

# Rules for the Election of Officers taking place at the 2023 Liberal National Convention

## 1. APPLICATION

- 1.1 These Rules are made pursuant to 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”) and By-law 6 - Elections. Capitalized terms used but not otherwise defined herein shall have the meaning given to them in the Constitution.
- 1.2 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 (the “Party”).
- 1.3 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.
- 1.4 These Rules apply to all elections taking place at the 2023 Liberal National Convention (“Convention”), including the elections for the National Board and for the National Executive of each Commission.

## PART 1: AUTHORITY

## 2. CONVENTION RETURNING OFFICER

- 2.1 The National Returning Officer may act as the Convention Returning Officer or may appoint another Registered Liberal to be the Convention Returning Officer.
- 2.2 The Convention Returning Officer may:
  - (a) establish rules that are consistent with these Rules, the Constitution and any By-law generally applicable to the election of Party and Commission Officers;
  - (b) enact interpretation bulletins that are consistent with these Rules, the Constitution and any By-law to clarify any provision of these Rules, the Constitution or any By-law;

- (c) make decisions on logistical matters which are not provided for in these Rules but which are consistent with these Rules, the Constitution and any By-laws.

2.3 In the event that the National Board has determined to hold the National Convention in such a manner as to facilitate participation, either wholly or in part, by remote electronic means, the Convention Returning Officer has full right and authority to amend these Rules and take all other actions and do all such things as they deem necessary or appropriate for the administration of an electronic vote, including but not limited to:

- (a) establish a remote process for nominations;
- (b) establish a means to register at the Convention remotely;
- (c) establish such validation or verification processes as they deem reasonably appropriate;
- (d) establish a platform for anonymous electronic voting, together with an anonymized audit trail;
- (e) establish a process for remote scrutineering and validation;
- (f) establish a remote counting and results process.

2.4 Any such process made under Rule 2.3 shall be announced as early as reasonably possible with amendments to this Rule to be published on the Party website.

2.5 The Convention Returning Officer may appoint a Deputy Convention Returning Officer. The Deputy Convention Returning Officer will have the same authority as the Convention Returning Officer, except that the Convention Returning Officer may revoke such appointment at any time.

2.6 The Convention Returning Officer may appoint any number of Assistant Returning Officers, Poll Clerks, Credentials Officers and other individuals necessary for the fair conduct of the election. The Convention Returning Officer may revoke such appointments at any time.

2.7 All individuals involved in the conduct of the election, including but not limited to the Convention Returning Officer, the Deputy Convention Returning Officer, any Assistant Returning Officers, Poll Clerks, and Credentials Officers must agree to a Declaration of Neutrality and remain neutral in any election of Officers taking place at the Convention.

2.8 All employees of the Party must remain neutral in any election campaign conducted under these Rules and may not participate in the campaign of, or contribute money or services to, any Candidate for election under these Rules.

2.9 Subject to an appeal to the Permanent Appeals Committee, a decision of the Convention Returning Officer or their designate is final.

## PART 2: NOMINATION OF CANDIDATES

### 3. QUALIFICATIONS OF CANDIDATES

- 3.1 Any person wishing to be a candidate for any position being elected at the Convention (“Potential Candidate”) must:
- (a) be a Registered Liberal;
  - (b) have, to the satisfaction of the Convention Returning Officer, in consultation with the National Director, demonstrated a history of commitment to the Party and to the policies and values adopted by the Party;
  - (c) have not been engaged in any claim, litigation or dispute of any sort which is liable to bring controversy or disrepute upon the Qualified Candidate or the Party; and
  - (d) be eligible to hold that position, including for positions on the National Executive of a Commission, be a member of that Commission and meeting any other eligibility requirements established in that Commission’s Charter.

### 4. NOMINATION OF CANDIDATES

- 4.1 Each Potential Candidate must deliver to the Convention Returning Officer, care of the National Office, no later than 35 days before the opening of the Convention, the following (an “Application Package”):
- (a) original copies of the forms prescribed by the Convention Returning Officer;
  - (b) original copies of all declarations and/or waivers prescribed by the Convention Returning Officer including the Candidate Contract;
  - (c) a declaration of support in the form prescribed by the Convention Returning Officer;
    - (i) in the case of a position for a Commission, signed in writing or by electronic signature by at least 25 members of that Commission; or
    - (ii) in the case of any other position, signed in writing or by electronic signature by at least 100 Registered Liberals, with a minimum of 25 from any of three (3) provinces or territories;
  - (d) a fully refundable deposit in the sum of \$500 for Potential Candidates seeking an officer position on the National Board, or a fully refundable deposit in the sum of \$75 for Potential Candidates seeking an officer position on the National Executive of a Commission, which will be returned to the Candidate following the close of the

Convention, provided that the Candidate complies with these Rules, the Constitution and all By-laws;

