

# ELECTIONS

## 1. APPLICATION

- 1.1 This By-law is made pursuant to Section 17 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 This By-law 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.
- 1.3 This By-law shall govern all internal electoral contests of the Party, including without limiting the foregoing, the following (each, an “**Electoral Event**”):
  - (a) Elections of directors and officers of the National Board conducted at a National Convention;
  - (b) Elections of directors and officers of a Provincial or Territorial Board conducted at a Provincial or Territorial Convention;
  - (c) Elections of executive members of any Commission held concurrently with a National Convention;
  - (d) Elections of executive members of any Section of any Commission held concurrently with a Provincial or Territorial Convention;
  - (e) Election of executive members of any Electoral District Association at a general meeting of the Electoral District Association;
  - (f) Election of executive members of any Club of any Commission (together with the Electoral Event described in Section 1.3(e) hereof, each a “**Local Election**”); and
  - (g) Subject to any contrary provisions set out in the rules governing leadership matters set out in the Constitution or established by the Leadership Rules Committee, a Leadership Election (with the National Returning Officer deemed to be the Chief Electoral Officer for such purpose).

## 2. NATIONAL RETURNING OFFICER

2.1 The National Board shall, from time to time, appoint a National Returning Officer for the administration of this By-law and all elections thereunder. The National Returning Officer shall not be a member of the National Board, or a member of the federal Liberal caucus.

2.2 The National Returning Officer shall have the following powers:

- (a) to establish rules for any Electoral Event from time to time that are consistent with the Constitution and this By-law, which rules may, without limitation, include requirements for financial administration, and the conduct of campaigns;
- (b) to consider complaints, resolve issues, and impose discipline upon any candidate for any Electoral Event, and without limiting the foregoing, to disqualify any candidate for breach of any rules, including without limitation for conduct inconsistent that shows a marked disrespect for opposing candidates, the Party or its officials;
- (c) determine a candidate's eligibility to stand, determine eligibility of a Registered Liberal to vote in any contest, or otherwise to make decisions in the administration of Electoral Event(s);
- (d) to appoint poll clerks, credentials officials, ballot box officials and such other local or meeting officials as the National Returning Officer may deem necessary for the fair conduct of a meeting or voting process;
- (e) to appoint one or more Deputy National Returning Officers, Provincial Returning Officers, or other Returning Officers for any region or category of Electoral Event (including but not limited to convention Returning Officers, provincial Returning Officers, commission Returning Officers, each a "**Returning Officer**") as the National Returning Officer may from time to time determine, which Returning Officers will have all of the powers of the National Returning Officer for each Electoral Event for which they are responsible, other than the power to make rules, which power is reserved to the National Returning Officer. A member of the National Board may not serve as a Returning Officer, but a member of a Provincial Board or Territorial Board may do so; and
- (f) to otherwise do all such things as the National Returning Officer believes are necessary or desirable to ensure the fair and efficient administration of all Electoral Events in accordance with the principles of procedural fairness.

## 3. TIME PERIODS

3.1 **Notice.** Notice of any Electoral Event shall be given to the Registered Liberals entitled to vote at such Electoral Event not later than twenty-eight (28) days prior to such Electoral

Event. Notwithstanding the foregoing, the absence of notice shall not invalidate an Electoral Event, unless deemed to be a critical problem by the National Board.

### 3.2 **Intent to Stand.**

- (a) A Registered Liberal wishing to stand for an office to be elected at a Local Electoral Event shall submit a notice of their intention to stand for such office, in the form prescribed by the National Returning Officer, not later than fourteen (14) days prior to such Electoral Event relating to such office. In the case of an office remaining vacant at the time of the Local Electoral Event, a Registered Liberal may present their intention to stand for such office at the time specified by the Returning Officer during the Local Electoral Event.
- (b) A Registered Liberal wishing to stand for an office to be elected at any other Electoral Event shall submit a notice of their intention to stand for such office, in the form and by the date prescribed by the National Returning Officer or their designate.
- (c) A Registered Liberal may only stand for one position per electoral event. Unless the candidate informs the Returning Officer, the most recent intent shall be considered valid, and all preceding intents shall be disregarded.

