

# **Conservative Party of Canada Rules and Procedures for the Election of National Council**



Adopted by National Council on October 28, 2017



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## **1. DEFINITIONS**

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- 1.1 “Candidate” means an individual who is certified under these Rules as a candidate for election to National Council;
- 1.2 “Constitution” means the Constitution of the Party;
- 1.3 “Convention” means the national convention of the Party, to be held August 23 – 25, 2018 in Halifax;
- 1.4 “delegate” means a delegate to the Convention as determined by the Credentials Committee of the Convention pursuant to the Constitution and the Rules and Procedures for Delegate Selection Meetings;
- 1.5 “Party” means the Conservative Party of Canada;
- 1.6 “province” means, except where the context otherwise provides, a province or territory;
- 1.7 “Returning Officer” means the Returning Officer for the National Council election appointed pursuant to Article 8 of the Constitution;
- 1.8 “Rules” means these rules and procedures.

## **2. RETURNING OFFICER**

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- 2.1 The Returning Officer shall:
- 2.1.1 oversee the conduct of the election of National Council at the Convention and ensure that the process is fair, impartial and conducted in accordance with these Rules;
- 2.1.2 remain impartial throughout the election process.
- 2.2 All submissions to the Returning Officer to be made pursuant to these Rules prior to the Convention shall be sent to:

Returning Officer, National Convention  
Conservative Party of Canada  
1720 – 130 Albert Street  
Ottawa, Ontario  
K1P 5G4  
Fax: (613) 755-2001  
[executivedirector@conservative.ca](mailto:executivedirector@conservative.ca)



### **3. NATIONAL COUNCIL REPRESENTATION**

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- 3.1 The following positions on National Council shall be elected at the Convention by delegates from the corresponding province or territories:
- 3.1.1. one from a province with 4-25 seats in the House of Commons;
  - 3.1.2. two from a province with 26-50 seats in the House of Commons;
  - 3.1.3. three from a province with 51-100 seats in the House of Commons;
  - 3.1.4. four from a province with more than 100 seats in the House of Commons; and,
  - 3.1.5. one from each territory.

### **4. CANDIDATE ELIGIBILITY**

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- 4.1. In order to stand for election to the National Council, an individual must:
- 4.1.1. Submit to the Returning Officer a complete National Council Candidate Filing (Form A) not later than 5 p.m. ET on June 30, 2018 which shall include:
    - 4.1.1.1. The nomination by a minimum number of members in good standing of the Party resident in the province for which the individual is seeking election; this minimum number shall be five times the number of electoral districts in that province but which need not exceed fifty (50) signatures in total;
    - 4.1.1.2. A five hundred (\$500.00) dollar compliance deposit, payable by cheque to “Conservative Fund Canada in Trust”, which amount shall be returned to the individual, (i) immediately, if they are not certified as a candidate, or (ii) after the Convention or their withdrawal as a candidate provided that they comply with these Rules and any other related procedures as may be required by the Returning Officer from time to time; and,
    - 4.1.1.3. In accordance with the Constitution, a signed affirmation which states, “I have read, understand, and do hereby affirm my personal commitment to the principles and policies of the



Conservative Party of Canada and the Constitution of the  
Conservative Party of Canada.”

- 4.1.2. Have their ordinary residence in the province for which they are seeking election to National Council;
  - 4.1.3. Be a delegate and not be serving as an EDA President. If the candidate is an EDA President to ensure no actual or perceived conflict of interest, the candidate will have to take a leave of absence from the role of President until the convention. If the candidate is elected to National Council the candidate will have to resign from the position of President but may still be an EDA Board Member. **If a candidate does not file their delegate paperwork complete with payment by July 30, 2018 they will be removed as a candidate for the National Council election and may forfeit their deposit;** and,
  - 4.1.4. Have not served as a returning officer at a Delegate Selection Meeting in the province for which they are seeking election to National Council.
- 4.2. No individual may serve more than three (3) consecutive terms of office on National Council.