- (e) a declaration in the form prescribed by the Convention Returning Officer appointing a Chief Agent, and signed in writing or by electronic signature by that Chief Agent agreeing to act in that capacity.
- 4.2 The Convention Returning Officer may establish from time to time the forms comprising the Application Package.
- 4.3 An Application Package must be requested no later than thirty-seven (37) days before the opening of the Convention.
- 4.4 The Convention Returning Officer or their designate is responsible to review all documents delivered by Potential Candidates for completion and compliance with these Rules, the Constitution and all By-laws. The Convention Returning Officer, shall, in their sole and unfettered discretion, approve or reject an Application Package of a Potential Candidate.
- 4.5 In the case of a position on the Indigenous Peoples' Commission ("IPC"), the Convention Returning Officer or their designate shall consult with the IPC to determine a Potential Candidate's Indigenous status and ensure that the Potential Candidate meets the requirements to be a member of the IPC.
- 4.6 The Convention Returning Officer shall notify the Potential Candidate:
- (a) if the documents meet all of the requirements of these Rules and the Constitution, that they have been approved as a candidate for the election ("Qualified Candidate"); or
  - (b) if the documents do not meet all of the requirements of these Rules and the Constitution, that they have not been approved and inform them of the reasons for that lack of approval.

## **PART 3: CAMPAIGNING BY CANDIDATES**

### **5. CONVENTION WEBSITE**

- 5.1 The Party is responsible to provide on its public website a page for each Qualified Candidate, which may include:
- (a) a biography of a maximum of 350 words;
  - (b) a high-resolution photograph of the Qualified Candidate;
  - (c) contact information;

(d) a link to the personal website for the Qualified Candidate.

5.2 It is the responsibility of the Qualified Candidate to provide the information outlined in Section 5.1 of these Rules by the date prescribed by the Convention Returning Officer or their designate.

## 6. COMMUNICATION WITH REGISTERED LIBERALS

6.1 Each Qualified Candidate is entitled to access to information about Registered Liberals entitled to vote at the Convention in accordance with By-law 4 - Registered Liberals. Each Qualified Candidate will gain access to this information through Liberalist.

6.2 Access to the information defined in Section 6.1 may be revoked at any time by the Convention Returning Officer or their designate if the Qualified Candidate or anyone acting on behalf of a Qualified Candidate fails to adhere to the terms of these Rules, any additional Rules implemented by the Convention Returning Officer in accordance with Section 2.2, or the Liberalist User Agreement.

6.3 All mass emails, mass text messages, mass phone messages, and voicemail blasts (“Impersonal Pushed Communications”) must be in the form, using the tools, with the frequency, and during the times authorized by the Convention Returning Officer or their designate.

6.4 For greater clarity, Impersonal Pushed Communications do not include:

- (a) posting to a website or social media where the recipient chooses to view the posting;
- (b) meetings in person;
- (c) personal phone calls made on a one-on-one basis by the Qualified Candidate or on behalf of the Qualified Candidate;
- (d) written communications made on a one-on-one basis to one person and not substantially similar to communications made to any other person;
- (e) communications with the Qualified Candidate’s campaign team.

6.5 The Convention Returning Officer or their designate may require Qualified Candidates to notify the Party up to 48 hours in advance of any communications.

## 7. USE OF PARTY LOGO

7.1 Only a Qualified Candidate may use the logos or branding of the Party including on campaign materials. A Potential Candidate may not make use of Party logos and branding.

## 8. CONVENTION PROCEEDINGS

- 8.1 Qualified Candidates may post campaign material approved by the Convention Returning Officer in the space(s) allocated by the Convention Returning Officer no earlier than the opening of the registration period at the Convention as specified in the official agenda of the Convention.
- 8.2 The Convention Returning Officer or their designate is responsible for presenting the Qualified Candidates to the relevant session schedules for the speeches by Qualified Candidates in the reverse order of the list of offices found in the Constitution or relevant Commission Charter.
- 8.3 If there is only one Qualified Candidate for an office, the Qualified Candidate will not be entitled to address the Convention and the Convention Returning Officer will declare such Candidate elected by acclamation.
- 8.4 If there is more than one Qualified Candidate for an office, then before the speeches, the Convention Returning Officer or their designate will determine the duration of the speeches and draw lots to determine the order of presentations:
  - (a) the Convention Returning Officer or their designate will announce the names of all the Qualified Candidates for the office in the order they are to appear on the ballot;
  - (b) in the order determined by the drawing of lots, the Convention Returning Officer or their designate will call upon each of the Qualified Candidates to come to the podium to make a presentation;
  - (c) the presentation of each Qualified Candidate will be timed from the moment that the Convention Returning Officer or their designate calls upon the Qualified Candidate to come to the podium to make their presentation, and the length of the presentation will include the time used in coming to the podium and the length of the speech.
- 8.5 The Convention Returning Officer has sole discretion over the length of speeches by Qualified Candidates, and following the deadline for Potential Candidates to submit their nomination forms, is responsible to determine the length of Qualified Candidate's speeches based on the time dedicated to all speeches in the official agenda of the Convention and the number of Qualified Candidates who have not been acclaimed.

