1. Introduction

1.1. Introduction

1.1.1 The leadership election organizing committee (LEOC) was appointed on December 5, 2015 and pursuant to paragraph 10.9.2 of the Constitution is responsible for conducting the Leadership Election Process for the Conservative Party of Canada (Party).

1.1.2 Voting will be by single secret ballot on which the member will indicate his or her preferred Candidates by ranking the choices.

1.1.3 These leadership election rules (Rules) are issued pursuant to paragraph 10.9.2 of the Constitution, which mandates LEOC to “determine the rules and procedures for the conduct of the leadership selection process.” LEOC may amend these Rules or issue further rules or procedures from time to time, as it deems necessary to conduct an open, fair, and equitable Election Process while respecting the Constitution as passed by the Membership at the start of the leadership process.

1.2 Appointment Of Officials

1.2.1 LEOC may appoint officials as it determines necessary to conduct the Election Process and may delegate in writing to him or her or them (collectively and individually “Delegated Decision-maker”) the authority to apply or interpret these Rules and any other rules, regulations, guidelines and or procedures related to this Election Process.

1.2.2 Delegated Decision-makers of LEOC act with the full authority of LEOC and decisions rendered by Delegated Decision-makers shall have the same force and effect as having been issued by LEOC.

1.3 Chief Returning Officer

1.3.1 LEOC shall appoint a Chief Returning Officer (CRO).

1.3.2 The CRO shall:

   a) Be responsible for all matters pertaining to the conduct of the vote;
b) Appoint neutral Electoral District Returning Officers and other election officers as required;
c) Be responsible for the training of Electoral District Returning Officers and any other election officers as required;
d) Approve the selection of all Polling stations;
e) Certify the list of names of eligible voters for each Electoral District and provide each Electoral District Returning Officer with the list for his or her Electoral District;
f) Provide each Electoral District Returning Officer with the approved ballots for his or her Electoral District;
g) Certify the order of names on the ballot based on a neutral determination made by the Chair of LEOC;
h) Prescribe the form of the ballot;
i) Carry out such other duties as may be determined by LEOC from time to time.

1.4 **Electoral District Election Officials**

1.4.1 The CRO shall appoint a returning officer (RO), and an Assistant Returning Officer (ARO) for each Electoral District where a polling station will be located.

1.4.2 Where more than one polling station is established for any Electoral District as specified in these Rules, the CRO may appoint a Deputy Returning Officer (DRO) who shall be responsible for the conduct of balloting at that Polling station and answer to the RO for that Electoral District.

1.4.3 The RO, ARO, and DRO need not reside in the Electoral District and the CRO may appoint the same person as RO, ARO or DRO for more than one Electoral District.

1.4.4 The CRO may revoke or replace any appointment under this section.

1.5 **Electoral District Returning Officers**

1.5.1 The RO shall preside over the Election Day process including registration, voting, vote counting, communication with the CRO, security and the establishment of Voting and Counting areas at the Polling Station for his or her Electoral District.

1.5.2 The CRO shall hold training sessions for ROs. The RO shall train the ARO, the DRO if applicable and anyone else assisting the RO on Election Day.
1.5.3 The ARO shall act under the direct supervision of the RO and shall assist the RO in the performance of his or her duties. In the event that the RO is unable to carry out his or her duties, the CRO may appoint the ARO as RO.

1.6 **Dispute Resolution Appeals Committee**

1.6.1 LEOC shall appoint a Dispute Resolution Appeals Committee (DRAC)

1.7 **Leadership Candidate Nomination Committee**

1.7.1 LEOC shall appoint a Leadership Candidate Nomination Committee (LCNC).

1.8 **Independent Auditor**

1.8.1 LEOC shall appoint an independent auditor to certify the election results.

1.9 **Neutrality of Election Officials**

1.9.1 Members of LEOC, the CRO, each RO, ARO and DRO and other Delegated Decision-makers shall sign a neutrality commitment in the form prescribed by LEOC and shall abide by it. The chair of LEOC shall remove and replace anyone who contravenes the neutrality commitment.

2 **Membership**

2.1 **Eligibility to vote**

2.1.1 To vote in the Election Process a person must be a member in good standing of the Party as of 5:00 pm Eastern Daylight Time (ET) on March 28, 2017 (Cut-off Time).

