

# Rules for the **Province of Ontario** for the Selection of Candidates for The Liberal Party of Canada

Enacted under the authority of the National Election Readiness  
Committee of the Liberal Party of Canada. As amended by the Ontario  
Campaign Co-Chairs, June 15, 2009.

NOTE TO READER: These Rules are subject to amendment at any time. Such amendments do not come into effect until posted on the website of the Liberal Party of Canada (Ontario). The currency date of any future amended version of these Rules will be indicated on the cover page.

## INTRODUCTION

These Ontario Nomination Rules have been amended to conform to the National Rules, as amended by the National Campaign Committee on May 8, 2009 and as part of the continuing process of making improvements to the nomination process in Ontario in light of ongoing experience.

In a time of minority government, it is critical that we be able to move swiftly, should the need arise, to implement an expedited process should Parliament be dissolved and a general election writ be issued on little or no notice.

Accordingly, these Rules have been prepared to accommodate a situation of electoral urgency.

Portions of these Rules therefore appear enclosed in a box, like this.

These provisions do not apply unless and until a situation of electoral urgency has been declared to exist, by the National Campaign Chairs of the Liberal Party of Canada, in accordance with the National Rules. During such a situation, the portions that appear in a box **override** the corresponding provisions in these Rules, to the extent that there is any possible inconsistency. Despite the advance notice of these changes, any electoral urgency declaration has unique aspects that may require unique responses, and we are subject to specific directions from the National Campaign Chairs at the time a decision is made. Accordingly, Nomination Contestants are advised to ensure they have current information by frequently checking the LPC(O) Website, and maintaining active communications with Party staff in the Toronto office.

June 15, 2009

Jeff Kehoe

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Rules for the Province of Ontario  
for the Selection of Candidates for  
The Liberal Party of Canada

**1. Authority and Definitions**

1.1 These Rules have been adopted by authority of the National Election Readiness Committee of the Liberal Party of Canada, pursuant to Article 60 of the Liberal Party of Canada Constitution and in accordance with the National Rules for the Selection of Candidates for the Liberal Party of Canada, adopted by the National Election Readiness Committee and amended from time to time. These rules are subject to amendment under the same authority. Subject to any deferred effective date as may be contained therein, such amendments shall not come into effect until they are posted on the website of the Liberal Party of Canada (Ontario).

1.2 In these Rules:

- (a) “**Act**” means the *Canada Elections Act*, S.C. 2000, c. 9, as amended;
- (b) “**Call**” of a Meeting is the process whereby the Ontario Campaign Chair, under Rule 3.4, fixes a date for a Meeting of an Electoral District Association to select a Candidate for an Electoral District;
- (c) “**Candidate**” means any person who is selected pursuant to these Rules to represent the LPC as a candidate to seek election as a member in the House of Commons for an Ontario Electoral District in an Election, or who is designated by the Leader to be the Candidate in the absence of a Meeting;
- (d) “**Date of the Call of the Meeting**” means the date on which the Ontario Campaign Chair or his, her or their designate sends a written notice to an Electoral District Association fixing a date for a Meeting;
- (e) “**Election**” means any federal general election or by-election to elect a member or members of 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**” means any federal LPC constituency association in an Electoral District which:
  - (i) meets the requirements set out in the LPC Constitution;

- (ii) meets the requirements set out in the LPC(O) Constitution; and
- (iii) meets the requirements set out in the Act;
- (h) **“Eligible Voting Member”** means any person who meets the requirements fixed by the LPC Constitution, the National Rules and these Rules, entitling the person to vote at a Meeting;
- (i) **“Financial Agent”** means any person appointed in accordance with the 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, and includes the Financial Agent of a Qualified Nomination Contestant and of a Candidate.
- (j) **“Green Light Process”** means the process described in Rule 6 of the National Rules for liaising with Potential Nomination Contestants and for recommending the approval or rejection of Nomination Contestants by the Ontario Campaign Chair.
- (k) **“In-Riding Member”** means a Member of an Electoral District Association who resides inside the boundaries of the Electoral District;
- (l) **“Leader”** means the leader of the LPC;
- (m) **“LPC Constitution”** means the constitution adopted by the LPC, as amended from time to time;
- (n) **“LPC”** means the Liberal Party of Canada;
- (o) **“LPC(O)”** means the Liberal Party of Canada (Ontario) as recognized under the LPC Constitution;
- (p) **“Meeting”** means a meeting of members of an Electoral District Association called for the purpose of selecting, with or without competition, a Liberal Candidate for that Electoral District for any Election.
- (q) **“Meeting Chair”** means the person appointed by the Ontario Campaign Chair to be the senior LPC Official responsible for the conduct of a particular Meeting, apart from the voting process;
- (r) **“Minimum Membership Threshold”** means:
  - (i) in respect of each EDA which is not represented in the House of Commons by a member of the National Liberal Caucus, or where

such member has indicated that he or she shall not seek re-election, the lesser of:

- (A) 300 EDA members; or
- (B) A number of EDA members equivalent to one and one half per cent of the Liberal vote in the last federal Election, provided however, that in no event shall this reduce the required number of members to less than 100;

PLUS

- (C) a number of Victory Fund Members equivalent to ten per cent of the number of EDA members required pursuant to subclause (A) or (B) immediately above, whichever is less. In calculating the number of Fund members for this purpose, a Laurier Club member shall be counted as equal to 5 Victory Fund members; and

(ii) in respect of each EDA which is represented in the House of Commons by a member of the National Liberal Caucus, the lesser of:

- (A) 400 EDA members; or
- (B) A number of EDA members equivalent to two per cent of the Liberal vote in the last federal Election, provided however, that in no event shall this reduce the required number of members to less than 100;

PLUS

- (C) a number of Victory Fund Members equivalent to ten per cent of the number of EDA members required pursuant to subclause (A) or (B) immediately above, whichever is less. In calculating the number of Fund members for this purpose, a Laurier Club member shall be counted as equal to 5 Victory Fund members.

