECTION OF CANDIDATES

## 1. APPLICATION

- 1.1 These Rules are made pursuant to Section 29 of the Constitution of the Liberal Party of Canada (as adopted May 28, 2016 and as amended, restated, supplemented or otherwise modified from time to time, the "Constitution"). Capitalized terms used but not otherwise defined herein shall have the meaning given to them in the Constitution.
- 1.2 These Rules apply to the selection of candidates of the Liberal Party of Canada for election to the House of Commons and supersede all other rules affecting the selection of candidates for the Party.
- 1.3 These Rules must be applied in a fair and equitable manner and must be interpreted in a manner which is fair and reasonable, having regard to all circumstances, and in the best interests of the Liberal Party of Canada.
- 1.4 These Rules will operate without discrimination on the basis of race, national or ethnic origin, colour, religion, sex, gender identity or expression, sexual orientation, age or mental or physical disability.

## PART I: COMMITTEES

## 2. CAMPAIGN COMMITTEES

- 2.1 The National Campaign Committee shall be composed of such National Campaign Chairs and Registered Liberals as the Leader shall designate in accordance with Section 28 of the Constitution. References herein to the "National Campaign Chair" shall, if there is more than one of them, mean such Chairs acting collectively.
- 2.2 Each province or territory shall have:
  - (a) one or more Provincial or Territorial Campaign Chairs, who shall be appointed by the Leader and shall be Members of the National Campaign Committee; and

- (b) such other Registered Liberals appointed by the Leader.

### 3. GREEN LIGHT COMMITTEE

- 3.1 The National Campaign Committee shall establish a Green Light Committee as a subcommittee.
- 3.2 The Green Light Committee shall be composed of:
  - (a) a Chair or two (2) Co-Chairs who shall be Member(s) of the National Campaign Committee, appointed by the Leader;
  - (b) at least one Registered Liberal from each province or territory (each a “Provincial or Territorial Green Light Chair”), appointed by the National Campaign Chair; and
  - (c) such other Registered Liberals appointed by the National Campaign Chair.
- 3.3 Members of the Green Light Committee shall have the following responsibilities:
  - (a) to liaise, for the purpose of the candidate selection process, with each person who wishes to become a Candidate of the Party and takes any steps to meet the requirements fixed by these Rules for becoming a Candidate (“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 6.3;
  - (c) to conduct interviews of Potential Nomination Contestants as required;
  - (d) to make all inquiries which the Member, in their sole and unfettered discretion, considers to be necessary or appropriate 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 Rule 6.3 or otherwise made by a Potential Nomination Contestant;
  - (e) to evaluate, in the Member’s sole and unfettered discretion, whether it is in the best interests of the Party that a Potential Nomination Contestant be a Candidate of the Party; and
  - (f) On the basis of said evaluation, recommend the approval or rejection of each Potential Nomination Contestant as a Qualified Nomination Contestant to the Chair of the Green Light Committee.
- 3.4 Subject to the approval of the Chair of the Green Light Committee, a Member of the Green Light Committee may delegate such of their responsibility and authority as he or she may

see fit to one or more other Registered Liberals. The Chair of the Green Light Committee shall inform the National Campaign Chair of any such delegation.

## 4. MEETINGS

- 4.1 The National Campaign Committee and the Green Light Committee shall meet at the call of the Committee Chair or the Leader for the purpose of the establishment of processes or any other purpose as determined by the Committee Chair or the Leader.

## PART II: SELECTION OF CANDIDATES

## 5. SELECTION OF CANDIDATES

- 5.1 In order to be considered for selection as a Candidate of the Party, a Potential Nomination Contestant must have met all the requirements set out in these Rules and have received approval from the National Campaign Chair in accordance with Rule 6.9 ("Qualified Nomination Contestant").
- 5.2 The Candidate of the Party 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 Registered Liberals eligible to vote in accordance with Rule 12 at a Nomination Meeting held in accordance with these Rules, provided, however, that if the Leader declares in writing that it will not be their intention to endorse such person pursuant to paragraph 67(4)(c) of the *Canada Elections Act*, such person ceases, forthwith, to be the Candidate.
- 5.3 The Leader has the authority to designate a person to be the Candidate in any election, without the need for the conduct of a Nomination Meeting as otherwise contemplated by these Rules. Notwithstanding anything in these Rules, the Leader may decide that a Nomination 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 execution and filing with the National Campaign Committee of such forms, undertakings and agreements as may be required by the National Campaign Chair.
- 5.4 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 a Qualified Nomination Contestant or Candidate of the Party, and immediately cease to represent himself or herself as a Qualified Nomination Contestant or Candidate of the Party.