## **5. CANDIDATE CERTIFICATION**

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51. Upon receiving a National Council Candidate Filing within the time set out in section 4.1.1, the Returning Officer shall confirm to the individual that their submission is complete (Form B) or, where the submission is incomplete, shall return the submission to the individual.
52. However, where a submission is received on or before June 30, 2018 that is in the opinion of the Returning Officer only inadvertently incomplete but which in the ordinary course may not be possible to complete by June 30, 2018, the Returning Officer may allow individual a brief extension to complete the submission.
53. The Returning Officer shall certify all eligible individuals who meet the criteria of section 4 not later than July 6, 2018 and shall deliver to them a National Council Candidate Certification (Form C).



## **6. DELEGATE LISTS**

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- 6.1. No later than July 6, 2018, the Executive Director shall provide each candidate with a list of the delegates for the province in which they are seeking election to National Council.
- 6.2. The Executive Director shall ensure that a reasonable attempt is made for the list of delegates to include the name, residential mailing address, primary telephone number, and primary email address of each delegate.
- 6.3. Candidates shall use the list, and shall ensure that it is used, only for purposes of their election to National Council, and shall not retain, copy or distribute the list after the Convention has concluded.
- 6.4. The list, or any portion thereof, shall not be shared with third parties for the purpose of sending endorsements. Any communication related to endorsements must be distributed under the control of the candidate.

## **7. SCRUTINEERS**

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- 7.1. Each candidate shall be eligible to appoint one (1) scrutineer to monitor the voting and vote counting procedures.
- 7.2. In order to appoint a scrutineer, a candidate must submit a Scrutineer Designation Form (Form D) to the Returning Officer not later than 5 p.m. ET on Thursday, August 16, 2018, or such later time as may be allowed by the Returning Officer. Subject to the discretion of the Returning Officer, a replacement may subsequently be appointed where circumstances require. A scrutineer must have the status of a delegate, alternate or member observer at the Convention.
- 7.3. Scrutineers shall be admitted to the voting area(s) ten (10) minutes prior to the commencement of voting, or such earlier time as may be designated by the Returning Officer for all scrutineers.
- 7.4. Other than the authorized identification badge, scrutineers must not wear any visible markings indicating their voting preference while inside the voting area.
- 7.5. Scrutineers may not carry or use any cellular telephones or any other electronic communication devices inside the voting area whatsoever in any manner once voting has closed.
- 7.6. Prior to the commencement of voting, scrutineers shall witness the sealing of the ballot boxes by the Returning Officer.



- 7.7. Once the voting area(s) has/have been secured for the vote counting procedures, scrutineers may not leave the voting area(s) until after the result of the ballot has been officially announced at the podium.
- 7.8. Scrutineers shall, at all times, abide by these Rules and any further instructions given to them by the Returning Officer and his/her representatives.
- 7.9. In the event of non-compliance with these Rules, the Returning Officer may expel and bar a scrutineer from the voting area(s), which decision shall be final and binding.

## **8. VOTING PROCEDURES**

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- 8.1. The voting procedures shall be conducted at the Convention under the supervision of the Returning Officer.
- 8.2. The Returning Officer shall appoint a deputy returning officer and poll clerk for each voting line used in the voting procedures.
- 8.3. The vote shall be conducted by secret ballot.
- 8.4. Only those delegates with authorized credentials in the form of a valid delegate badge shall be permitted to vote.
- 8.5. The use of any cellular telephones or other electronic communication devices within the voting area(s), other than by election officials or scrutineers prior to the close of voting, shall be strictly prohibited.
- 8.6. Campaigning by, on behalf of, or in relation to candidates within the voting area(s) shall be strictly prohibited.
- 8.7. The Returning Officer may order the removal of any individual from the voting area(s) that he/she deems to be in violation of these Rules
- 8.8. Delegates shall queue to vote in the appropriate voting line based on the province for which they are a delegate and alphabetically by surname.
- 8.9. Subject to the discretion of the Returning Officer, delegates shall be required to show their delegate badge and provide another piece of identification to the poll clerk in order to vote.
- 8.10. Subject to the Conservative Party of Canada Constitution Section 4.5 and 4.6, requirements for photo identification for the purposes of section 8.9, all pieces of identification accepted by Elections Canada for voter identification at a federal election are acceptable, including but not limited to the following:



- 8.10.1. Permanent Resident Card;
  - 8.10.2. Health Card;
  - 8.10.3. Provincial Driver's License;
  - 8.10.4. Birth Certificate;
  - 8.10.5. Senior's Card;
  - 8.10.6. Drug Card;
  - 8.10.7. Valid Student ID Card;
  - 8.10.8. Age of Majority Card;
  - 8.10.9. Transit Card issued by a public transit authority;
  - 8.10.10. other identification issued by the Government of Canada or a Provincial Government; and,
  - 8.10.11. any other form of identification deemed acceptable by the Returning Officer.
- 8.11. The poll clerk shall verify that the delegate is wearing a delegate badge and that the voter identification and the badge correspond with the voter name on the certified list of delegates.
- 8.12. Once the delegate badge and identification have been verified, the poll clerk shall highlight the name of the delegate on the voting list and hand the delegate the voting ballot, initialed by the poll clerk, which shall list the candidates for the delegate's province in alphabetical order by surname.
- 8.13. Each delegate shall then proceed to the appropriate voting booth and clearly indicate his/her choice(s) rankings from the list of candidates and shall then proceed to fold his/her voting ballot and deposit it in the appropriate ballot box.
- 8.14. Electors must mark their ballot 1 through n (where n is the total number of seats on National Council for their Province). They may mark their ballot beyond n up to and including y (where y is the total number of candidates running for National Council for their Province) if they wish to show their preference by ranking all of the candidates. **If the ballot has not been marked 1 through n at a minimum, the ballot will be rejected.** Example: three (3) council seats for a province would require at a minimum on the ballot a 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> vote. If this is not done the ballot will be considered "rejected". If six (6) candidates are running for the three (3) council spots, the elector could also mark in order their 4<sup>th</sup>, 5<sup>th</sup> or 6<sup>th</sup> place spot (or portion thereof) but would not be required to make the ballot valid.





## **9. VOTE COUNTING PROCEDURES**

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- 9.1. At the close of voting the Returning Officer:
- 9.1.1. shall secure the voting area(s) and ensure only scrutineers, deputy returning officers and other election officials authorized by the Returning Officer remain in the voting area(s);
  - 9.1.2. shall collect and secure all voters lists and unused voting ballots; and,
  - 9.1.3. shall only then direct the deputy returning officers to break the seal on the ballot boxes.
- 9.2. The carrying or use of cellular telephones or any other electronic communication devices by any individual inside the voting area shall be strictly prohibited once the voting area has been secured for the purposes of counting the voting ballots and until after the result of the ballot has been officially announced at the podium.
- 9.3. Once the ballot boxes have been opened, the deputy returning officers or other officials authorized by the Returning Officer shall proceed to tally the ballots.

931 For a jurisdiction with only one council seat, the ballots shall be totaled initially by the total number of electors that showed their desire to have the candidate on council by placing a '1' beside the candidate's name.

- If the first place candidate received at least 50% plus 1 of the total votes available, that candidate shall be considered elected.
- If no candidate received 50% plus 1 of the total votes, the candidate with the least votes as well as any candidate with less than 10% of the available votes shall be dropped and their 2<sup>nd</sup> place (or next place in the case of their 2<sup>nd</sup> place already being eliminated) votes will be allocated to each of the remaining candidates (any ballots with only '1', indicated would be extinguished and removed from the total available votes counted.
- If the top ranked candidate now has the support of 50% plus 1 of the electors, that candidate shall be considered elected. If there is still not a successful candidate, the next lowest candidate as well as any receiving less than 10% of the available votes shall be removed and their ballots reallocated based on the next place choice (if their second place choice is no longer in the running that ballot will be allocated to the third place choice etc.) and again any ballots with only '1' indicated (or '2' if the ballot had already been reallocated) shall be extinguished and removed from the total number of eligible ballots.