(s) **“National Campaign Chair”** shall be construed as referring collectively to the co-chairs of the National Election Readiness Committee, and of the National Campaign Committee.

(t) **“National Campaign Committee”** means the National Campaign Committee established from time to time pursuant to section 32(3) of the LPC 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 section 32(1) of the LPC Constitution, shall be construed to constitute the National Campaign Committee, pursuant to the National Rules.

- (u) **“National Election Readiness Committee”** means the committee created under section 32 of the LPC Constitution.
- (v) **“National Membership Rules” or “NMR”** means the National Membership Rules of the LPC, as amended from time to time, being a by-law of the LPC adopted on April 24, 2009.
- (w) **“National Rules”** means the *National Rules for the Selection of Candidates for the Liberal Party of Canada*;
- (x) **“Nomination Contest”** means a competition for the selection of a person to be proposed to the LPC for the LPC’s endorsement as its Candidate in an Electoral District;
- (y) **“Nomination Contestant”** has the meaning set out in the Act, and includes, where the context so requires, both a Potential Nomination Contestant and a Qualified Nomination Contestant.
- (z) **“Ontario Campaign Chair”** shall be construed as referring to the persons appointed by the National Campaign Co-chairs in consultation with the Leader and the National Executive as the Co-chairs of the Ontario Campaign under article 32(1)(c) of the LPC Constitution, who have not resigned or been replaced. Any action under these Rules carried out by one of the Ontario Campaign Chairs, shall, in the absence of clear evidence to the contrary, be deemed to constitute the authorized action of these Co-chairs, acting jointly.
- (aa) **“Out-of-Riding Member”** means a person who was a Member of a particular Electoral District Association on December 3, 2006, who resides outside the boundaries of the Electoral District, and who is deemed, , pursuant to section 77(10) of the LPC Constitution, to live in the Electoral District;
- (bb) **“Permanent Appeal Committee”** means the committee created under section 44 of the LPC Constitution for the hearing of appeals..
- (cc) **“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 the National Rules and these rules, for becoming a Qualified Nomination Contestant or the Candidate for an Electoral District;

- (dd) **“Qualified Nomination Contestant”** means a Potential Nomination Contestant who has met all of the requirements set out in Rule 6.1 except to the extent the Ontario Campaign Chair has waived or varied any of such requirements in respect of any one or more Potential Nomination Contestants.
- (ee) **“Returning Officer”** means the person appointed by the Ontario Campaign Chair to be the senior LPC Official responsible for the conduct the voting process for a particular Meeting;
- (ff) **“Rules”** means these *Rules for the Province of Ontario for the Selection of Candidates for The Liberal Party of Canada*, and, where the context so warrants, includes the National Rules, including the forms attached thereto;
- (gg) **“Victory Fund Members”** means persons who make financial contributions of at least \$5.00 per month to each of the LPC and the relevant EDA through the LPC program known as the Victory Fund, and also includes persons who, through a local contribution program approved by the Ontario Campaign Chair, contribute a minimum of \$10.00 per month or \$120.00 per year to either the LPC or the relevant EDA or some combination thereof.

1.3 Capitalized terms used in these Rules which are not defined in these Rules shall have the meaning set out in the Act, and if not defined therein, in the LPC and LPC(O) Constitutions.

1.4 In computing time under these Rules, where there is a reference to a number of days between two events, they shall be counted by excluding the day on which the first event happens and including the day on which the second event happens.

1.5 Where the time for doing an act under these Rules expires on a weekend or a holiday generally recognized in Ontario, 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 Ontario.

1.6 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 pm local time or at any time on a day that is a weekend or a holiday generally recognized in Ontario, 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 Ontario.

## **2. Ontario Campaign Chair**

2.1 The persons who jointly hold the office of Ontario Campaign Chair are appointed by the Co-Chairs of the National Election Readiness Committee pursuant to section 32(1)(c) of the LPC Constitution.

2.2 The Ontario Campaign Chair has the unfettered discretion to delegate all or part of his, her or their powers under these Rules to any person or persons.

2.3 The Ontario Campaign Chair has all of the authority and power under these Rules necessary to implement and manage the selection process of Candidates for the LPC in Ontario, including without limitation of the foregoing all necessary power and authority to:

- (a) name persons to act as Meeting Chairs in every Electoral District;
- (b) name persons to act as Returning Officers at Meetings in every Electoral District;
- (c) issue further written directives regarding the application of these Rules, which directives shall be binding as if they were originally part of these Rules; and
- (d) exercise all powers under these Rules.

## **3. Calling of Meetings**

3.1 No Meetings shall be called until consent in writing is given to the Ontario Campaign Chair by the National Campaign Chair on behalf of the National Campaign Committee.

