



Conservative Party of Canada Candidate Nomination Rules and Procedures

As adopted and revised by National Council, March 2009

1. GENERAL

- a. The following rules and procedures (Rules) for candidate nominations have been adopted by the National Council of the Conservative Party of Canada (the Party) for use by the Electoral District Associations of the Party, pursuant to Article 8.7.2 of the Constitution.
- b. National Council hereby recognizes the existing National Candidate Selection Committee (NCSC), to act pursuant to Article 14.1 of the Constitution and to provide general supervision over the nomination process.

2. ELECTORAL DISTRICT CANDIDATE NOMINATION COMMITTEE (CNC)

- a. Pursuant to section 11 of the Electoral District Association (EDA) constitution, the Board of Directors (Board) of each EDA of the Party which has not yet completed its nominations for the forthcoming 41st General Election shall appoint a CNC. It shall be comprised of:
 - i. three Board members, one of whom shall be the Financial Agent of the EDA; and
 - ii. no more than two members at large of the EDA; and
 - iii. the National Campaign Director and/or his designate.
- b. In the event that both the National Campaign Director and his designate participate in CNC matters, only one of said persons may vote at the given time where both are participating.
- c. The National Campaign Director's designate unless otherwise stipulated will be the Director of Political Operations, or Political Operations staff member listed below:

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- d. The Board of the EDA shall appoint two (2) alternate CNC members from the board, who will not participate in any CNC functions unless a Board member on the CNC becomes unable or unwilling to act. One alternate CNC member shall be deemed the first alternate; and the other, the second alternate. In the event that one of the board members on the CNC becomes unable or unwilling to act, the first alternate shall immediately take his or her place on the CNC. In the event that a second board member on the CNC becomes unable or unwilling to act, the second alternate shall immediately take his or her place on the CNC.
- e. In the event that more than two board members on the CNC become unable or unwilling to act, the CNC Chair shall request the President of the Board to call an emergency meeting of the Board, to be held no later than 24 hours after the board member on the CNC has tabled his or her resignation. The Board shall immediately appoint another board member to the CNC. In the event that more than two board members on the CNC have become unable or unwilling to act within five (5) days of the First Nomination Meeting, the CNC shall continue with no additional Board members.
- f. In the event that members at large are named to the CNC and become unable or unwilling to act, the Board may appoint a replacement only upon the request of the CNC.
- g. A majority of members of the CNC shall constitute a quorum for the conduct of CNC business.
- h. The CNC shall select one of its members as Chair. The CNC Chair must then provide his or her contact coordinates to the Director of Political Operations or his designate.
- i. The CNC shall administer a candidate nomination and selection process in accordance with these Rules, the EDA Constitution, and the *Canada Elections Act*. If any of the timelines in the Rules conflict with notices and timelines in the EDA constitution, these Rules prevail. This provision constitutes a waiver by National Council pursuant to Article 12.4 of the EDA Constitution.
- j. Each CNC member and alternate CNC member must sign a pledge when they are selected by the Board, not to become a Nomination Contestant for the electoral district in which they are a CNC member, and to remain neutral in the candidate nomination process for that electoral district. Any member of the CNC who does not remain neutral must remove themselves from the CNC.

3. APPLICATION

- a. In these Rules, “Nomination Contestant” means a person who has made a valid application under the requirements of this section (Applicant), who is interviewed by the CNC pursuant to section 4b, for whom no report is made to the NCSC that there may be

cause to reject the Applicant, and who is not rejected by the NCSC. Anyone making an application to be a Nomination Contestant must meet the following eligibility requirements at the time of application, failing which the application may not be accepted for processing by the NCSC or the CNC:

- i. the Applicant must be eligible to be a candidate under the *Canada Elections Act*;
 - ii. unless waived by the National Campaign Director in consultation with the President of National Council, the Applicant must not have been an unsuccessful candidate in both of the two prior federal general elections;
 - iii. unless waived by the National Campaign Director in consultation with the President of National Council, the Applicant must have been a member of the Party for at least six (6) months prior to filing his or her application.
- b. Any eligible person wishing to be an Applicant shall provide the CNC with an application consisting of the following documents, substantially in the form set out in the Schedules to these Rules where so indicated:
- i. A completed and signed Nomination Contestant Questionnaire (NCQ) (Schedule A);
 - ii. A signed Confidentiality Agreement, in which the Applicant agrees not to publicly disclose any information concerning the conduct of the application process (Schedule B);
 - iii. A copy of the signed consent to act as the Applicant's financial agent pursuant to section 478.06 of the *Canada Elections Act* (Schedule C);
 - iv. An original copy of a current Certificate of Conduct (obtained through the RCMP or local police detachment);
 - v. Signed authorization for the Party to conduct a credit and criminal records check (Schedule D);
 - vi. A consent letter to Elections Canada, stating that if nominated, the Party has permission to receive information on the status of their electoral campaign return (Schedule E);
 - vii. A Nomination Form containing:
 - (1) the Applicant's name, address, telephone number(s) and email address;
 - (2) the Applicant's written consent to be a Nomination Contestant;
 - (3) a nomination petition signed by at least twenty-five (25) current EDA Members who reside in the electoral district in which the Applicant wishes to run and who were members at least twenty-one (21) days prior to signing the Nomination Petition; (Schedule F)
 - viii. A signed declaration stating the agreement of the Applicant that:
 - (1) the National Candidate Selection Committee has authority to disallow his or her candidacy on any grounds it sees fit, which rejection may be appealed to National Council pursuant to these Rules. National Council's decision shall be final and binding and not further appealed or challenged;

- (2) he or she accepts, and agrees to advance, the policies, principles, goals and objectives of the Party;
 - (3) membership information provided by the EDA or Party will be used only for the purpose of campaigning for the nomination, and not for any other purpose;
 - (4) use of the Party logo is not permitted in campaigning for a nomination;
 - (5) if they are successful in winning the nomination, they will participate in training session(s) conducted by the Party on how to run an effective federal election campaign and will agree to enter into any reasonable financial arrangements with the Conservative Party of Canada concerning the payment for the provision of campaign services by the Party to the candidate. (Schedule G)
- ix. Completed forms authorizing the Canada Revenue Agency, the Canada Border Services Agency, Citizenship and Immigration Canada, and the Department of National Defence to release any available information through the *Privacy Act* to the Party concerning any offences, infractions, or pending matters involving the Applicant under an Act, regulation, or Code enforced by those departments; (Schedules H-K);
- x. A \$1000 certified cheque payable to Conservative Fund Canada from the nomination campaign bank account. This amount serves as a Good Conduct Bond. Provided the Applicant has adhered to these Rules, the Bond will be returned to the financial agent of the Applicant or Nomination Contestant or candidate, as the case may be (and as such will not constitute a contribution or transfer from the Applicant), as follows
- (1) for any Applicant who is not accepted as a Nomination Contestant, upon completion of the nomination process;
 - (2) for a Nomination Contestant other than the person who becomes the candidate, upon the completion of the next federal general election;
 - (3) for any person who obtains the nomination and thus becomes the candidate for that Electoral District for the next federal general election, upon obtaining such nomination.
 - (4) The proceeds of forfeited bonds will be transferred to the EDA.
- xi. Schedule L

4. APPLICATION PROCESS

- a. Nominations shall close at 5:00 p.m. local time, twenty-one (21) days after the notice provided for in section 9a is given. It is the responsibility of the Applicant to ensure that a complete Application (including the cheque for the required Bond) is received prior to the close of nominations at Party Headquarters (addressed to the attention of the National Candidate Selection Committee), failing which the Application will not be considered. A copy of the written application must also be submitted to the Chair of the local CNC before the close of nominations.

- b. An Applicant shall be interviewed by the CNC within seven (7) days of the completed Application having been received by Party Headquarters and copied to the CNC. Applicants will only be interviewed after nominations have been opened in the EDA. The NCSC may require that a representative of the NCSC participate in the interview, either in person or by telephone, in which case the CNC will assist the NCSC in making any necessary arrangements to enable such participation.
- c. If a majority of the CNC believes that there may be cause to reject an Applicant, the National Campaign Director or his designate shall immediately inform the NCSC or its designated representative. The NCSC shall endeavour to render a decision to allow or disallow an Applicant within four (4) days of receiving word from the CNC that there may be cause to reject said Applicant.
- d. The NCSC may require that the CNC provide further information or documentation. The NCSC may contact the Applicant directly to obtain any additional information or documentation it may reasonably require.
- e. Pursuant to Article 14.1 of the Constitution of the Party, the NCSC may disallow the candidacy of any person before or after nomination by the EDA. The CNC may not disallow a candidacy. NCSC may disallow a candidacy on such grounds as it sees fit. NCSC may disallow a candidacy whether or not the CNC has expressed a belief that there may be cause to do so.
- f. In an Electoral District whose Member of Parliament is a member in good standing of the Parliamentary caucus of the Party and who wishes to re-offer in the next election, the members in that Electoral District will vote by secret ballot to determine if the nomination process should be engaged. The Conservative Party will administer the balloting process. If two thirds or more of the eligible members choose to engage the nomination process, National Council will begin a nomination process within 90 days; otherwise the Member of Parliament will be acclaimed as the Party's candidate for the next election, provided that the Member of Parliament remains a member in good standing of the Parliamentary caucus of the Party.
- g. If a Member of Parliament is engaged in the nomination process, the provisions of Sections 3 and 4 herein, except section 4e, do not apply.
- h. If a Member of Parliament chooses not to re-offer in the next election, then the prevailing nomination process will apply.
- i. The CNC must provide a copy of the list of current members to all Applicants once their Applicant interview has been completed unless the CNC believes that there may be cause to reject the Applicant.
- j. As soon as possible after the deadline for submission of memberships has passed, the CNC shall provide to each Nomination Contestant the final list of members eligible to vote at the Nomination Meeting(s).