## PART III: QUALIFIED NOMINATION CONTESTANTS

### 6. GREEN LIGHT PROCESS

- 6.1 In order to be a Qualified Nomination Contestant in an Electoral District, a Potential Nomination Contestant must meet the following requirements, except to the extent waived or varied in accordance with Rule 19:
- (a) be a Registered Liberal;
  - (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) have taken a leave of absence from any position on a Provincial or Territorial Board or the Party's National Board of Directors;
  - (d) have, to the satisfaction of the National Campaign Chair, resigned or taken a leave of absence from any position that could create a conflict of interest;
  - (e) have not already been an unsuccessful nomination contestant in a Liberal Party nomination contest during the same Parliament, exclusive of by-elections held between general elections;
  - (f) have discharged, or made arrangements satisfactory to the National Campaign Chair for the discharge of, all debts relating to any previous election due by that person or by any campaign organization that supported the election of that person in any previous election, including any amounts for which an Electoral District Association ("EDA") or the Party have become liable for in accordance with section 477.6(4) of the *Canada Elections Act*;
  - (g) have complied, in all material respects, with the requirements of the Constitution of the Liberal Party of Canada, these Rules, the *Canada Elections Act*, the CRTC Unsolicited Telecommunications Rules, and all other relevant statutes;
  - (h) have not been engaged in any claim, litigation or dispute of any sort which is liable to bring controversy or disrepute upon the Qualified Nomination Contestant or the Party; and
  - (i) have obtained the approval of the National Campaign Chair to be a Qualified Nomination Contestant in an Electoral District.
- 6.2 A Potential Nomination Contestant must appoint a Financial Agent and open a bank account for the purposes of the nomination contest ("Nomination Contestant Bank Account") pursuant to sections 476.3 and 476.65(1) of the *Canada Elections Act*.

- 6.3 A Potential Nomination Contestant must deliver to the National Office, no later than the date fixed by the National Campaign Chair or their designate, a Nomination Contestant Package including the following:
- (a) original copies of the forms prescribed by the National Campaign Committee, fully and frankly completed and properly executed and, if required, notarized;
  - (b) a non-refundable processing fee from the Nomination Contestant Bank Account of \$1,500 in the form of a certified cheque or bank draft payable to the Federal Liberal Agency of Canada; and
  - (c) current documentation as to the Potential Nomination Contestant's credit record and criminal record, or lack thereof, to the satisfaction of the National Campaign Chair.
- 6.4 The National Campaign Chair may amend or establish from time to time additional forms comprising the Nomination Contestant Package and may require a Potential Nomination Contestant to submit further documentation that he or she deems relevant to the evaluation of the Potential Nomination Contestant.
- 6.5 In accordance with Rule 3.3, the Green Light Committee and its Members shall carry out an evaluation of each Potential Nomination Contestant. A Potential Nomination Contestant must complete this evaluation in order to be considered as a Qualified Nomination Contestant.
- 6.6 The Green Light Committee will use its best efforts to complete its evaluation of a Potential Nomination Contestant in a timely manner upon receiving the completed Nomination Contestant Package of such Potential Nomination Contestant.
- 6.7 In carrying out the evaluation, the Green Light Committee and its Members may 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, including criminal reference checks;
  - (b) financial affairs and liabilities;
  - (c) information provided to the Green Light Committee by any source;
  - (d) public statements made by the Potential Nomination Contestant on social media, in publications, or otherwise;
  - (e) any claim, dispute or litigation in which the Potential Nomination Contestant is involved or in which the Potential Nomination Contestant has previously been involved;
  - (f) any ethical questions or concerns;

- (g) history of contribution to the community and/or participation in public life;
  - (h) whether the Potential Nomination Contestant has a demonstrated history of commitment to the Party;
  - (i) whether the Potential Nomination Contestant subscribes to the policies and values of the Party; and
  - (j) any other political considerations which, in the sole and unfettered view of the Green Light Committee, impact upon the acceptability of a Potential Nomination Contestant to qualify as a Qualified Nomination Contestant.
- 6.8 After receiving a recommendation under Rule 3.3(f), the Chair of the Green Light Committee may, in their sole and unfettered discretion and acting in the best interests of the Party, recommend the approval or rejection of any Potential Nomination Contestant as a Qualified Nomination Contestant to the National Campaign Chair.
- 6.9 After receiving a recommendation under Rule 6.8, the National Campaign Chair, shall, in their sole and unfettered discretion and acting in the best political interests of the Party, approve or reject a Potential Nomination Contestant as a Qualified Nomination Contestant.
- 6.10 Any decision made under Rule 6.9 shall not be construed in any way as precluding the Leader from subsequently expressing an intention, pursuant to Rule 5, that it will not be their intention to endorse such person pursuant to section 67(4)(c) of the *Canada Elections Act*.
- 6.11 Any decision made under Rule 6.9 may be revoked by the National Campaign Chair or the Leader in their sole and unfettered discretion at any time.
- 6.12 All decisions made under Rule 6.9 are political decisions made at the discretion of the National Campaign Chair, subject to review by the Permanent Appeals Committee, which shall review any such decision on the basis of reasonableness. For greater certainty, the Permanent Appeals Committee shall only interfere with a discretionary decision of the National Campaign Chair if it determines that the National Campaign Chair's decision was unreasonable.
- 6.13 The National Campaign Chair is under no obligation to provide reasons for a decision to approve or reject a Potential Nomination Contestant as a Qualified Nomination Contestant, but may do so where considered appropriate.
- 6.14 It is a continuing condition of status as a Qualified Nomination Contestant that such person consent to any and all background checks that the National Campaign Chair considers to be appropriate to undertake 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, credit reports, court records, and information provided by any source.
- 6.15 The results of such background checks shall be kept confidential by the National Campaign Chair and their designate. The National Campaign Chair may only disclose such information as appropriate where the Potential Nomination Contestant's candidacy is