3.2 No Meeting shall be conducted in any Electoral District except in accordance with the Call of such meeting (substantially in Form 7 to the National Rules), as provided to the president of an EDA by the Ontario Campaign Chair.

3.3 No Call of a Meeting shall be issued under Rule 3.2 unless:

- (a) the Electoral District Association criteria set out in Rule 4 have been met;
- (b) the Nomination Contestant search criteria set out in Rule 5 have been met; and
- (c) one or more Qualified Nomination Contestant(s) have met the Nomination Contestant approval criteria set out in Rule 6;

except where the Ontario Campaign Chair has waived or varied any of such criteria either in respect of any one or more EDAs.

3.4 A Meeting to choose a Candidate in an Electoral District shall be called as follows:

- (a) The Ontario Campaign Chair or his, her or their designate shall consult with the President or Executive of an EDA in order to determine whether the Association has met all of the applicable criteria, whether one or more Qualified Nomination Contestants are prepared to stand for the nomination and whether it is in the best interests of the Liberal Party of Canada that a Meeting be called at a particular time and place.

(a) The Ontario Campaign Chair, shall have the sole and unfettered discretion to fix the date, location and voting hours for a Meeting in any Electoral District, and shall, to the extent that time permits, consult with the executive of the EDA, directly or through its president, prior to making such a determination;

- (b) In setting the cut-off date, the meeting date, and the location and voting hours for a Meeting, the Ontario Campaign Chair shall consider:
  - (i) the pattern of membership recruitment in the EDA;
  - (ii) the number of Eligible Voting Members of the EDA;
  - (iii) the size of the facility in which the meeting is to be held;
  - (iv) the number of volunteers anticipated to be available to assist in the conduct of the Meeting, and
  - (v) the characteristics of numerically relevant segments of the membership, including, but not limited to, geographic dispersion, religious and cultural observances, and hours of work of major employers in and about the Electoral District;
- (c) The executive of an EDA may request that the Ontario Campaign Chair consider a particular date, location and/or hours of voting for a Meeting, but all decisions of the Ontario Campaign Chair concerning the meeting arrangements are final;
- (d) If the EDA refuses or fails to hold a Meeting or refuses or fails to issue and deliver a notice of a Meeting on a date fixed, or at all, or fails to take any other step under these Rules, the Ontario Campaign Chair or his, her or their

designate may take whatever steps are necessary to give notice of and hold a Meeting.

3.5 The Ontario Campaign Chair may divide a Meeting out over two consecutive dates, in order to permit speeches and demonstrations to take place on the first date, and voting on the second.

3.6 The Ontario Campaign Chair may, where the particular geographic or other circumstances of an Electoral District make the fair and accessible conduct of a single Meeting at a single location difficult or impossible, direct either that a travelling poll be used, or that all or part of the Meeting be divided out over two or more locations in or close to the Electoral District.

3.7 In the event that the Ontario Campaign Chair exercises the discretion to divide a Meeting pursuant to Rule 3.5 or Rule 3.6, he, she or they shall issue a detailed directive for the conduct of such a Meeting, and this directive may modify these Rules to the extent that he, she or they consider to be required in order to ensure the fair, efficient and proper conduct of the Meeting.

3.8 In the event that a Meeting is to be held between the date that a draft representation order under the Electoral Boundaries Readjustment Act is proclaimed and the date upon which it comes into force, the Ontario Campaign Chair shall determine whether the Meeting is to be conducted using the previously-existing boundaries or the new boundaries. Where an EDA has been founded based upon the new boundaries, and a by-election is to be held, the Ontario Campaign Chair may make any necessary or appropriate directions, in order to ensure equitable treatment of persons who were members of the former EDA but who are not members of the new EDA.

#### **4. Electoral District Association Criteria**

4.1 No Call of a Meeting shall be issued under Rule 3.2 until the following criteria respecting the Electoral District Association have been met or waived by the Ontario Campaign Chair, in consultation with the National Campaign Chair:

- (a) the EDA has been registered by the Chief Electoral Officer of Canada in accordance with the Act, or, in the event that the EDA has been or becomes deregistered, appropriate measures have been taken so as to permit the proper conduct of the Meeting in accordance with the Act, in the absence of a registered EDA;
- (b) 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 Ontario Campaign Chair; and

(c) the EDA has met the Minimum Membership Threshold.

4.2 Notwithstanding Rule 4.1, where the Electoral District is represented in the House of Commons by a member of the National Liberal Caucus, and the minimum membership threshold was met on or before June 1, 2009, the National Campaign Co-Chairs may either deem the Meeting for the corresponding EDA to have been held and declare the Liberal Caucus member to be the Candidate, or direct that a Meeting be held in respect of which the Liberal Caucus member is the only Qualified Nomination Contestant. In such cases, Rule 5 shall not apply, provided, however, that the Liberal Caucus member shall have complied, and shall continue to comply with Rule 6 (Nomination Contestant Approval Criteria) in all applicable respects.

## **5. Nomination Contestant Search Criteria**

5.1 No Call of a Meeting shall be issued under Rule 3.2 until one of the following criteria respecting Nomination Contestant Search has been met:

- (a) the EDA can demonstrate to the satisfaction of the Ontario Campaign Chair that the association has conducted an acceptable search for Nomination Contestants, including careful consideration of potential candidates who are female and who are reflective of the demographic makeup of the local electorate, or
- (b) the Ontario Campaign Chair has either ensured that such a search has been conducted on his, her or their own behalf, or has determined that no such search is necessary under all of the circumstances. Such circumstances may include, but are not limited to the fact that the Electoral District is presently represented by a Liberal incumbent who has indicated an intention to seek re-election.

