

Conservative Party of Canada Rules and Procedures for National Council By-elections



Reviewed by National Council on **[January 20th, 2022]**

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1. DEFINITIONS

- 1.1. “Candidate” means an individual who is certified under these Rules as a candidate for election to National Council;
- 1.2. “Collated Email” means one singular email message containing one or more scanned signature pages or “Email Nomination Signatures” in lieu of signature pages or any combination thereof attached to the email. The “Collated Email” may also include any other required filings associated with the Candidate’s application package as attachments.
- 1.3. “Constitution” means the Constitution of the Party;
- 1.4. “Deadline” means the date to be established by the Returning Officer.
- 1.5. “Electronic Fund Transfer” (EFT) also known as a “wire transfer” means to send money to a Canadian financial institution by way of a wireless mechanism. This may be used for the purpose of providing a compliance deposit to the Conservative Fund Canada. For information on sending an EFT ‘wire transfer’ contact executivedirector@conservative.ca.
- 1.6. “Email Nomination Signature” means a nomination declaration received by way of an email where the email address and other personal identification requirements contained in the email correspond to the individuals’ identification in the CIMS data base of the Party.
- 1.7. “Local Time” means the time of day in the provincial or territorial capital of the region for which the By-election is being held.
- 1.8. “Nomination Declaration” means the member in good standing of the Conservative Party of Canada who certifies by email that they have been a member in good standing for at least twenty-one (21) days prior to sending an email inclusive of an “Email Nomination Signature” indicating that they endorse the nomination of, an individual – (named in the email) – who wishes to seek election to the National Council of the Conservative Party of Canada. (See Form A-Email)
- 1.9. “Party” means the Conservative Party of Canada;
- 1.10. “President(s)” means Electoral District Association President(s) at the time of the vacancy of the National Council position.
- 1.11. “Province” means, except where the context otherwise provides, a province or territory;
- 1.12. “Returning Officer” means the Returning Officer for the National Council election appointed pursuant to Article 8.4 of the Constitution;
- 1.13. “Rules” means these rules and procedures.

2. RETURNING OFFICER

- 2.1. The Returning Officer shall:

- 2.1.1. oversee the conduct of the election of National Council 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. The Returning Officer shall appoint a Deputy Returning Officer from National Council who is to be consulted and included in all matters of significance. The appointed National Councilor will be a representative from a Region not part of this By-election and not eligible or seeking re-election at the next convention.
- 2.3. All submissions to the Returning Officer to be made pursuant to these Rules prior to the Convention shall be sent to:
 - Returning Officer, National Council By-Elections
 - Conservative Party of Canada
 - 1720 – 130 Albert Street
 - Ottawa, Ontario
 - K1P 5G4
 - executivedirector@conservative.ca

3. CANDIDATE ELIGIBILITY

- 3.1. In order to stand for election to the National Council, an individual must:
 - 3.1.1. Submit to the Returning Officer by mail, email, courier, or any combination thereof a complete National Council Candidate Filing (Form A) not later than 5 p.m. on the Deadline which shall include:
 - 3.1.1.1. 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 ten members for every electoral district in that province but which need not exceed fifty (50) signatures or “Email Nomination Signatures” or combination thereof which may be submitted by way of a collated email;
 - 3.1.1.2. A five hundred (\$500.00) dollar compliance deposit, payable by cheque or “Electronic Fund Transfer” (EFT) to the “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 vote 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,
 - 3.1.1.3. 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.”

- 3.1.2. Have their ordinary residence in the province for which they are seeking election to National Council;
 - 3.1.3. Attest to having a membership in good standing for the six (6) months preceding the opening of the nomination period.
 - 3.1.4. Attest that he or she is not excluded from serving on National Council under Article 8.3 of the Constitution.
- 3.2. No individual may serve more than three (3) consecutive terms of office on National Council.

4. CANDIDATE CERTIFICATION

- 4.1. Upon receiving a National Council Candidate Filing within the time set out in section 6.3, 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.
- 4.2. However, where a submission is received on or before the Deadline, 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 the Deadline, the Returning Officer may allow individual a brief extension to complete the submission.
- 4.3. The Returning Officer will review the completed application and decide if an applicant is eligible to contest the nomination to represent their province or territory on National Council. The Returning Officer has the absolute discretion to disqualify a potential contestant for any reason.
- 4.4. For those applicants that the Returning Officer deems eligible to contest the nomination to National Council, the Returning Officer may certify all eligible individuals who meet the criteria of section 4 not later than the Deadline and shall deliver to them a National Council Candidate Certification (Form C).