## PART 4: VOTING

### 9. ELIGIBILITY TO VOTE

- 9.1 Each person who meets the requirements determined in Section 4 of By-law 6 - Elections shall be eligible to vote (“Eligible Voter”).
- 9.2 A person will only be issued a ballot for offices for which they are entitled to vote.

### 10. TIME AND PLACE OF VOTING

- 10.1 Voting shall take place at the time and place dedicated to voting in the official agenda of the Convention.
- 10.2 The Convention Returning Officer or their designate may designate an area as the Voting Area for all purposes of these Rules. The Convention Returning Officer or their designate has full authority over the Voting Area and any other area designated by the Convention Returning Officer or their designate to be necessary for the voting procedure.
- 10.3 It is the responsibility of the Convention Returning Officer to ensure that voting is conducted in a fair, orderly and democratic manner. The Convention Returning Officer or their designate may, at their discretion, determine that voting opens at a different time than that provided in the official agenda of the Convention and closes later than the time provided in the official agenda of the Convention.
- 10.4 The Convention Returning Officer or their designate may, at their discretion, suspend voting at any time, or make any adjustment they see fit to conduct a fair and orderly vote.
- 10.5 Each Eligible Voter present within the Voting Area at the close of voting is entitled to vote.
- 10.6 Only the Convention Returning Officer, the Deputy Convention Returning Officer, Assistant Returning Officers, Poll Clerks, Credentials Officers, Candidate Representatives, Eligible Voters in the process of voting, and those individuals so authorized by the Convention Returning Officer or their designate may enter the Voting Area.
- 10.7 Throughout the voting process, the Convention Returning Officer or their designate must take all steps necessary to maintain order in the voting stations and voting and counting areas. Access to the Voting Area may be restricted accordingly.
- 10.8 No campaigning is allowed at any time in the Voting Area.

## 11. CANDIDATE REPRESENTATIVES

- 11.1 Each Qualified Candidate who has not been acclaimed may appoint a Chief Representative. Such appointment must be made in writing and delivered to the Convention Returning Officer or their designate no later than the start of voting.
- 11.2 The Chief Representative may appoint a number of additional representatives (“Candidate Representatives”) to be present during voting and counting of the ballots.
- (a) During voting, each Qualified Candidate is entitled to:
    - (i) one Chief Representative;
    - (ii) one Candidate Representative for each voting station;
    - (iii) one Candidate Representative for each credential station; and
    - (iv) one Candidate Representative to monitor each ballot box.
  - (b) During the counting of the ballots, each Qualified Candidate is entitled to:
    - (i) one Chief Representative; and
    - (ii) one Candidate Representative for each counting station
- 11.3 The Chief Representative will be allocated with the number of interchangeable representative badges permitted in accordance with Section 11.2. The Chief Representative may distribute these badges to Candidate Representatives for them to be present in the Voting Area immediately before and during voting and to observe the counting of ballots.
- 11.4 The Chief Representative and each Candidate Representative must wear the badge provided to them. The badge must indicate the name of the Candidate on whose behalf they act.
- 11.5 While in the Voting Area during voting, the Chief Representative and Candidate Representatives must not wear any pass (other than that referred to in Section 11.4), accoutrement or garment, or act in any manner that indicates support for a particular Qualified Candidate and must not interfere in any way with the voting and counting procedures. The Convention Returning Officer or their designate has full authority to control the activities of the Candidate’s Chief Representative and Candidate Representatives to ensure compliance with these Rules and to maintain order in the voting stations and voting and counting areas.
- 11.6 If any Candidate Representative wishes to challenge the actions of a designate or appointee of the Convention Returning Officer, such a challenge must be presented to the Convention Returning Officer by the Chief Representative.