2.1.2 Any member whose membership has expired within the previous sixty (60) days of Election Day may participate in the leadership vote provided that the member pays the appropriate membership renewal fee “at the door” in the amount and in the manner specified by by-law.

2.1.3 Any membership received after the Cut-off Time will be processed and the member’s name will be added to the membership list of the Party, but any such member will not be entered on the National Voters List and will not be eligible to vote in the Election Process unless their membership had lapsed within the 60 days prior to Election Day.
2.1.4 The CRO shall establish a list of all members of the Party in good standing as of 5:00 pm, ET, March 28, 2017.

2.2 Residency

2.2.1 Each member shall vote at a Polling Station for the Electoral District in which the member’s place of ordinary residence is located, unless otherwise provided for in these Rules.

2.2.2 “Place of ordinary residence” shall be determined according to Section 8 of the Canada Elections Act.

2.2.3 The National Voters List shall state the Electoral District in which each member is entitled to vote.

2.3 Membership Submissions By Candidates

2.3.1 Bulk memberships submitted by Candidates must be filed electronically using the template provided by the Party. The Party will not accept memberships submitted by Candidates in any other form.

2.3.2 An incentive of $5 per membership will be paid to Candidates for memberships submitted before October 28, 2016. To cover the additional costs of processing, a fee of $5 per membership will be charged to Candidates for memberships submitted after Feb 28, 2017.

2.3.3 Candidates may elect to submit memberships that will become current members as of the date processed or may submit segregated memberships that will become active after April 28, 2017.

2.3.4 If a Candidate elects to submit segregated memberships, non-disclosed members will not appear on the Electoral District membership list until after April 28, 2017 for meetings of the Electoral District Association, and those segregated, nondisclosed members will not be eligible to vote at any such meetings of the Electoral District Association or enjoy any other rights of membership prior to April 28, 2017.

2.3.5 Candidate membership submissions may only be paid by certified cheque from the campaign bank account, bank draft or wire transfer from the campaign bank account.
2.3.6 Membership payments must be accompanied by a prescribed membership form signed by each applicant, and a copy of the applicant’s cheque, money order or first and last 4 digits of the applicant’s credit card number used to purchase such membership.

2.4 National Voters List

2.4.1 The CRO shall have the absolute discretion to take whatever steps necessary to ensure the accuracy of the National Voters List. Verification programs may be random or as otherwise determined by the CRO. Verification by the CRO of membership, eligibility to vote and accuracy of information may take place at any time and there is no obligation to notify any Candidate of verification efforts.

2.4.2 The CRO shall send, to each RO, a Final National Voters List for the applicable Electoral District on May 20, 2017.

2.5 Changes Related to Residence

2.5.1 This section applies only to determination of the Electoral District in which the member is eligible to vote.

2.5.2 Any request for a change of a member’s Electoral District must be made in writing and received by the CRO no later than 5:00 pm ET on May 17, 2017.

2.5.3 The CRO shall have the absolute discretion to leave the member’s Electoral District as entered on the National Voters List unchanged or substitute an alternative Electoral District.

2.6 Challenges Related to Membership (Eligibility or otherwise)

2.6.1 This section applies to the determination of membership in the Party and the eligibility of a member to vote.

2.6.2 A Candidate may challenge the eligibility of any individual entered on the membership list on the grounds that any such individual is not a member in good standing.

2.6.3 Any challenge pursuant to this section must be made in writing and received by the CRO no later than May 7, 2017.
2.6.4 Any challenge pursuant to this section must specify the membership number, name of the member, the date on which the member first appeared on the membership list and the basis of the challenge.

2.6.5 The onus of proof where a challenge has been submitted is on the person who submitted the challenge.

2.6.6 The CRO shall investigate the challenge, request further information as deemed necessary and make a determination.

2.6.7 Candidates may appeal the decision of the CRO to the Dispute Resolution Appeals Committee (DRAC)

2.6.8 DRAC may request further information from the Candidate that has made the challenge or from other Candidates. However, DRAC is not obliged to receive representations with respect to any challenge from any Candidate.

2.6.9 Decisions of the DRAC are final.

2.6.10 In the event that the CRO determines that a challenge pursuant to these sections has been made frivolously then the LEOC shall be entitled to levy a fine against the compliance deposit of the challenging Candidate.

2.6.11 DRAC may, in its sole discretion, refuse to hear further eligibility challenges from a Candidate who has been determined to have made frivolous challenges.