rejected or revoked and the Potential Nomination Contestant claims to have been disallowed without good reason.

- 6.16 Notwithstanding the foregoing, the National Campaign Chair may disclose such information to the Leader in order to consult upon a decision.
- 6.17 Nothing in this provision shall be construed as precluding the National Campaign Chair or their designate or the Leader from disclosing information to legal counsel for the purpose of obtaining legal advice thereon.
- 6.18 Where a Potential Nomination Contestant has been approved as a Qualified Nomination Contestant, he or she has a continuing obligation to disclose to the National Campaign Chair any information that could impact upon their acceptability as a Qualified Nomination Contestant or as a Candidate of the Party. Failure to disclose such information constitutes non-compliance with these Rules for the purposes of the application of Rules 16.1 and 16.2 and may result in the disqualification of a Qualified Nomination Contestant.

## PART IV: NOMINATION MEETINGS

### 7. NOMINATION MEETINGS

- 7.1 Subject to Rule 19, no Call of a Nomination Meeting shall be issued under Rule 9 until:
  - (a) one of the following Nomination Contestant search criteria has been met:
    - (i) the EDA for the relevant Electoral District has demonstrated to the satisfaction of the National Campaign Chair that the association has conducted an acceptable search for Potential Nomination Contestants, including documented evidence of a thorough search for Potential Nomination Contestants who are female, and who are reflective of the demographic and linguistic makeup of the local electorate; or
    - (ii) the Provincial or Territorial Campaign Chair has conducted such a search on its own behalf;
  - (b) the EDA for the relevant Electoral District has met one of the following requirements:
    - (i) the EDA has been registered in accordance with the *Canada Elections Act*, and the EDA has demonstrated to the satisfaction of the National Campaign Chair that all required filings have been completed or will be completed within the allotted timeframe in accordance with the *Canada Elections Act*; or
    - (ii) in the absence of an EDA as defined in the Constitution because the EDA formerly registered as an EDA of the Party has been deregistered or otherwise, appropriate measures have been taken so as to permit the

proper conduct of the Nomination Meeting in accordance with the *Canada Elections Act*;

- (c) the EDA for the relevant Electoral District has met one of the following requirements:
  - (i) the EDA has reached the Operational Targets established by the National Campaign Chair in consultation with the Party President; or
  - (ii) the National Campaign Chair has determined that it is not necessary for the EDA to meet such targets;
- (d) one (1) or more Qualified Nomination Contestant(s) have been approved in accordance with Rule 6.9 for the Electoral District.

## 8. ARRANGEMENTS FOR NOMINATION MEETINGS

- 8.1 The dates, times, and locations of a Nomination Meeting shall be determined and may be amended by the National Campaign Chair or their designate.
- 8.2 Each Nomination Meeting shall be held on a day, or days, and at a time of day that is, in the opinion of the National Campaign Chair or their designate, reasonably convenient for those Registered Liberals entitled to vote at the Nomination Meeting.
- 8.3 Subject to Rule 19, the National Campaign Chair or their designate shall make reasonable efforts to hold each Nomination Meeting at a location that satisfies the following criteria:
  - (a) adequate space for all Registered Liberals who might reasonably be expected to vote at that location;
  - (b) accessibility in terms of the time and expense required to travel to that location by all Registered Liberals who might reasonably be expected to vote at that location; and
  - (c) reasonable accessibility to persons with physical disabilities, or, if a location is not reasonably accessible, a plan for alternate arrangements which will reasonably accommodate such persons.
- 8.4 While preferable where possible, the location of a Nomination Meeting is not required to be within that federal Electoral District.
- 8.5 Where extraordinary geographic circumstances warrant, multiple meeting locations will be considered. If a Nomination Meeting is to be conducted at more than one location, then the National Campaign Chair or their designate shall make reasonable efforts to meet the following additional criteria:



- (a) the locations, taken together, permit the Nomination Meeting to be conducted in an orderly and fair manner and otherwise in accordance with these Rules;
  - (b) the locations, taken together, ensure the reasonable enfranchisement of all Registered Liberals entitled to vote at the Nomination Meeting; and
  - (c) the creation of a timetable for the proceedings at each location (which may be different for each location), as well as a plan for the conduct of the ballot (including by means of a travelling ballot box or in any other way established by the National Campaign Chair or their designate), and a plan to ensure every Registered Liberal only votes once.
- 8.6 An EDA may submit a written report to the National Campaign Chair or their designate proposing one or more locations for the Nomination Meeting satisfying the aforementioned criteria.
- 8.7 Where extraordinary geographic circumstances warrant, in order to permit orderly voting and to ensure that Registered Liberals have a fair opportunity to vote, the National Campaign Chair or their designate may, in their sole and unfettered discretion, establish one or more advance polling stations open within the week before the Nomination Meeting and/or provide for alternative methods of voting, such as mail-in ballots.