5. CRITERIA FOR COMMENCEMENT OF CANDIDATE NOMINATION PROCESS

- a. The National Campaign Director may open nominations at any time he sees fit in any electoral district that is, or becomes, vacant.
- b. Except where waived by the National Campaign Director, EDAs must meet the following criteria prior to applying to the National Campaign Director for authorization to have their EDA's nomination opened:
 - i. Have at least two-thirds (2/3) of the membership numbers of the highest membership year since 2006;
 - ii. Have in the bank, at least 50% of the total spent by the candidate of record during the last general election;
 - iii. Have arranged to use CIMS, and have demonstrated a technical capability within the present structure;
 - iv. Have a written pre-writ campaign plan, which include budget and fundraising plans;
 - v. Have a draft campaign plan, which includes a potential campaign team profile, demographic and poll analysis from the last election, budget, and the like; and
 - vi. Conducted a thorough search for potential Nomination Contestants.
- c. All applications from EDAs who have not been opened to hold nominations should be sent to the National Campaign Director through the applicable staff member specified in section 2c. The application should include the appropriate documentation referred to in section 5b.

6. NOMINATION PERIOD

- a. At least forty-two (42) days prior to the Nomination Meeting, the CNC or Party Headquarters shall upon the instructions of the National Campaign Director cause notice to be given in accordance with section 9a.

7. CANDIDATE NOMINATION MEETING

- a. If following the close of the nominations there are no Nomination Contestants, any further action concerning the nomination process in the EDA will be subject to the direction of the National Campaign Director in consultation with the President of National Council.
- b. If following the close of nominations there is only one Nomination Contestant, the CNC shall acclaim that person the Party Candidate. If following the close of nominations, the CNC determines that a Nomination Contestant has not been acclaimed, the remaining provisions of this section shall be followed.

- c. The EDA Board must meet no more than 48 hours after the CNC has determined that no Nomination Contestant has been acclaimed. At this meeting the Board shall select the date, time and location of the nomination meeting(s). The nomination meeting(s) must occur no sooner than forty-two (42) days and no later than forty-seven (47) days from the notice given in section 9a. This rule applies unless otherwise stipulated by the National Campaign Director in consultation with the President of National Council.
- d. Only those who have been Party members for at least twenty-one (21) days prior to the nomination meeting or, where there is more than one nomination meeting, prior to the First Nomination Meeting (as referred to in sections 7j and 7k) are eligible to vote. In addition, where the notice provided for in sections 9a is given more than forty-two (42) days prior to the First Nomination Meeting, only those who are or become Party members within twenty-one (21) days of that notice are eligible to vote. Provided however that where a Nomination Meeting is held or notice is given in the month of January, anyone who was a member in good standing in the previous calendar year and who renews his or her membership before registration closes at the nomination meeting may vote.
- e. Each Nomination Contestant must be given the opportunity to address the membership at least once prior to the vote. Each Nomination Contestant shall be given equal time to speak, and the time may be used by the Nomination Contestant and/or introducer(s) as the Nomination Contestant may choose.
- f. The CNC shall appoint an impartial Returning Officer (RO) who shall be approved by Party Headquarters. The name and contact information of the proposed RO shall be provided to Party Headquarters via the CNC Chairperson. The RO shall supervise the voting and vote count, declare the nomination of the Party candidate and if so directed by the meeting, destroy the ballots.
- g. No business other than the selection of a Candidate shall be conducted at the Nomination Meeting until after the vote for the candidate has been held.
- h. On the ballot, the Nomination Contestants shall be listed in alphabetical order by surname.
- i. The Board, after consultation with the CNC, shall pass a resolution setting out whether the Candidate will be selected by either:
 - i. a sequential ballot, where, if after the first vote no Nomination Contestant receives more than fifty (50) percent of the valid votes cast, then the Nomination Contestant(s) receiving the least number of votes and failing to achieve any designated minimum percentage of vote set by the Board shall be dropped and another vote taken. This process shall be repeated until one (1) Nomination Contestant receives more than fifty (50) percent of valid votes cast. A Nomination Contestant receiving more than (50) percent of valid votes cast shall be the Candidate; or