## **6. Nomination Contestant Qualification Criteria**

6.1 In order to be a Qualified Nomination Contestant in an Electoral District, a person must meet the following requirements, except to the extent that Ontario Campaign Chair has waived or varied any of them in respect of any Potential Nomination Contestant:

- (a) be a current member in good standing of the LPC;
- (b) subject to Rule 6.2, have fully and truthfully completed and executed or caused to be executed Forms 1, 2, 3, 4 (in duplicate), 5 and 8 of the National Rules in accordance with those Rules and filed the Forms with the Ontario Campaign Chair no later than the date of the Call of a Meeting;

- (c) have had completed a nomination paper (Form 6 to the National Rules), containing the signatures of at least 25 members in good standing of the EDA and filed it with the Ontario Campaign Chair no later than the date of the Call of a Meeting;
- (d) have provided to the satisfaction of the Ontario Campaign Co-Chairs, current documentation as to the person's:
  - (i) credit record, and
  - (ii) criminal record or lack thereof
- (e) be eligible for election to the House of Commons pursuant to all applicable provisions of the Act;
- (f) have appointed a Financial Agent pursuant to section 478.04 of the 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 as required pursuant to section 478.12 of the Act;
- (h) shall, forthwith upon having accepted contributions of \$10,000.00 or more in total or upon having incurred nomination campaign expenses of \$10,000.00 or more in total, appoint an auditor;
- (i) have discharged, to the satisfaction of the Ontario Campaign Chair, all debts due to the LPC, LPC(O) and their constituent elements then owed by that person or by any campaign organization that supported the election of that person in any previous Election;
- (j) have complied with all requirements in the LPC Constitution, the National Rules and these Rules and in the Act respecting Nomination Contestants; and
- (k) have undergone the Green Light Process set out in Rule 6 of the National Rules, and obtained the approval of the Ontario Campaign Chair to be a Qualified Nomination Contestant in such Electoral District, which approval may be revoked by the National Campaign Chair or the Leader, in his or her sole discretion, at any time (such approval shall not be construed as in any way precluding the Leader from subsequently expressing an intention, pursuant to Rule 8.1 that it will not be his or her intention to endorse such person pursuant to sections 67(4)(c) and 68 of the Act).

6.2 Notwithstanding Rule 6.1(b), where the person seeking to be approved was the nominated Liberal Candidate for the same Electoral District in the immediately prior general election or by-election, he or she may instead request a copy of the corresponding information filed by him or her in respect of that previous candidacy, and upon reviewing it, may instead of Forms 1 and 2, fully and truthfully complete and execute or cause to be executed Form 1A in accordance with the National Rules and file that form with the Ontario Campaign Chair no later than the date of the Call of the Meeting;

6.3 It is a continuing condition of status as a Qualified Nomination Contestant that a Nomination Contestant, either before or subsequent to approval, consent to any and all background check(s) that the Ontario Campaign Chair considers to be appropriate to have undertaken, in the best political interests of the LPC. 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 Ontario Campaign Chair his, her or their designates. The Ontario 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 Ontario 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 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 Ontario Campaign Chair, the National Campaign Chair or the Leader from disclosing information to legal counsel for the purpose of obtaining advice thereon.

6.4 In the event that a Nomination Contestant refuses or fails to consent to a background check as referred to in Rule 6.3, 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, the National Campaign Chair may, without consultation, and in his, her or their sole and absolute discretion, impose any sanction otherwise available pursuant to Rule 16.

## **7. Access to Membership Lists and Membership Application Forms; Protection of Privacy**

7.1 Qualified Nomination Contestants are entitled to the receipt of membership information from LPC(O) in accordance with the provisions of the National Membership Rules. .

7.2 Copies of the membership information may be made, used and distributed only in accordance with the National Membership Rules, and any copies thereof, and any information extracted therefrom, shall be kept confidential and used by each Qualified Nomination Contestant and their designate(s) solely for the purposes of:

- (a) contacting Eligible Voting Members to seek support for the Nomination Contestant during the Nomination Contest; and
- (b) evaluating and contesting membership numbers and accuracy.

7.3 Prior to being provided with a list in accordance with the foregoing, each Qualified Nomination Contestant and any person acting on his or her behalf who requests or receives such a list shall provide to the Ontario Campaign Chair a signed undertaking, substantially in the form attached as Form "A" to these Rules, agreeing, as a condition of receiving the list:

- (a) to use the information contained therein only for the purposes set out above;
- (b) to destroy all copies of the list and of information derived therefrom not later than seven days after the conclusion of the Meeting, unless elected as the Candidate or unless an Appeal is commenced to the Permanent Appeal Committee within that time;
- (c) in the event of an appeal being commenced to the Permanent Appeal Committee, to comply with all directions given by the Permanent Appeal Committee with respect to any such list or information derived therefrom, and;
- (d) to comply with any applicable legislation relating to privacy or personal information, to the extent that such legislation may apply to such information.