2.7 Candidates access to the Membership List and National Voters List

2.7.1 Forthwith after the certification of a Candidate Applicant, the CRO shall provide the following information to that Candidate:
   a) The active membership list of the Party at the time of the Candidate’s acceptance into the race,
   b) The historic membership records of the Conservative Party of Canada back to January 1, 2008.

2.7.2 Each time a new Candidate is accepted, all approved Candidates will receive the most up to date active membership list.

2.7.3 After the Cut-Off the CRO shall provide a Preliminary National Voters List to Candidates which will not include segregated memberships.
2.7.4 The CRO shall provide a Final National Voters List to Candidates by 5:00 PM ET on April 28, 2017.

2.7.5 In the event that a Candidate,
- 2.7.5.1 is not in compliance with the filing requirements of the rules;
- 2.7.5.2 has a compliance deposit below the level set by LEOC or;
- 2.7.5.3 has not complied with a non-compliance direction from LEOC, that Candidate shall not be entitled to receive updates to the membership list or to receive the Preliminary or Final National Voters List until they return to full compliance.

3 CANDIDATES

3.1 Requirements of Candidacy

3.1.1 No person shall be eligible to be a Candidate unless the Candidate:
   a) Unless waived by the CRO, have been a member of the Party for at least six (6) months prior to filing his or her application;
   b) Supports the founding principles of the Party as set out in the Leadership Contestant Questionnaire.

3.1.2 Each Candidate Applicant must submit to the Chair of LEOC at Suite 1204, 130 Albert Street Ottawa ON, in complete and good order by 5:00 PM ET on February 24, 2017, the following information (collectively the “Filing Documents”):
   a) Fully and frankly completed Leadership Contestant Questionnaire (LCQ) in a form prescribed by the CRO;
   b) Legible nomination papers with the names, signatures, residential addresses, telephone numbers and Electoral Districts of not less than 300 members of the Party who reside in not less than 30 Electoral Districts and who represent not less than seven different provinces/territories; and
   c) The registration fee as set out in Section 3.2.

3.1.3 If any of this information changes the Candidate shall forthwith notify LEOC in writing.

3.1.4 The Leadership Contestant Questionnaire may be obtained on request from:

   Chief Returning Officer
   Conservative Party of Canada
   Suite 1204
   130 Albert Street
   Ottawa, Ontario K1P 5G4
   CRO@conservative.ca
3.1.5 An Applicant may be interviewed by the LCNC within seven (7) days of the completed Application having been received by the Chair of LEOC.

3.1.6 If a majority of the LCNC believes that there may be cause to reject an Applicant, the CRO shall immediately inform the LEOC. The LEOC shall render a decision to allow or disallow an Applicant within four (4) days of receiving notice from the LCNC that there may be cause to reject said Applicant.

3.1.7 Within 14 days following the receipt of a Candidate Applicant’s submission of the Filing Documents and provided all prerequisites for certification have been met, the Chair of LEOC shall send, in writing, a Notice of Certification to the Candidate Applicant confirming that the Candidate Applicant has met all prerequisites for seeking the leadership of the Party.

3.1.8 If the Candidate Applicant is not certified by LEOC, the Filing Documents, all submitted fees, shall be returned to the Candidate Applicant and the Candidate Applicant will be required to re-submit the Filing Documents to be eligible to be considered as a Candidate.

3.2 Registration Fee

3.2.1 To help defray the costs of administering the Election Process a registration fee of Fifty Thousand ($50,000) Dollars will be levied.

3.2.2 The first instalment of Twenty Five Thousand ($25,000) will be in the form of a certified cheque payable to the Conservative Fund Canada from the account of the Leadership Campaign and shall accompany the Filing Documents at the time of filing. The filing documents will not be considered until the first installment of the registration fee is received.

3.2.3 The registration fee is non-refundable.

3.2.4 Once the Candidate has been approved by the CRO they will be able to accept donations as outlined in Section 4.4.

3.2.5 Once the second instalment of Twenty Five Thousand ($25,000) has been received, the Candidate shall receive the membership list as described in Section 2.7.1.

3.3 Compliance Deposit

3.3.1 To ensure compliance with these Rules and good conduct of the Candidates in the Election Process, a compliance deposit of Fifty Thousand ($50,000) Dollars will be levied which must be maintained at said level for the duration of the campaign.
3.3.2 The compliance deposit in the form of a certified cheque payable to the Conservative Fund Canada shall be paid by December 31, 2016 or on entry into the Election process after that date.