## 9. CALL OF A NOMINATION MEETING

- 9.1 Each Nomination Meeting shall be held on the date and at the time fixed by the National Campaign Chair or their designate. The process of fixing the date for the Nomination Meeting and providing directions for the holding of the Nomination Meeting is referred to as issuing the “Call” of the Nomination Meeting.
- 9.2 The National Campaign Chair or their designate shall set the date on which notice for the Nomination Meeting shall be given, which shall be between fourteen (14) and twenty-eight (28) days prior to the Nomination Meeting (the “Notice Date”).
- 9.3 The National Campaign Chair or their designate shall set the date by which a person must have been registered as a Registered Liberal in order to be eligible to cast a vote at the Nomination Meeting (the “Cut-off Date”).
- 9.4 The Cut-off Date shall be between two (2) and seven (7) days before the Notice Date of the Nomination Meeting.

## 10. NOTICE OF NOMINATION MEETINGS

- 10.1 The National Office is responsible to ensure that Notice of each Nomination Meeting is given in accordance with these Rules (the “Notice”).
- 10.2 The Notice shall be given to all Registered Liberals resident in the relevant Electoral District by any means approved by the National Campaign Chair or their designate, which may include email, voice blast, or posting on a website of the Liberal Party of Canada.
- 10.3 The Notice shall be substantially in the form specified by the National Campaign Chair or their designate.
- 10.4 The Notice shall be given on the Notice Date set by the National Campaign Chair or their designate in accordance with Rule 9.2, unless otherwise approved by (whether before or after the Notice is given) the National Campaign Chair.
- 10.5 The accidental omission to give Notice of any Nomination Meeting to one or more persons as required by these Rules does not invalidate the Notice, the Nomination Meeting or any proceedings at that Nomination Meeting, unless such omission is, in the opinion of the National Campaign Chair, so grave as to compromise fundamentally the fair conduct of the Meeting.

## 11. CONDUCT OF THE NOMINATION MEETING

- 11.1 The National Campaign Chair or their designate shall appoint a Chair for each Nomination Meeting (the “Meeting Chair”).
- 11.2 The Meeting Chair may appoint a Deputy Chair or other individuals necessary to conduct the Nomination Meeting in a fair and orderly manner.
- 11.3 The National Campaign Chair shall appoint a Returning Officer for each Nomination Meeting (the “Returning Officer”). The Returning Officer may appoint any number of Deputy Returning Officers, Poll Clerks, Credentials Officers, and other individuals necessary for the fair conduct of a Nomination Meeting.
- 11.4 Before or forthwith after their appointment, the persons appointed as Meeting Chair, Returning Officer, or any other position for a Nomination Meeting, must agree to a declaration of neutrality. The form of such declaration shall be determined by the National Returning Officer. If any person does not provide the declaration forthwith after their appointment or prior to acting in the capacity of their appointment, then their office will be deemed vacant and another person may be appointed to that office in their place.

- 11.5 It is the responsibility of the Meeting Chair to ensure that the Nomination Meeting is conducted in a fair, orderly and democratic manner. The Meeting Chair may require the Nomination Meeting to be delayed, adjourned, postponed or moved to another location, or may require any alteration of the physical arrangement of the location, or any adjustment to the number and location of a Contestant's Representatives as he or she may see fit, in order to comply with the provisions of these Rules or to conduct an orderly and fair Nomination Meeting.
- 11.6 It is the responsibility of the Returning Officer to ensure that the voting at a Nomination Meeting is conducted in a fair, orderly and democratic manner. At the conclusion of voting, the Returning Officer is responsible for the counting of the ballots and reporting the result of the count to the National Campaign Chair.
- 11.7 The conduct of each Nomination Meeting and the voting at the Nomination Meeting is under the sole control of the Meeting Chair, the Returning Officer, and their designates. The Meeting Chair and the Returning Officer may, except to the extent that it is inconsistent with the Constitution, these Rules or any Party By-law as well as any directions and interpretation bulletins issued by the National Campaign Chair or National Returning Officer, rely on *Robert's Rules of Order* or the *Code Morin* for guidance in the conduct of the Nomination Meeting and as a source of authority for their direction.
- 11.8 No business other than the selection of a Candidate shall be conducted at the Nomination Meeting until after the vote for the Candidate has been held.