7.4 In order to ensure equity in the nomination process, and notwithstanding any Rule of the LPC(O) to the contrary:

- (a) No EDA shall provide financial assistance to the efforts of a Nomination Contestant at becoming the Candidate in a contested nomination campaign;
- (b) No EDA or member of an EDA Executive shall provide membership forms to the campaign of a Nomination Contestant, or to any person involved in such a campaign.

7.5 Each Qualified Nomination Contestant may have access to membership application forms for the relevant Electoral District Association in accordance with the relevant bylaws of the LPC.

## **8. Election or Designation of a Candidate**

8.1 The Candidate for an Electoral District shall be the Qualified Nomination Contestant who is acclaimed or chosen from Qualified Nomination Contestants 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 sections 67(4)(c) and 68 of the Act, such person ceases, forthwith, to be the Candidate.

8.2 Notwithstanding anything in these Rules, after consultation as set out in subrule 8.3, the Leader of the LPC may decide that a Meeting shall not be held in an Electoral District and shall designate a person who will be the Candidate for an Electoral District in any Election upon the Candidate executing and filing with the Ontario Campaign Chair, Forms 1, 2 (or Form 1A, instead of Forms 1 and 2, where Rule 6.2 would otherwise apply), 3, 4, 5 and 8 to the National Rules, with appropriate amendments.

8.3 Before designating a Candidate as described in subrule 8.2, the Leader of the LPC shall consult with the Ontario Campaign Chair, who shall consult with, but need not obtain the consent of, the president and/or executive of the relevant EDA.

<p>8.2 Notwithstanding anything in these Rules, the Leader of the LPC may decide that a Meeting shall not be held in an Electoral District and shall designate a person who will be the Candidate for an Electoral District in any Election upon the Candidate executing and filing with the Ontario Campaign Chair, Forms 1, 2 (or Form 1A, instead of Forms 1 and 2, where Rule 6.2 would otherwise apply), 3, 4, 5 and 8 to the National Rules, with appropriate amendments.</p> <p>8.3 (delete).</p>
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**9. Rules relating to Membership and Recruitment**

9.1 Where any EDA, individual, or Qualified Nomination Contestant (including any agents of that Qualified Nomination Contestant) delivers or sends to LPC(O) more than twenty-five membership forms in a seven day period, such person or association shall forthwith provide to LPC(O) a computer diskette or other acceptable electronic storage medium, in a format approved by LPC(O) as compatible with data requirements, which diskette or medium shall contain the names of the individuals whose forms are being submitted, in alphabetical order by surname, including, in respect of each individual named, the following information:

- (a) surname, followed by first name and initials, if any;
- (b) residence address including postal code;
- (c) home and business telephone numbers, if stated on the application;

- (d) an indication of whether the individual has paid a reduced youth, or senior's fee, and if so, his or her date of birth;
- (e) an indication as to whether or not the individual lives within the boundaries of the Electoral District; and
- (f) an indication as to whether the individual is a new applicant or renewing member.

9.2 LPC(O) may approve the receipt of the data referred to in Rule 9.1 via email or other mode of data transmission, but any such arrangement is at the sole risk of the sender, and the Returning Officer may reject any membership application in respect of which the corresponding data was either not received or not adequately decoded.

9.3 Commencing on the date that the National Campaign chair gives consent to the Ontario Campaign Chair to conduct Meetings pursuant to Rule 3.1, any membership application(s) received by an EDA, regardless of the quantity received, shall forthwith be forwarded to the Secretary of LPC(O) at 10 St. Mary Street in Toronto, and shall be accompanied by any diskette(s) or media that may have been submitted with them, and further accompanied by either the corresponding membership fees, or by written confirmation from a financial institution of a deposit to the Association's account in an amount equal to the corresponding membership fees.

9.4 In order to be an Eligible Voting Member entitled to vote at a Meeting, a person must:

- (a) be a member of the relevant EDA properly eligible, at the time he or she applied for membership, to join the Association in accordance with the constitution of that association, and the constitutions of LPC and LPC(O);
- (b) have signed his or her own membership form;
- (c) have personally paid his or her membership dues, unless those dues were personally paid by a member of the person's immediate family; and
- (d) meet the cut-off criteria as set out in Rule 9.5.

9.5 The membership cut-off deadline is the date upon which a person must have been a member of the Liberal Party of Canada in respect of a particular electoral district, in order to be an Eligible Voting Member.

- (a) Where a person resides in the relevant Electoral District, the date of the membership cut-off deadline is the date set out in the Call of the relevant

Meeting, such date being not earlier than 14 days prior to the Date of the Call of the Meeting and not later than 7 days prior to the Date of the Call of the Meeting.

(a) Where a person resides in the relevant Electoral District, the date of the membership cut-off deadline is the date set out in the Call of the relevant Meeting, such date being not earlier than 14 days prior to the Date of the Call of the Meeting and not later than the Date of the Call of the Meeting.

(b) Where a person is an Out of Riding Member, the date of the membership cut-off deadline is December 3, 2006.