3.3.3 The compliance deposit shall be held as security for the Candidate’s completion and submission of all the required financial filings and compliance with these Rules. Following completion of the Election Process and once LEOC has determined that all required financial filings have been made and no amounts remain chargeable against the compliance deposit pursuant to these Rules, the remainder of the compliance deposit which has not been drawn upon will be returned to the Candidate.

3.3.4 A Candidate shall have Seventy Two (72) hours from the date of receiving notice of any fine levied by LEOC to replenish the compliance deposit. At any time that a Candidate’s compliance deposit is less than $50,000, that Candidate shall not be entitled to receive any information or lists or participate in the Election Process.

3.3.5 Subject to the time period provided for in Section 3.3.5, if a Candidate’s compliance deposit is less than Fifty Thousand ($50,000) Dollars by 5:00 PM ET February 24, 2017 then that person’s name may be struck from the Election Process and his or her name may be removed from the ballot at the sole discretion of LEOC.

3.4 **Communications Notice**

3.4.1 Communications with a Candidate’s campaign manager, financial officer or candidate agent shall be the same as communicating directly with the Candidate and all communications or notices delivered to any one of these shall be the same as notice having been given to the Candidate.

3.5 **Leadership Forums**

3.5.1 LEOC may schedule, after having received input from Candidates, mandatory Leadership forum(s) or event(s) for the purpose of ensuring that the Party and the Candidates have the widest range of exposure to the membership and general public across the country while at the same time minimizing the burden placed on Candidates and his or her travel schedules.
4 FINANCIAL REGULATIONS

4.1 Financial Controls and Regulations

4.1.1 This Election Process shall be determined to have been convened on March 8, 2016.

4.2 Spending Limit

4.2.1 Candidates shall not incur expenses exceeding Five Million ($5,000,000) Dollars.

4.3 Contributions and Expenses Defined

4.3.1 Unless otherwise defined in these Rules, “contribution”, “monetary contribution”, “non-monetary contribution”, “commercial value”, and “volunteer labour” have the same meaning as in the Canada Elections Act.

4.3.2 All loans to or guarantees by a Candidate for purposes of his or her campaign are to be reported as contributions and are subject to levy under Section 4.4.6.2.

4.3.3 All contributions made by a Candidate to his or her campaign are to be reported as contributions and are subject to the levy under Section 4.4.6.2.

4.3.4 In these Rules, “expenses” includes all costs incurred, or non-monetary contribution used, as an incidence of the Candidate’s campaign.

4.3.5 Expenses which shall be excluded from both the spending limit and the administrative fee set out in Section 4.4.6.2 are:

   a. The registration fee;
   b. The compliance deposit;
   c. HST/GST/PST

4.3.6 No Candidate shall accept a contribution from or permit expenses to be paid for or on his or her behalf by a government entity including the Parliament of Canada, an Electoral District Association, riding association, or affiliated entity of any present or previous federal or provincial political party.

4.3.7 No Candidate shall accept a contribution from a corporation, union, non-resident individual or entity as prohibited by the Canada Elections Act.
4.4 **Directed Donations**

4.4.1 Subject to the following, candidates shall have all contributions sent to the Conservative Fund Canada as a contribution on his or her behalf.

4.4.2 All donations made to the Conservative Fund Canada for the benefit of a Candidate made by personal cheque or money order from an individual must be made payable to “Conservative Fund Canada”, with an instruction to direct the donation to a particular leadership candidate in the “Re” or “Memo” line. Credit cards forms will be provided by the Conservative Fund Canada.

4.4.3 Any and all donations/ contributions are subject to the requirements of the Canada Elections Act.

4.4.4 The Candidate shall prepare transmittals in a form prescribed by the Chief Financial Officer of the Party.

4.4.5 The Conservative Fund Canada shall be responsible for the issuance of tax receipts directly to the contributors. Accordingly, as all contributions are directed through the Fund, the Conservative Fund Canada will be able to ensure that individual donors are not over their contribution limits.