## 12. ELIGIBILITY TO VOTE AND CHALLENGES

- 12.1 All Registered Liberals will be eligible to vote ("Eligible Voters") at a Nomination Meeting provided that:
- (a) the Registered Liberal was registered prior to the Cut-off Date established by the National Campaign Chair pursuant to Rule 9.3;
  - (b) the Nomination Meeting is in the Home Electoral District of the Registered Liberal;
  - (c) the Registered Liberal is present at the Nomination Meeting (except where these Rules permit alternate methods of voting);
  - (d) the Registered Liberal has not voted at any other Nomination Meeting held for the same election (except when the results of a Nomination Meeting are declared invalid or where a Candidate withdraws).

- 12.2 In order to vote at a Nomination Meeting, an Eligible Voter must present identification that conforms with the identification standards established by the National Returning Officer from time to time (including, without limitation, identification establishing the address of the applicable voter), or have otherwise complied with vouching rules established by the National Returning Officer.
- 12.3 Subject to the right of the Returning Officer to make a final determination at a Nomination Meeting, for the purposes of confirming the right to vote, only information provided by the National Office may be used.
- 12.4 If a Qualified Nomination Contestant wishes to challenge any individual's right to vote, then he or she must do so by the date and time fixed by the National Campaign Chair or their designate. Challenges may be made with respect to:
- (a) whether the address shown on the voters list is accurate;
  - (b) whether the Eligible Voter lives at such address;
  - (c) whether the Eligible Voter is a member of another federal political party;
  - (d) whether any other qualifications to be a Registered Liberal established by the National Board and listed in By-law 4 have been met.
- 12.5 Challenges must be made in writing, in the manner specified by the Party Secretary or their designate. Each challenge must identify the reason for the challenge and must be accompanied by any and all information that would enable the Party Secretary to make a decision respecting the challenge. All challenges must be delivered to the Party Secretary or their designate by the date and time fixed by the Party Secretary or their designate, which shall be, at the latest, 72 hours before the scheduled time of voting.
- 12.6 The Party Secretary or their designate may at any time before or at the Nomination Meeting:
- (a) reject any challenge; or
  - (b) after giving the individual subject to the challenge an opportunity to respond to the challenge, accept the challenge and determine that person is not eligible to vote at the Nomination Meeting.
- 12.7 The Party Secretary or their designate must not authorize the issue of a ballot to an individual subject to a challenge before deciding all challenges relating to that individual.

### 13. CONTESTANT'S REPRESENTATIVES DURING THE NOMINATION MEETING

- 13.1 Each Qualified Nomination Contestant shall appoint a Chief Representative ("Chief Representative"), who shall be named in writing by the Qualified Nomination Contestant to the Returning Officer by the time determined by the Returning Officer, which shall be no later than the opening of voting for that Nomination Meeting. Such individual shall have full authority to speak on behalf of the Qualified Nomination Contestant, and to bind the Qualified Nomination Contestant to any agreement he or she might be called upon to make on the Qualified Nomination Contestant's behalf, during the voting and counting processes.
- 13.2 Each Qualified Nomination Contestant may appoint the following representatives to be present at the taking of the vote and counting of the ballots ("Contestant Representatives"):
- (a) During the taking of the vote, each Qualified Nomination Contestant is entitled to:
    - (i) their Chief Representative;
    - (ii) one Contestant Representative for each voting station;
    - (iii) one Contestant Representative for each credentials station; and
    - (iv) one Contestant Representative to monitor the ballot box.
  - (b) During the counting of the ballots, each Qualified Nomination Contestant is entitled to:
    - (i) their Chief Representative; and
    - (ii) one Contestant Representative for each counting station.

### 14. PROCEDURES FOR VOTING, COUNTING AND RESULTS

- 14.1 At any Nomination Meeting in which there are only two Qualified Nomination Contestants, voting shall be by a simple ballot approved by the National Campaign Chair 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 fifty percent (50%) of the votes is selected as the Candidate.

- 14.2 At any Nomination Meeting in which there are more than two Qualified Nomination Contestants, voting shall be by preferential ballot on which voters may 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 Contestants according to the next preferences indicated, if any;
  - (e) the first Qualified Nomination Contestant to receive more than fifty percent (50%) of the votes on eligible ballots on any count is selected as the Candidate.
- 14.3 In the case of a tie vote, the winner will be determined by the toss of a coin.
- 14.4 The National Campaign Chair and the National Returning Officer may issue further written directives regarding balloting procedures for Nomination Meetings including, without limiting the generality of the foregoing, the explanations about counting the votes for Qualified Nomination Contestants under preferential balloting.
- 14.5 The counting of the ballots shall always take place in a closed room under the direction of the Returning Officer with only the following individuals present:
- (a) individuals appointed by the Returning Officer to assist in the counting; and
  - (b) representatives of each Qualified Nomination Contestant in accordance with Rule 13.
- 14.6 The Returning Officer or their designate shall report the result of the count to the National Campaign Chair and the relevant Provincial or Territorial Campaign Chair.
- 14.7 The National Campaign Committee shall review the count and calculations as soon as possible after receiving them and determine the official result. In any case where doubt

exists as to the correct determination of the official result, the National Campaign Chair shall, in consultation with the Provincial or Territorial Campaign Chair, provide direction to the Returning Officer.