## 4. **ELIGIBILITY TO VOTE**

- 4.1 A Returning Officer or their designate shall have the final power to determine the eligibility of any person to vote at an Electoral Event for which such Returning Officer is responsible.
- 4.2 To be eligible to vote in any Electoral Event, a voter must be a Registered Liberal, and must present identification that conforms with the identification standards established by the National Returning Officer or their designate 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 or their designate from time to time.
- 4.3 All Registered Liberals registered at a National Convention who are registered as Registered Liberals not later than fourteen (14) days prior to the opening of such National Convention will be eligible to vote in the election of directors of the National Board referred to in Section 16(b) of the Constitution, conducted at a National Convention;
- 4.4 All Registered Liberals registered at a Provincial Convention who are registered as Registered Liberals not later than seven (7) days prior to the opening of such Provincial Convention and who reside in that province will be eligible to vote in the election of directors and officers of a Provincial Board conducted at a Provincial Convention;

- 4.5 All Registered Liberals who are eligible to vote at a National Convention who are members of a Commission will be eligible to vote in the election of executive members of any Commission at a general meeting of the Commission held concurrently with a National Convention;
- 4.6 All Registered Liberals who are eligible to vote at a Provincial Convention who are members of a Section of a Commission will be eligible to vote in the election of executive members of any Section of Commission at a meeting of such Section held concurrently with a Provincial Convention;
- 4.7 All Registered Liberals who are registered not later than seven (7) days prior to the occurrence of such Electoral Event will be eligible to vote in a General Meeting of their Home Electoral District Association;
- 4.8 All Registered Liberals who are members of a Club of a Commission and are registered not later than seven (7) days prior to the occurrence of such Electoral Event will be eligible to vote in the election of executive members of such Club of a Commission.

## **5. BALLOTING**

- 5.1 Balloting for any Local Election shall be conducted on a “first past the post” simple ballot.
- 5.2 Balloting for any Electoral Event, other than a Local Election, shall be conducted by a majority vote, ranked ballot.
- 5.3 All balloting shall be conducted by “secret ballot”, and in accordance with rules and procedures established by the National Returning Officer from time to time.
- 5.4 Any ballot which is marked in such a way that it may not be anonymous, or in respect of which the intention of the voter is not clear, shall be rejected by a Returning Officer.

## **6. TABULATION**

- 6.1 Tabulation will occur in a closed room with only the Returning Officer, and such officials and scrutineers as the Returning Officer may approve to be present.
- 6.2 Results of all votes will be written and submitted to the Party Secretary or their designate by the Returning Officer or their designate immediately following the Electoral Event.
- 6.3 Ballots, tabulations and related materials from an Electoral Event will be saved by the Returning Officer or their designate in a sealed envelope following each Electoral Event for a period of one (1) week, following which, unless an appeal has been filed, such materials shall be destroyed.

- 6.4 Candidates shall, wherever possible together and in person, be advised of the outcome of an Electoral Event prior to the announcement of the results thereof.
- 6.5 Except for a Leadership Election, no announcement of the results of an Electoral Event shall specify the number of votes allocated to individual candidates.

## 7. SCRUTINEERING

- 7.1 Each Returning Officer or their designate will make arrangements to allow each candidate in an Electoral Event to review lists of eligible voters, to appoint scrutineers to observe the voting process (including to make arrangements to track the names of persons who have voted), to challenge the eligibility of voters attending to vote, and to appoint scrutineers to observe the tabulation process.
- 7.2 Scrutineers may not campaign in a voting area, may not engage with voters in the voting area, and may not interfere with the voting process. A Returning Officer or their designate may remove a scrutineer for misconduct and need not allow a replacement.

## 8. APPEAL

- 8.1 Decisions of a Returning Officer other than the National Returning Officer are subject to appeal to the National Returning Officer.
- 8.2 Notwithstanding clause 8.1, in the course of a meeting at which a vote is to take place, the Returning Officer present for such vote will have the final authority over all matters to be determined at such meeting.
- 8.3 Decisions of the National Returning Officer, or of a Returning Officer in the circumstances described in Section 8.2, are subject to appeal to the Permanent Appeals Committee provided that a written notice of appeal is filed by a candidate at that meeting, together with any deposit and/or appeal fee, as established from time to time, by the Co-Chairs of the Permanent Appeals Committee, within forty-eight (48) hours of the appellant receiving notice of the decision being appealed. Any decision(s) of the Permanent Appeals Committee shall be final and binding on the Party, its processes, the results of any Election Event, and any person subject to an appeal process, and not subject to appeal or review by any other body or tribunal, within the Party or otherwise.