- This process shall be repeated until there are only two candidates with the candidate receiving the majority of the votes being declared elected or in the event of a tie vote, the winner being determined by a coin toss.

932 For a jurisdiction with more than one council seat, the ballots shall be totaled initially by the total number of electors that showed their desire to have the candidate on council by placing a 1 through n next to the candidate's name (where n is the total number of seats on National Council for that Province). Example: for a three (3) councilor province, the total number of 1<sup>st</sup> place, 2<sup>nd</sup> place, and 3<sup>rd</sup> place votes for each of the six (6) candidates would be calculated

- If the first place candidate received the support of at least 50% plus 1 of the eligible electors for that province, that candidate would be declared elected. If the second place candidate received the support of at least 50% plus 1 of the eligible electors for that province, that candidate would also be declared elected. If there are no further Council seats to fill, the election for that province would be complete. If there is a third council seat available, and the third place candidate received the support of at least 50% plus 1 of the eligible electors for that province, that candidate would also be declared elected. If there are no further Council seats to fill, the election for that province would be completed. If there is a fourth council seat available and the fourth place candidate received the support of at least 50% plus 1 of the eligible electors for that province that candidate would also be declared elected and all positions would be filled.
- If the next highest ranking candidate for a vacant council seat did not have the support of 50% plus 1 of the electors, the top z candidates (where z is the number of the top candidates to receive 50% + 1 of the eligible votes) would have been elected. The last place candidate as well as any other candidates with less than 10% of the vote total would also be dropped as long as there were at least two candidates remaining. The n + 1 place votes (or next available place if their n + 1 place was no longer in the running) of the successfully elected and the dropped candidates would now be applied to the remaining candidates. Any of those ballots that only voted for 1 to n and did not have a next place candidate would be extinguished and their ballot dropped from the total number of eligible votes thus reducing the number needed to obtain 50% + 1 of the available votes.
- If the highest ranking candidate remaining now has the support of at least 50% plus 1 of the electors they shall be declared elected for the council seat. If there is still a vacant council seat to fill, the process would continue as described below.



- If none of the remaining candidates has the support of at least 50% of the electors, the candidate with the least number of votes would be dropped and the n + 1 place choices (or next place available) will be allocated to the remaining candidates. If any of the ballots for elected or dropped candidate did not have a n + 1 or next place candidate, those ballots would be extinguished and removed from the count needed for 50% plus 1.

933 Any decision of a deputy returning officer to reject a ballot may be appealed by a scrutineer to the Returning Officer, whose decision shall be final and binding.

- 9.4. The Returning Officer shall tabulate the results of each election and shall provide the results for announcement to the Convention. The election shall be by way of preferential ballot based on the number of positions to be elected for that province. In the event of a tie for the only or last position for a particular province, the result shall be determined by a coin toss. The tabulation of the vote by the Returning Officer shall be final and binding.

## **10. CANDIDATE WITHDRAWAL**

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- 10.1. Withdrawals by Candidates shall be accepted and their names shall not appear on the ballot where the Notice of Withdrawal (Form E) is signed by the Candidate and is delivered to the Returning Officer no later than 5 p.m. ET on July 30, 2018.

## **11. DISPUTE RESOLUTION**

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- 11.1. Except where otherwise provided in these Rules, a dispute related to the election of National Council arising from or related to the operation or interpretation of these Rules shall
- 11.1.1. be submitted promptly in writing to the Returning Officer by a Candidate, or, where the dispute relates to the refusal of the Returning Officer to certify an individual as a Candidate, by an individual who submitted a National Council Candidate Filing (Form A); and,
  - 11.1.2. detail the nature of the dispute.
- 11.2. The decision of the Returning Officer on the dispute shall be final, binding and not subject to appeal.



## **12. GENERAL**

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- 12.1. These Rules may be amended or supplemented at any time by the Returning Officer, subject to review by National Council.
- 12.2. In the event of any conflict between the Constitution and these Rules, the Constitution shall prevail.