- ii. a single preferential transferable ballot wherein the voters numerically rank the Nomination Contestants in sequence of their choice.
- j. In EDAs where factors such as geography, weather and transportation hinder members from attending at a single location, the National Campaign Director in consultation with the President of National Council may direct or, upon request from the Board may authorize, that the selection of the Candidate take place at nomination meetings held at two or more times and locations, the first of which is the “First Nomination Meeting”. The method of balloting to be used in these circumstances will be determined by the National Campaign Director in consultation with the President of National Council.
- k. In the event the National Campaign Director, after consultation with the President of National Council, has determined to allow multiple nomination meetings to occur at multiple times and/or locations, then all the deadlines, timelines and notice periods shall be based on the date of the first such nomination event (the “First Nomination Meeting”).
- l. Under extenuating circumstances other methods of balloting may be approved by the National Campaign Director in consultation with the President of National Council.
- m. Ballots shall be marked in secret.
- n. Proxy voting is not permitted.

8. ABRIDGEMENT OF THE RULES

- a. National Council authorizes that National Campaign Director, in consultation with the President of National Council, may alter, abridge or suspend sections 4, 5, 6 and 9 of the Rules as he sees fit. Any such decision of the National Campaign Director in consultation with the President of National Council shall be final and binding and is not subject to appeal or review on any grounds whatsoever.
- b. National Council may alter, abridge or suspend any of the Rules as it sees fit.

9. NOTICES OF A NOMINATION MEETING

- a. The first notice shall be the notice opening nominations in the EDA and shall include notice that nominations close in twenty-one (21) days.
- b. A second notice shall be given no more than 72 hours after the CNC has determined that no Nomination Contestant has been acclaimed. The second notice shall include the date, time and location of the nomination meeting(s).
- c. For the notices in sections 9a and 9b, any one or combination of the following methods may be used:
 - i. mailing or delivering a copy of such notice to the member’s address of record;
 - ii. transmitting the information of such notice by using appropriate telephonic and/or computer technology to the member’s appropriate information of record; or
 - iii. by placing an advertisement in a local newspaper.

- d. Where the methods set out in sections 9c(i) or 9c(ii) are used, a reasonable effort shall be made to provide such notice to all EDA Members who were members as of the date of each notice, based on membership information on hand at Party Headquarters.

10. APPEAL PROCESS AND DISPUTE RESOLUTION

- a. National Council hereby appoints, pursuant to Article 19.2 of the Constitution, the members of the Secretariat Committee to attempt to intervene to resolve any dispute referred to National Council pursuant to Article 19.1 as to whether the requirements of the Constitution, a by-law or any rules are being met by the EDA or any committee thereof in relation to the nomination process. However, for any dispute connected to the involvement of the CNC or NCSC in the disallowance of a nomination contestant, the sole remedy shall be the appeal process provided in sections 10c and d.
- b. Where the Secretariat Committee decides not to intervene or is unsuccessful in resolving a dispute described in section 10a and the dispute remains outstanding, the Secretary shall forthwith report same to the Chair of the Arbitration Committee at which time the matter shall be deemed to stand referred to the Arbitration Committee pursuant to Article 19.3 for adjudication by a panel.
- c. Where the National Candidate Selection Committee disallows the candidacy of any person before or after nomination by the EDA, that person may appeal to National Council by filing an appeal in writing with the Executive Director within 24 hours of the disallowance having been communicated to the person. The Executive Director shall bring any appeal to the attention of the President and Secretary of National Council forthwith.
- d. National Council shall determine expeditious procedures to be followed in an appeal, recognizing that disallowance is an act of discretion of the NCSC. The decision of National Council on an appeal shall be final and binding and is not subject to appeal or review on any ground whatsoever.

11. BULK MEMBERSHIP PROCESSING PROCEDURES

- a. Attached as Schedule L to these Rules are certain procedures governing the processing of membership applications received in bulk on behalf of either EDAs or Applicants/Nomination Contestants. By submitting an Application, each Applicant is deemed to be bound by these procedures; specifically the Applicant agrees that memberships processed by their campaign using the bulk membership procedures will be paid for with funds from the individuals seeking membership with their consent and not by the Applicant/Nomination Contestant or their campaign.