- 14.8 After the conclusion of a Nomination Meeting, the Returning Officer or their designate shall seal all ballots and all documents used in the tabulation of the result and retain them in a secure place. The Returning Officer or their designate shall retain the ballots and related documentation under seal until the earlier of:
- (a) an appeal of the result of the Nomination Meeting is submitted under these Rules;  
or
  - (b) ten (10) days have passed since the determination of the official result.
- 14.9 If an appeal of the result of a Nomination Meeting is submitted under these Rules, then the Returning Officer or their designate having custody of the ballots and related documentation shall forthwith transmit them to one of the Co-Chairs of the Permanent Appeals Committee, a member of the panel struck by the Permanent Appeals Committee for the purposes of hearing the appeal, or a person designated by the Co-Chairs of the Permanent Appeals Committee. At the conclusion of the appeal, the materials shall be disposed of in accordance with the direction of the Permanent Appeals Committee.
- 14.10 If ten (10) days have passed since the determination of the official result and there is no appeal of the result of a Nomination Meeting submitted under these Rules, the Returning Officer or their designate 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.

## PART V: GENERAL PROVISIONS

### 15. GENERAL REQUIREMENTS FOR NOMINATION CONTESTANTS

- 15.1 Each Qualified Nomination Contestant shall:
- (a) comply with the *Canada Elections Act*;
  - (b) ensure that their Financial Agent complies with the *Canada Elections Act*;
  - (c) ensure that their auditor, if required, fulfills their responsibilities in compliance with the *Canada Elections Act*;

- (d) in addition to the requirements of the *Canada Elections Act*, submit to the National Office the complete name, address, phone number and email address of all contributors, including those contributing amounts under \$200;
  - (e) ensure that any report required to be made by him or her, or by their 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 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 the form specified by the National Director, to the National Office disclosing all contributions or a nil report if applicable; and
  - (h) comply with the spending limits defined by the *Canada Elections Act*.
- 15.2 Each Qualified Nomination Contestant is responsible to ensure that their Financial Agent disposes of any surplus of nomination campaign funds in accordance with the *Canada Elections Act*.
- 15.3 The Financial Agent shall provide a copy of the Contestant's Nomination Statement of Surplus (EC 20051) to the National Office at the same time as it is provided to the Chief Electoral Officer.
- 15.4 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 any identifiable Liberal Party of Canada branding in a manner that suggests any association with the Party. If he or she does so, the National 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 considers 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 17.4, the outcome of a Nomination Meeting shall not be disturbed by the Permanent Appeals Committee on the basis that such an action was taken. The improper use of Party logos or branding constitutes non-compliance with these Rules for the purposes of the application of Rules 16.1 and 16.2 and may result in the disqualification of a Qualified Nomination Contestant.
- 15.5 Qualified Nomination Contestants, Contestant Representatives and all other volunteers are bound by the Liberal Party of Canada Respectful Workplace Policy. The National Campaign Chair, or such other person as may be empowered to do so in accordance with these Rules, may disqualify a Qualified Nomination Contestant or instruct the removal of any of their Contestant Representatives in breach of the aforementioned Policy. Conduct inconsistent with the Liberal Party of Canada Respectful Workplace Policy constitutes non-compliance with these Rules for the purposes of the application of Rules 16.1 and 16.2 and may result in the disqualification of a Qualified Nomination Contestant.



## 16. SANCTIONS

- 16.1 In the event that a Qualified Nomination Contestant is found to have failed to comply with the *Canada Elections Act*, these Rules or any other applicable Party By-law or Rule, the disciplinary measures, if any, to be imposed will be, subject to applicable laws, at the sole and unfettered discretion of the National Campaign Chair and shall take into consideration both the severity of the apparent violation and the best interests of the Party.
- 16.2 Notwithstanding the generality of the foregoing, the disciplinary measures imposed at the discretion of the National Campaign Chair 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 Nomination 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 Nomination Meeting or a future Meeting in any Electoral District.
- 16.3 A violation of the Liberalist User Agreement constitutes non-compliance with these Rules for the purposes of the application of Rules 16.1 and 16.2.
- 16.4 The use of any unauthorized lists or communications by a Potential or Qualified Nomination Contestant constitutes non-compliance with these Rules for the purposes of the application of Rules 16.1 and 16.2.
- 16.5 A violation of these Rules or the Liberalist User Agreement, or the use of any unauthorized lists or communications by a volunteer working in support of a Qualified Nomination Contestant may be deemed by the National Campaign Chair to be a breach by the Qualified Nomination Contestant personally.