4.4.6 The Conservative Fund Canada will issue a cheque or electronic funds transfer on Thursday for those monies submitted by 4:00 PM ET the preceding Friday, payable to the Candidate’s campaign for the total of monies submitted less:

4.4.6.1 Any amounts payable or due and owing by the Candidate in accordance with the Rules; and

4.4.6.2 An administrative fee of Ten (10%) Percent of each donation.

4.4.7 The administrative fee shall not be considered an expense counted against the spending cap.

4.5 **Regulatory Reporting**

4.5.1 Candidates shall provide LEOC with all financial reports required by Elections Canada at the time of submission. The accuracy and completeness of the reports shall be attested to by the financial officer of the Candidate.

4.6 **Authority to Audit**

4.6.1 LEOC shall be entitled to perform random audits on the accounts of Candidates throughout the Election Process. The financial officer shall provide all books and accounts to an auditor appointed by LEOC forthwith upon request and failure to comply shall constitute a breach of these Rules.
4.7 **Non-Compliance**

4.7.1 Without limiting the generality of any of the foregoing provisions, any action by a Candidate aimed at circumventing or avoiding the application of any section of the Financial Regulations shall be a violation of these provisions and be subject to sanction by LEOC.

4.7.2 For greater certainty, failure to comply with any contribution or expense filing deadlines will be considered a violation of these Rules and shall be subject to sanction by LEOC.

5 **VOTING METHOD**

5.1 **Voting Details**

5.1.1 LEOC shall establish the rules outlining the time, locations and methods of voting.

6 **BALLOTING**

6.1 **General**

6.1.1 The Election Process as set out in the Constitution of the Conservative Party of Canada shall be conducted on a One-Member, One-Vote Point System where:

   a) Each Electoral District is worth 100 points.
   b) Candidates are assigned a point total based on his or her percentage of the vote in each Electoral District.
   c) To win, a Candidate must obtain a majority of points from across the country.
   d) Balloting shall be conducted by Preferential Ballot (single transferable vote).

6.2 **Calculation of Electoral District Points for Initial Counting Round**

6.2.1 The total points received by each Candidate for each Electoral District shall be determined based upon the percentage vote that each Candidate receives from the valid ballots cast for that Electoral District (spoiled ballots are not valid ballots for the purposes of calculating the percentage received).

6.2.2 The total points received by each Candidate for the 338 Electoral Districts shall be calculated & verified by the CRO and verified by an independent auditor and reported to the Chair of LEOC after the close of voting. If one Candidate receives 16,901 points or more then that Candidate will be declared the Leader of the Conservative Party of Canada.
6.3 **Calculation of Electoral District Points for the Second and Subsequent Counting Rounds**

6.3.1 If no Candidate receives 16,901 points or more after the Initial Counting Round, then the Second Counting Round will commence.

6.3.2 The Candidate who received the fewest points nationally in the Initial Counting Round will be dropped and the second preferences of those ballots will be reallocated to the remaining Candidates.

6.3.3 The Counting Round process will continue in the same manner until one Candidate receives 16,901 points or more, with the Candidate receiving the lowest number of points being dropped off the ballot each Counting Round.

6.4 **Validity**

6.4.1 The vote, organized by the CRO & verified by the independent auditor (of valid ballots and points received) is final and binding.

7 **DISPUTE MECHANISM**

7.1 **Non Compliance**

7.1.1 Upon request of any Candidate or member or on its own initiative the CRO may inquire into whether a Candidate has contravened these Rules, any directive or any law of Canada.

7.1.2 The CRO shall notify the Candidate of its inquiry and will provide the Candidate an opportunity to present a written response that shall be provided within 48 hours.

7.1.3 If the CRO determines that a Candidate has contravened these Rules, any directive or any applicable law, the LEOC may do one or more of the following within 14 days of notice given:

   a) Direct the Candidate to take specified actions to achieve compliance and to remedy any consequences of the contravention, with which direction the Candidate must immediately comply;

   b) Levy a fine and charge any such fine against all or part of the Candidate’s deposit;

   c) Issue a warning;

   d) Make public LEOC’s determination and ruling;

   e) Advise the appropriate authorities;
f) Disqualify the candidate, remove his or her name from the ballot and,
g) Take such other steps that it deems appropriate.

7.1.4 The decisions of the CRO are open to appeal to the DRAC with the exception of Section 6.4.1.

7.1.5 Decisions of the DRAC are final and binding on the Candidate and on all Party members. Such decisions are not subject to judicial review.

7.1.6 No failure by the CRO, or LEOC to meet any of the deadlines specified in these Rules shall be seen as invalidating the Rules, the Election Process or any subsequent deadline.