5. DELEGATE LISTS

- 5.1. No later than the Deadline, the Executive Director shall provide each Candidate with a list of the Presidents for the province in which they are seeking election to National Council.
- 5.2. The Executive Director shall ensure that the list of Presidents include the Electoral District, and that a reasonable attempt is made for the list of Presidents to include the name, residential mailing address, primary telephone number, and primary email address.

- 5.3. 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 by-election has concluded.
- 5.4. 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.

6. NOMINATION PERIOD

- 6.1 At least forty-two (42) days prior to the Nomination vote, the Executive Director of the Conservative Party shall give notice to the riding Presidents that there is a vacancy on National Council and a vote to fill the vacancy will be required as per Article 8.15 of the Constitution.
- 6.2. The National Council by-election vote must occur no sooner than forty-two (42) days and no later than forty-seven (47) days from the date that notice given pursuant to section 6.1.
- 6.3. Nominations shall close at 5:00 p.m. Local Time, twenty-one (21) days after the notice provided for in section 6.1 is given.
- 6.4. If following the close of nominations there is only one Certified Applicant for National Council per vacancy, the Executive Director shall acclaim that person the successful candidate. If following the close of nominations, the Executive Director determines that a successful candidate has not been acclaimed; the remaining provisions of this section shall be followed.

7. VOTING PROCEDURES

- 7.1. The voting methods and procedures shall be conducted under the supervision of the Returning Officer.
- 7.2. The vote shall be conducted by an on-line secret ballot.
- 7.3. On the ballot, the Nomination Contestants shall be listed in alphabetical order by surname.
- 7.4. Only those individuals who were Presidents for the affected province on the day of the vacancy of the National Council position being declared will be eligible to vote.
- 7.5. Proxy voting is not permitted.
- 7.6. Individual ballot results will be posted on the Party website at the completion of the by-election.

8. VOTE COUNTING PROCEDURES

- 8.1. At the close of voting the Returning Officer shall secure the online voting forum.
- 8.2. Each voter will have ranked the list of candidates in order of preference. Under a common ballot layout, the voter marks a '1' beside the most preferred candidate, a '2' beside the second-most preferred, and so forth, using an 'ascending' system. In the initial count, the first preferences of each voter are counted and used to order the candidates. Each first preference is counted as one vote for the appropriate candidate. If, once all the first preferences are counted, one candidate holds a majority of the votes, that candidate can be immediately declared the winner. Otherwise, the candidate who holds the fewest first preferences is eliminated.
- 8.3. Once a candidate has been eliminated, all the ballots assigned to them are recounted and the second preference of each voter whose candidate has been eliminated is used to reassign their vote to one of the remaining candidates. The total counts for the remaining candidates are updated and the candidates are reordered. Again, if the top candidate attains a majority, they are declared the winner, otherwise the bottom candidate is again eliminated and their votes reassigned; each ballot paper is reassigned to whichever remaining candidate is the most preferred by that voter. If a ballot has all its ranked candidates eliminated, it is 'exhausted' and it can no longer be counted towards any candidate.
- 8.4. The Returning Officer shall tabulate the results of the election and shall provide the results for announcement to the Presidents and for the Conservative Party Website.
- 8.5. The tabulation of the vote by the Returning Officer shall be final and binding. In the event of a tie vote, the vote shall be determined by drawing of lots.

9. SCRUTINEERS

- 9.1. No Scrutineers will be used for National Council By-elections.

10. CANDIDATE WITHDRAWAL

- 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 PM Local Time on the Deadline.

11. DISPUTE RESOLUTION

- 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

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 Councilors;**
- **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 & ATTESTATION

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 By-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.

Furthermore, I attest to having a membership in good standing for the six (6) months preceding the opening of the nomination period and also attest that I am not excluded from serving on National Council under Article 8.3 of the Constitution.

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 3.1.1.2 of the *Rules and Procedures for National Council By-elections*. If you submitted the deposit through Electronic Funds Transfer (Wire Transfer), please include the transaction receipt.

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]

NAME (print)	Address	Signature	Date (D-M-Y)
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

NOTE: Consider obtaining additional endorsements in the event that memberships are expired or text is illegible.

Email Nomination Attestation

FORM (A-Email)

I _____ (name of member) certify by sending this email form, that I have been a member in good standing for at least twenty-one (21) days prior to submitting this email form and that I endorse the nomination of _____, who wishes to seek election to the National Council of the Conservative Party of Canada.

Name _____

Address _____

Home Phone _____

Business Phone _____

Cell Phone _____

E-mail _____

CONFIRMATION OF RECEIPT

I, _____ , Returning Officer for the National Council
By-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 By-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

NOTICE OF WITHDRAWAL

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

Signed: _____

Date: _____

Date Received: _____

By: _____