## 12. PROCEDURES FOR VOTING, COUNTING AND RESULTS

- 12.1 Voting will be conducted by secret ballot.
- 12.2 The Convention Returning Officer or their designate must at all times guarantee the integrity of the ballots by ensuring:
- (a) the production of the ballots that cannot be readily reproduced;
  - (b) the ballots and ballot boxes are kept securely.
- 12.3 For each office for which there are only two (2) Qualified Candidates, voting must be by a majority ballot on which Eligible Voters may indicate a choice for only one Qualified Candidate. The ballots must be counted, under the direction of the Convention Returning Officer or their designate, and the Qualified Candidate who received more than 50% of the votes on any ballot is elected to the office. In the case of a tie, the winner will be determined by the toss of a coin under the direction of the Convention Returning Officer.
- 12.4 For each office for which there are more than two (2) Qualified Candidates, voting must be by preferential ballot on which Eligible Voters may indicate their preference for Qualified Candidates. The ballots in the election must be counted, under the direction of the Convention Returning Officer or their designate, according to the following procedure:
- (a) Eligible Voters are not required to indicate a preference for all Qualified Candidates;
  - (b) on the first count, each Eligible Voter's first preference is recorded in favour of the Qualified Candidate preferred;
  - (c) on the second count, the Qualified Candidate who received the least votes on the first count is eliminated and that Qualified Candidate's first count ballots are distributed among the remaining Qualified Candidates according to the next preferences indicated, if any;
  - (d) on each subsequent count, the Qualified Candidate who received the least votes in the preceding count is eliminated, and that Qualified Candidate's ballots are distributed among the remaining Qualified Candidates according to the next preferences indicated, if any;
  - (e) the first Qualified Candidate to receive more than 50% of the votes on any count is elected to the office;
  - (f) in the case of a tie, the winner will be determined by the toss of a coin under the direction of the Convention Returning Officer.
- 12.5 All Eligible Voters must provide identification meeting the requirements prescribed by the National Returning Officer or provide the identification required and have their

address vouched for in accordance with the vouching procedures established by the National Returning Officer.

- 12.6 Any Eligible Voter requiring assistance to vote may be accompanied by another Eligible Voter of their own choosing to the appropriate voting station under the supervision of the Convention Returning Officer or their designate, or may request the assistance of the Convention Returning Officer, the Deputy Convention Returning Officer or other official in the Voting Area.
- 12.7 Once voting stations have closed and the counting of ballots has begun and until the result of a ballot has been announced officially, no person in the voting or counting areas, except for the Convention Returning Officer or their designate, their assistants and anyone authorised by them, may leave the voting or counting areas or communicate in any way whether verbally, visually, electronically or otherwise with anyone outside the voting or counting areas or carry or use any communications device including, without limitation, a cell phone, smartphone or tablet.
- 12.8 In respect of each office to be elected, the Convention Returning Officer must report to the National Director or their designate the total number of Eligible Voters, the number of ballots cast for each Candidate, the number of ballots spoiled and the name of the successful Candidate for each office. The Convention Returning Officer or their designate shall then announce, at the time specified in the official agenda of the Convention, the name of the successful Candidates and may announce any of the other information provided to the National Director. The National Director and the Convention Returning Officer must not otherwise disclose any portion of the results unless so directed by the Permanent Appeals Committee.
- 12.9 If, following the announcement of the results, a Chief Representative wishes to challenge the results of the election for which the Qualified Candidate they represent they must present a written request to the Convention Returning Officer no later than two (2) hours following the later of:
- (a) the announcement of results; or
  - (b) the close of the period provided in the official agenda of the Convention for the announcement of the results in respect to the relevant election.
- 12.10 Upon the adjournment of the Convention and in the absence of instructions to the contrary from the National Director or their designate, following the period provided under Section 12.9, the Convention Returning Officer or their designate shall destroy the ballots, subject to any technical restrictions with respect to electronic balloting.

## PART 5: GENERAL PROVISIONS

### 13. SANCTIONS

- 13.1 If the Convention Returning Officer or their designate determines that a Qualified Candidate has not complied with these Rules, the Constitution, any By-laws, or the Liberalist User Agreement, then, depending on the severity of the non-compliance, the Convention Returning Officer or their designate may impose one or more of the following sanctions to the Qualified Candidate:
- (a) issue a private reprimand;
  - (b) make the non-compliance public;
  - (c) determine an amount, equal to the costs related to the non-compliance or otherwise, to be deducted from the deposit provided by the Qualified Candidate in Section 4.1;
  - (d) suspend on a temporary basis or until the close of the Convention access to Liberalist or the right to use Liberalist;
  - (e) restrict in a manner different than other Candidates the form in which, the tools with which, the times during which or the frequency of, communications that may be made by or on behalf of the Qualified Candidate with Registered Liberals in any way.
- 13.2 In addition to any of the foregoing, for offenses that the Convention Returning Officer determines to be serious, or for conduct that results in a breach of any applicable law, the Convention Returning Officer may disqualify a Potential or Qualified Candidate or instruct the removal of any of their Candidate Representatives.
- 13.3 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 Candidate may be deemed by the Convention Returning Officer to be a breach by the Candidate personally.
- 13.4 Potential Candidates, Qualified Candidates, their Representatives and all of their volunteers are bound by the Liberal Party of Canada Code of Conduct and Respectful Workplace Policy. The Convention Returning Officer may disqualify a Potential or Qualified Candidate or instruct the removal of any of their Candidate Representatives in breach of the aforementioned Policy.