## 17. APPEALS

- 17.1 Disputes relating to the Party's Candidate nomination and selection procedure or the construction or application of these Rules, the Constitution, or the Party By-laws shall be referred to the Permanent Appeal Committee. The Permanent Appeals Committee shall not review any substantive decision made in accordance with these Rules, except to the extent that the decision is deemed by the Permanent Appeals Committee to be unreasonable.
- 17.2 An appeal to the Permanent Appeals Committee shall only be commenced by notice of appeal in the manner prescribed by the Permanent Appeals Committee in their Rules of Procedure, and must disclose the entire basis for appeal and all relevant information and documentation, received not later than 72 hours after the time fixed for the

commencement of a Nomination Meeting or, if a decision is made outside of this context, not later than 72 hours after the decision has been made. This time limitation is subject to extension at the sole and unfettered discretion of the Permanent Appeals Committee, in accordance with its Rules of Procedure.

- 17.3 Decisions of the Permanent Appeals Committee or any appointed panel are final and binding upon any Registered Liberal to whom they may relate, and not subject to appeal or review on any ground whatsoever.
- 17.4 The Permanent Appeals Committee or any appointed panel has all the powers necessary to give effect to its decisions, including, without limiting the generality of the foregoing, the power to postpone a Nomination Meeting, declare a Nomination Meeting void, order a new Nomination Meeting and declare a Qualified Nomination Contestant duly elected at the Nomination Meeting, despite any flaw or irregularity.
- 17.5 In the event that the Permanent Appeals Committee or any appointed panel postpones a Nomination Meeting or orders that a new Nomination Meeting be held, the list of Eligible Voters at the original Nomination Meeting shall in no way be affected by the delay. In particular, no person shall be refused the right to vote at such further Nomination Meeting on the basis that their registration expired between the time of the originally-scheduled Nomination Meeting and the time of the further Nomination Meeting. Nothing in the foregoing shall be construed to affect or delay the Cut-off Date as originally determined pursuant to these Rules.
- 17.6 Where applicable, the Permanent Appeals Committee or any appointed panel shall, in its decision, give appropriate direction to all affected Qualified Nomination Contestants with respect to the destruction of Eligible Voter lists received pursuant to these Rules and By-law 4 and of personal information given to them or their representatives in the course of an appeal.

## 18. ELECTORAL URGENCY

- 18.1 If, in the opinion of the National Campaign Chair, a political situation exists in Canada or in any Electoral District(s), such that he or she is of the view that the timelines 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).
- 18.2 Such notice shall be provided to:
  - (a) the Leader;
  - (b) the Party President;

- (c) the National Director;
- (d) the affected Provincial and Territorial Campaign Chairs;
- (e) the Directors of all of the affected Provincial and Territorial Boards; and
- (f) the Chairs of all the affected EDAs.

18.3 In any such state of Electoral Urgency, the National Campaign Chair or their designate may alter the timelines and procedures fixed by these Rules in such manner as he or she, in their 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 Potential or Qualified Nomination Contestant (of whom the National Campaign Chair has knowledge) who may be affected. The failure of any such person to receive such notice shall not invalidate the declaration of Electoral Urgency.

18.4 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.

## 19. VARIATION OF RULES

19.1 In respect of any EDA, any of these Rules may be waived or varied by the National Campaign Chair. Without limiting the generality of the foregoing, the National Campaign Chair may waive or vary any of the requirements of Rule 6 in respect of any one or more EDAs, Qualified Nomination Contestants or Potential Nomination Contestants, as the case may be.

19.2 The Leader may, in consultation with the National Campaign Chair and the Party President, from time to time establish a set of requirements for current Members of the Liberal Caucus in the House of Commons ("Incumbents") which, if satisfied, shall entitle an Incumbent to be acclaimed as the Candidate of the Party in their Electoral District without the need for the holding of a Nomination Meeting.

## 20. DELEGATION OF AUTHORITY

20.1 Any action or decision that may be taken by the Leader under these Rules may be taken by any Registered Liberal designated by the Leader, including, if so designated, the National Campaign Chair or a Provincial or Territorial Campaign Chair.

- 20.2 Any action or decision that may be taken by the National Campaign Chair under these Rules may be taken by any Registered Liberal designated by the National Campaign Chair, including, if so designated, a Provincial or Territorial Campaign Chair.
- 20.3 Any action or decision that may be taken by a Provincial or Territorial Campaign Chair under these Rules may be taken by any Registered Liberal designated by the Provincial or Territorial Campaign Chair.
- 20.4 Any action or decision that may be taken by the Leader, the National Campaign Committee, the National Campaign 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.