9.6 No person shall vote at more than one Meeting in respect of any Election.

9.7 A person who is an Associate Member of an EDA is not eligible to vote in respect of that EDA.

## **10. Notice of Meeting**

10.1 Notice of a Meeting shall be given to all Eligible Voting Members, and the manner in which it is given may be by way of mail, e-mail, print media or broadcast media or such other means as considered appropriate by the Ontario Campaign Chair, and shall be issued not later than the seventh (7<sup>th</sup>) day after the date of the Call of the Meeting. No meeting shall be declared to be invalid or otherwise challenged on the basis that actual notice was not received by some Eligible Voting Members, provided that the manner of giving notice did not provide a demonstrable and substantial advantage to a particular Qualified Nomination Contestant;

10.1 Notice of a Meeting shall be given to all Eligible Voting Members, and the manner in which it is given may be by way of mail only if time permits, and otherwise by e-mail, print media or broadcast media or such other means as considered appropriate by the Ontario Campaign Chair, and shall be issued as soon as possible upon the Call of a Meeting. The manner of giving of notice shall be the manner calculated to reach the greatest proportion of Eligible Voting Members in the most cost-efficient and timely manner that is practicable under the circumstances. No meeting shall be declared to be invalid or otherwise challenged on the basis that actual notice was not received by some Eligible Voting Members, provided that the manner of giving notice did not provide a demonstrable and substantial advantage to a particular Qualified Nomination Contestant;

10.2 The notice of a Meeting shall specify:

- (a) the purpose of the Meeting;
- (b) the date of the Meeting, being no sooner than seven days and no later than thirty-five days after the date of the Call of a Meeting;

(b) the date of the Meeting, being no sooner than two days and no later than thirty-five days after the date of the Call of a Meeting;

- (c) the place of the Meeting;
- (d) the time that the Meeting is to be called to order for the purpose of taking nominations, and for the delivery of the Candidates' speeches;
- (e) the time at which voting is to commence; and
- (f) the time at which voting is scheduled to close, which shall in no event be earlier than one hour after the time at which the vote is scheduled to commence.

## 11. **Conduct of Meeting**

11.1 Meetings shall ordinarily have the following parts:

- (a) Call to order by a member of the executive of the EDA or other person (subject to the discretion of the Meeting Chair);

- (b) Introduction of the Meeting Chair, and of the Returning Officer (if any);
- (c) Description by the Meeting Chair of the process to be followed at the Meeting, including, without limiting the generality of the foregoing:
  - (i) nomination and seconding of Qualified Nomination Contestants (time limits to be fixed by the Meeting Chair);
  - (ii) speeches of Qualified Nomination Contestants (time limits to be fixed by the Meeting Chair);
  - (iii) campaign restrictions in the voting area (no signs, literature or campaigning to be allowed in the voting area);
  - (iv) voting procedures and time for voting, as more fully described in Rules 14 and 15; and
  - (v) process for challenges and complaints of all kinds.
- (d) Voting;
- (e) Announcement of the successful Candidate, by the Meeting Chair, who shall announce the number of ballots cast, the number of ballots ruled invalid (on the first tally, in the case of a preferential ballot), the number of tallies (in the case of a preferential ballot) and the name of the successful Qualified Nomination Contestant, without disclosure of the number of votes received by any Qualified Nomination Contestant;
- (f) Remarks by the successful Candidate; and
- (g) Adjournment.

11.2 No Nomination Contestant shall use any current or previous logo or mark of the LPC, LPC(O) or the Ontario Liberal Party, or use any confusingly similar logo or mark in a manner that suggests any association with any of them, and if he or she does so, the Ontario Campaign Chair or the Meeting Chair may take such action as he, she or they may consider to be appropriate in the interest of fairness and of the LPC, LPC(O) and the Ontario Liberal 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 17.9, the outcome of a meeting shall not be disturbed by the Permanent Appeal Committee on the basis that such an action was taken.

## **12. Meeting Officials**

12.1 The Ontario Campaign Chair shall appoint a Meeting Chair and a Returning Officer for each contested Meeting, and may appoint a Meeting Chair for any

uncontested meeting. Such persons shall not be Eligible Voting Members of the relevant EDA, and shall be vested with full authority to conduct all aspects of the Meeting

12.2 A person appointed as Meeting Chair or Returning Officer for a particular Meeting shall refrain from partisan activity on behalf of any Nomination Contestant from the time of appointment until 72 hours after the conclusion of the Meeting or any appeal arising therefrom.

12.3 The Meeting Chair may appoint such officials necessary for the conduct of the meeting, who shall refrain from partisan activity on behalf of any Nomination Contestant from the time of appointment until 72 hours after the conclusion of the Meeting or any appeal arising therefrom, and act impartially under the direction of the Meeting Chair.

12.4 The Returning Officer may appoint Deputy Returning Officers and such other officials necessary for the conduct of the voting process, who shall refrain from partisan activity on behalf of any Nomination Contestant until from the time of appointment until 72 hours after the conclusion of the Meeting or any appeal arising therefrom, and act impartially under the direction of the Returning Officer.

12.5 The Meeting Chair may order that the Meeting be delayed, adjourned, postponed or moved to another location or may alter the physical arrangement of the Meeting and voting rooms, as he or she may see fit, so that an orderly and fair Meeting can be conducted

12.6 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.

12.7 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.

12.8 The chief representative of a Qualified Nomination Contestant shall be named in writing by the Qualified Nomination Contestant, and 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 behalf of the Qualified Nomination Contestant, during the voting and counting processes.

### **13. Challenges**

13.1 Any challenges about eligibility to vote at a Meeting (other than a challenge regarding the identity of the person attending to vote) must be made to the Returning Officer appointed by the Ontario Campaign Chair or his, her or their designate at least seven days prior to the time at which the meeting is scheduled to be called to order. The Returning Officer may extend this deadline, if he or she considers it advisable to do so.