**NATIONAL COUNCIL CANDIDATE FILING**

**NATIONAL COUNCIL CANDIDATE INFORMATION SHEET**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Home Phone: \_\_\_\_\_

Business Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

**NATIONAL COUNCIL CANDIDATE AFFIRMATION**

I have read, understand, and do hereby affirm my personal commitment to the principles and policies of the Conservative Party of Canada and the Constitution of the Conservative Party of Canada.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Date Received: \_\_\_\_\_

By: \_\_\_\_\_

**National Council of the Conservative Party of Canada**

**Code of Conduct**

**Certificate of Understanding and Compliance**

**As a Member of the National Council or a non-council member of a National Council Committee:**

- **I certify that I have read and understand the Code of Conduct for Councillors;**
- **I certify that I have made all disclosures required under the Code as at the date of this certificate; and,**
- **I agree to conduct myself in accordance with this Code.**

\_\_\_\_\_  
**Name (Print)**

\_\_\_\_\_  
**Name (Signature)**

\_\_\_\_\_  
**Date Signed**

**Date filed with the Secretary of the National Council:** \_\_\_\_\_

**NATIONAL COUNCIL CANDIDATE DECLARATION**

I, \_\_\_\_\_, an applicant seeking election to the National Council of the Conservative Party of Canada hereby agree to:

Abide by all Rules and Procedures governing the National Council Election Process as may be developed from time to time; and,

Respect the confidentiality of the list of delegates which I may receive and not permit the use of the list for any purpose other than my election to National Council.

Furthermore, I recognize that any breach of this agreement may result in sanctions by the Returning Officer. Such sanctions may include one or more of the following:

The forfeiture of part or all of my Compliance Deposit;

The rescinding of my National Council Candidate Certification which would result in my ineligibility to stand for election to the National Council.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Date Received: \_\_\_\_\_

By: \_\_\_\_\_



**NATIONAL COUNCIL CANDIDATE COMPLIANCE DEPOSIT**

Enclose a cheque or money order made out to Conservative Fund Canada in Trust representing your compliance deposit in accordance with section 4.1.1.2 of the *Rules and Procedures for the Election of National Council*.

Date Received: \_\_\_\_\_

By: \_\_\_\_\_

**NATIONAL COUNCIL CANDIDATE NOMINATION OF CANDIDACY**

The undersigned members in good standing of the Conservative Party of Canada certify by signing this form that they have been members in good standing for at least twenty-one (21) days prior to signing this form and that they endorse the nomination of \_\_\_\_\_, who wishes to seek election to the National Council of the Conservative Party of Canada. [Add additional sheets as needed]

<u>Name (print)</u>	<u>Address</u>	<u>Signature</u>	<u>Date</u> <u>(D-M-Y)</u>
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

- Consider obtaining additional endorsements in the event that memberships are expired or text is illegible

**CONFIRMATION OF RECEIPT**

I, \_\_\_\_\_, Returning Officer for the National Council Election, confirm that I have received, in accordance with section 4 of the *Rules and Procedures for the Election of National Council* a completed National Council Candidate Filing for \_\_\_\_\_.

Signed,

Returning Officer

**NATIONAL COUNCIL CANDIDATE CERTIFICATION**

To: \_\_\_\_\_

Dear \_\_\_\_\_:

I, \_\_\_\_\_, Returning Officer for the National Council Election, wish to advise you that you have been confirmed as a Candidate for election to the National Council of the Conservative Party of Canada.

Yours truly,

Returning Officer

**SCRUTINEER DESIGNATION FORM**

I, \_\_\_\_\_, a Candidate do hereby appoint  
\_\_\_\_\_ as my official scrutineer.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Date Received: \_\_\_\_\_

By: \_\_\_\_\_

**NOTICE OF WITHDRAWAL**

I, \_\_\_\_\_, voluntarily and formally withdraw as a National  
Council Candidate for the Conservative Party of Canada

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Date Received: \_\_\_\_\_

By: \_\_\_\_\_