# Schedule A

## CRITERIA FOR INCUMBENTS

Pursuant to Rule 19.2 of the National Rules for the Selection of Candidates, the Leader may, in consultation with the National Campaign Chair and the Party President, from time to time establish a set of requirements for current Members of the Liberal Caucus in the House of Commons ("Incumbents") which, if satisfied, shall entitle an Incumbent to be acclaimed as the Candidate of the Party in their Electoral District without the need for the holding of a Nomination Meeting, subject to the approval of the National Campaign Chair.

Candidates, Electoral District Associations, and all persons acting on their behalf are expected to strictly comply with the requirements of the *Canada Elections Act* and all other applicable laws in meeting these criteria.

In achieving applicable fundraising targets, Incumbents are expected to strictly comply with all policies on fundraising practices adopted by the Liberal Party of Canada from time to time, including with respect to transparency and fundraising involving government stakeholders.

At the discretion of the Leader, the following criteria shall apply with respect to Incumbents:

1. An Incumbent seeking to stand as a Liberal Party Candidate in the next General Election shall be declared to be acclaimed as the Party's Candidate in their Electoral District without the need for the holding of a Nomination Meeting where the Incumbent satisfies the following requirements:
  - (a) is a Registered Liberal;
  - (b) has participated, in the twelve (12) months preceding the date of their declaration of acclamation, in at least two (2) Voter Contact Day of Action events in their Electoral District (including door-to-door canvassing or concerted phone banking), and has attempted at least 3,500 door knocks or 5,000 phone calls together with their volunteer team (or an acceptable combination thereof, to be established by Liberalist records);
  - (c) has in their EDA bank account funds amounting to at least 50% of the anticipated election expense limit for that Electoral District for the 43<sup>rd</sup> General Election;
  - (d) has demonstrated an increase of least 30 additional active Victory Fund donors, based on the number of Victory Fund donors present in the Electoral District as of January 1, 2016 or January 1, 2018, whichever is less;

- (e) maintains active social media presence across multiple platforms (Facebook, twitter and Instagram, as appropriate);
  - (f) has, to the satisfaction of the National Campaign Chair, fulfilled their duties as a Member of the Liberal Caucus in the House of Commons;
  - (g) submits to the National Office in the prescribed form:
    - (i) signatures of support from a minimum of 150 Registered Liberals in their Electoral District;
    - (ii) a written fundraising plan to raise 100% of the anticipated election expense limit for that Electoral District for the 43<sup>rd</sup> General Election;
    - (iii) year-end EDA bank statements, as well as ongoing EDA bank statements on a quarterly basis;
    - (iv) a signed Candidate Declaration Form; a signed and updated Candidate Contract and Liberalist User Agreement.
2. An Incumbent must satisfy the aforementioned criteria by October 1, 2018, subject to extension granted at the discretion of the National Campaign Chair.
  3. An Incumbent satisfying the aforementioned criteria may apply to the National Campaign Chair at any time for their declaration of acclamation.
  4. Such Incumbent shall be declared to be acclaimed as the Candidate for their Electoral District upon the confirmation of the National Campaign Chair (such declaration being revocable at any time by the Leader or National Campaign Chair in their sole and unfettered discretion).
  5. Notice of acclamation shall be provided to:
    - (a) the Leader;
    - (b) the Party President;
    - (c) the National Director;
    - (d) the relevant Provincial and Territorial Campaign Chair(s);
    - (e) the Director of the relevant Provincial and Territorial Board;
    - (f) the Chair of the relevant EDA; and
    - (g) the Incumbent.
  6. The aforementioned criteria may be waived or varied at any time.
  7. Nothing in this document shall be construed as precluding the Leader's authority to not endorse a particular person as a Candidate, or the Leader's authority to designate a person to be the Candidate in any election.

## Schedule B

### OPERATIONAL TARGETS FOR EDAS

Pursuant to Rule 7.1(c) of the National Rules for the Selection of Candidates, the National Campaign Chair, in consultation with the Party President, may establish Operational Targets for Electoral District Associations (“EDAs”) which must be met before a Nomination Meeting may be called in an Electoral District.

Candidates, Electoral District Associations, and all persons acting on their behalf are expected to strictly comply with the requirements of the *Canada Elections Act* and all other applicable laws in meeting these criteria.

At the discretion of the National Campaign Chair and the Party President, an EDA must meet the following criteria in order to have a Nomination Meeting called in that Electoral District:

1. Be up to date in all filings with Elections Canada.
2. Have in its EDA bank account funds amounting to at least 15% of the of the anticipated election expense limit for that Electoral District for the 43<sup>rd</sup> General Election;
3. Where the Electoral District is an unheld riding, the EDA shall:
  - (a) demonstrate an increase of at least 15 additional Victory Fund donors, based on the number of Victory Fund donors present in the Electoral District as of January 1, 2016 or January 1, 2018, whichever is less; and
  - (b) have at least 150 Registered Liberals in the Electoral District.
4. Where the Electoral District is a held riding, the Criteria for Incumbents made pursuant to Rule 19.2 of the National Rules for the Selection of Candidates shall apply.
5. The aforementioned criteria may be waived or varied at any time.