13.1 Any challenges about eligibility to vote at a Meeting (other than a challenge of the identity of the person attending to vote) must be made to the Returning Officer appointed by the Ontario Campaign Chair or his, her or their designate prior to the time at which the meeting is scheduled to be called to order, and the Returning Officer may, upon not less than 48 hours' notice to each Qualified Nomination Contestant, set an earlier deadline for his or her receipt of such challenges.

13.2 Where practical, the Returning Officer shall rule upon challenges received and advise the Qualified Nomination Contestants of the rulings in writing before the Meeting is commenced.

13.3 Where the Returning Officer has reasonable doubt as to whether a challenge is to be allowed, the benefit of that doubt shall be extended to the person seeking to be granted a ballot.

### **14. Balloting**

14.1 In all cases where it is feasible to do so, a pre-printed ballot shall be used containing the names of the Qualified Nomination Contestants in alphabetical order.

14.2 At any Meeting in which there are only two Qualified Nomination Contestants, the vote of Eligible Voting Members to choose a Candidate for an Electoral District shall be conducted by a simple ballot on which voters may indicate a choice for only one Qualified Nomination Contestant. The ballots in the election shall 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.

14.3 Where a Meeting is held under these Rules and a Candidate is to be chosen from more than two Qualified Nomination Contestants, the vote of Eligible Voting Members to choose a Candidate for an Electoral District shall be conducted by one ballot only, which shall be a secret preferential ballot, using a form of ballot similar or identical to Form B to these Rules, which shall contain the voting instructions contained on that form.

14.4 Preferential ballots shall be counted in accordance with the following process:

- (a) Each such ballot cast shall, on the initial tally, be counted in favour of the Qualified Nomination Contestant opposite whose name the voter has indicated a first-choice preference or a vote.
- (b) Prior to conducting each such further tally as may be required in order to declare a Qualified Nomination Contestant elected, the Returning Officer shall declare eliminated the Qualified Nomination Contestant who received the least votes on the previous tally.
- (c) The Returning Officer shall reassign each vote received by a Qualified Nomination Contestant who has been declared eliminated to the remaining Qualified Nomination Contestant whose name appears on the ballot as the voter's highest remaining preference.
- (d) The Returning Officer shall conduct the appropriate calculations, and such further tallies in accordance with these Rules as may be necessary until a Candidate is declared elected by virtue of having received a majority of the valid votes counted in that tally.
- (e) Where a vote tally gives rise to a tie vote among two or more Qualified Nomination Contestants, and the tie is relevant either to a declaration that a Qualified Nomination Contestant is eliminated pursuant to subrule (b), or is between the only remaining Candidates, the Returning Officer shall toss a coin or use a system of drawing names from a receptacle to determine who shall remain on a ballot or who, on a final tally, shall be declared elected as the Candidate.

14.5 The Ontario 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.

## **15. Conduct of the Vote**

15.1 In order to be granted a ballot, a person claiming to be an Eligible Voting Member shall be required to produce proof of identity and of residence in the same manner residence in the same manner as required for an election under the Act. This requirement may only be waived, in whole, if the Returning Officer considers it to be advisable, and obtains the written consent of all Qualified Nomination Contestants prior to the commencement of the Meeting. This requirement may be waived on an individual basis, only where the Returning Officer or his or her designate is fully satisfied as to the individual's identity and residence based upon thorough inquiry including:

- (a) a comparison of the individual's signature to his or her signed membership application, or
- (b) where the individual has applied for membership online, he, she, or an immediate family member produces a credit card bearing the account number with which the membership was purchased.

15.2 Voting shall continue until at least the time specified in the notice of Meeting, but where, at any time prior to the close of voting, it appears to the Meeting Chair that voting is not likely to be completed in a fair and orderly fashion by the time specified in the notice of Meeting, the Meeting Chair may, upon consultation with the Returning Officer, fix such later time for the termination of voting as he or she may, in his or her sole discretion, consider to be appropriate in order to permit the fair and orderly completion of voting and, in which event, the chief representative of each Qualified Nomination Contestant or the Qualified Nomination Contestant himself or herself shall be informed of the new time fixed for the close of voting.

15.3 Where appropriate, the Meeting Chair may, in accordance with subrule 15.2, direct additional extensions to the voting time, as he or she may, in his or her sole discretion, consider to be appropriate in order to permit the fair and orderly completion of voting.

15.4 At the time that voting is to be concluded, the Meeting Chair and the Returning Officer shall provide to all Eligible Voting Members in line to vote, or in the voting room, an opportunity to vote, notwithstanding that the time for the termination of voting has passed.

## **16. Sanctions**

16.1 In the event that a Nomination Contestant fails to comply with the Act or the National Rules, or these Rules, the disciplinary measures, if any, to be imposed will be, subject to applicable laws, at the sole and absolute discretion of the Ontario 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 LPC.

16.2 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 contest such new Meeting or a future Meeting in any Electoral District.

## **17. Appeals**

17.1 The Permanent Appeals Committee constituted under the LPC Constitution shall expeditiously deal with all appeals based on these Rules and its own rules.

17.2 An appeal to the Permanent Appeals Committee shall only be commenced by notice in writing received by the Committee through the office of the LPC(O) by delivery of a notice or the fax of a notice, 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.

17.3 After a Meeting has been completed, only a Qualified Nomination Contestant or the Candidate can invoke the appeal process before the Permanent Appeals Committee.

17.4 The Permanent Appeals Committee may require appropriate fees to be paid by an appellant before any appeal is heard.

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

17.6 The Permanent Appeals Committee shall advise in writing the Leader, each of the national campaign co-chairs, the Ontario Campaign Chair, the president of LPC(O), the president of the Electoral District Association, the Qualified Nomination Contestants and any other person deemed appropriate by the Permanent Appeal Committee, of an appeal under this Rule 17.

17.7 The Permanent Appeals Committee may delegate all aspects of an appeal, including the hearing, to members of the Permanent Appeals Committee or other adjudicators appointed from time to time by the Permanent Appeals Committee. .

17.8 Decisions of the Permanent Appeals Committee (or any appointed panel) shall be made in writing and shall be final and binding upon any member of the Liberal Party of Canada to whom they may relate, and are not subject to appeal or review upon any ground whatsoever.

17.9 Subject to Rule (11.2) the Permanent Appeals 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.

17.10 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 purchase a new membership at the meeting as originally scheduled and be deemed therefore to have continuously held membership through a time when he or she did not hold a current membership, he or she shall, despite the passage of time, be entitled with same effect, to do so 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.

17.11 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 7, and of personal information given to them or their representatives in the course of an appeal, in order to give effect to the principles set forth in Rule 7.3.

## **18. Interpretation and Application**

18.1 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 LPC.

18.2 These Rules are passed pursuant to the LPC Constitution and replace all other rules affecting the selection of candidates for the LPC for Ontario.

18.3 The Ontario Campaign Chair or his, her or their designate including, without limiting the generality of the foregoing, the Chair and Returning Officer appointed for a Meeting, shall decide all matters of procedure in accordance with these

Rules and, in the event that these Rules are silent with respect to any matter of procedure that is the subject of a dispute, 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 LPC.

18.4 Any decisions of the Ontario Campaign Chair or his, her or their designate concerning procedure are final and not subject to appeal.

**19. Electoral Urgency**

19.1 Where the National Campaign Chair has given notice of an electoral urgency in accordance with the National Rules, and in addition to any alteration the National Campaign Chair may thereby effect to the National Rules, the Ontario Campaign Chair or his, her or their designate may abridge the time limits or alter the procedures fixed by these Rules as he, she or they, in his, her or their sole discretion may see fit, for any Electoral District, providing that any changes in these Rules shall be communicated in writing to the president of any affected EDA and to any anticipated Nomination Contestant who may be affected, as soon as is practicable, but any delay in such communication shall not affect the effective date of such changes.

**20. Financial Provisions**

20.1 All Qualified Nomination Contestants shall comply with the spending limits defined by the Act. Those limits may be obtained from the Internet, at [http://www.elections.ca/pol/nom/lim\\_nom/limit\\_20\\_e.pdf](http://www.elections.ca/pol/nom/lim_nom/limit_20_e.pdf).

20.2 All Qualified Nomination Contestants shall comply with the financial reporting requirements of the Act.

20.3 Any failure to comply with these obligations may constitute grounds for the application of the most grave sanctions envisaged in Rule 16.

**FORM A – Undertaking Regarding List Confidentiality**

I, \_\_\_\_\_, a Qualified Nomination Contestant for the Liberal Party of Canada nomination in the Electoral District of

\_\_\_\_\_, request that I be provided with a current membership list of the Liberal Party of Canada Electoral District Association for this Electoral District, and updates thereto, as they become available.

I understand that such lists are to be used by me and by those to whom I provide them, solely for the purposes of:

1. contacting Eligible Voting Members of the Electoral District Association to seek support for myself during the Nomination Contest; and
2. evaluating membership numbers and accuracy.

In consideration for such list or lists being provided to me by the Liberal Party of Canada (Ontario) or by representatives of the Liberal Party of Canada campaign, I undertake as follows:

1. I will ensure that the information contained therein shall be used only for the purposes set out above;
2. I will destroy or have destroyed, all copies of the list and of information derived therefrom not later than seven days after the conclusion of the Meeting, unless I am elected as the Candidate or unless an Appeal is commenced to the Permanent Appeal Committee;
3. In the event of an Appeal being commenced to the Permanent Appeal Committee, I will comply with all directions given by the Permanent Appeal Committee with respect to any such list or information derived therefrom; and
4. I will comply with any applicable legislation relating to privacy or personal information, to the extent that such legislation may apply to such information

DATED at the Municipality of \_\_\_\_\_, in the Province of Ontario, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Qualified Nomination Contestant

\_\_\_\_\_  
Witness

**FORM B – Form of Preferential Ballot**

Instructions: Indicate your first choice candidate with the number "1"; your second choice candidate with a number "2", and so on, placing a different number beside the name of each candidate. You should not mark your ballot with an "X".

Instructions: Veuillez marquer votre premier choix des candidats avec le numéro "1", votre deuxième choix avec le numéro "2", etc., pour que chacun des candidats ait un numéro différent (correspondant à votre choix) à côté de leur nom. Prière de ne pas marquer votre scrutin avec un "X".

<b>CANDIDAT, JEANNE R.</b>	
<b>CANDIDATE, PIERRE E.</b>	
<b>CONTESTANT, ANDRE L.</b>	
<b>NOMINEE, JANE Q.</b>	