



# **Nomination Rules of the Ontario Liberal Party**

*As approved by the Provincial Election Campaign Committee on June 22, 2020*

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# AUTHORITY AND INTERPRETATION

1. Authority. These Nomination Rules (the “**Rules**”) are the “Rules of Procedure” referred Section 11.1 of the Constitution of the Ontario Liberal Party (the “**Constitution**”), as adopted by the Provincial Election Campaign Committee on June 22, 2020. In the event of any express conflict between these Rules and the Constitution that cannot be resolved by compliance with both, the provisions of the Constitution shall prevail.
2. Defined Terms. Capitalized terms used but not otherwise defined in these Rules have the meaning given to them in the Constitution, and the following terms shall have the following meanings:
  - a. “**Campaign Committee**” means the Provincial Election Campaign Committee of the Ontario Liberal Party established under Article 12 of the Constitution.
  - b. “**Candidate Presentations Meeting**” means a meeting of a Constituency Association for the purpose of presentations or speeches by the Nomination Contestants.
  - c. “**Chief Returning Officer**” is the officer appointed pursuant to Section 49.
  - d. “**Contested Nomination Meeting**” means a Nomination Meeting in respect of which more than one Nomination Contestant has been included on the Nomination Plan and has submitted valid Nomination Papers within the required time period.
  - e. “**Incumbent Member**” means a current member of the Legislative Assembly of Ontario who is a member of the Ontario Liberal Caucus, or the Speaker of the House, if such person was elected as a Liberal Candidate in the immediately prior election.
  - f. “**Membership Rules**” means the Rules of Procedures for Membership of the Ontario Liberal Party, as enacted by the Executive Council pursuant to sections 3.17, 3.19, 3.22, and 5.9 of the Constitution.
  - g. “**Nomination Contestant**” means a person seeking nomination as a Nominee pursuant to these Rules.
  - h. “**Nominee**” means a Nomination Contestant who has been selected or appointed as a candidate of the Ontario Liberal Party to be a member of the Legislative Assembly of Ontario pursuant to these Rules.
3. Nomination Pursuant to Rules. A Nomination Contestant may only be nominated as a Nominee (1) by selection of a Nomination Contestant as a Nominee by a Constituency Association at a nomination meeting called and conducted in accordance with these Rules, or (2) by appointment of a Nominee by the Leader pursuant to these Rules.
4. Submission of Documents. Unless otherwise specified, all document submission regulated by these rules are to be made to the Executive Director of the Ontario Liberal Party.

5. Appeals.

- a. Pursuant to Section 11.15 of the Constitution, a Board of Arbitration shall decide disputes arising with respect to the preparation for or conduct of the Nomination Meeting itself but shall have no authority to substitute its discretion for that of the Nomination Commissioner or of a Panel acting within the course of their authority.
- b. No appeal of any matter by a Nomination Contestant shall be valid unless notice of such appeal is delivered within 72 hours of such matter coming to the attention of such Nomination Contestant (or, in the case of an appeal of decisions made at the Nomination Meeting, within 72 hours of the start of the Nomination Meeting).

## **NOMINATION COMMISSIONER**

6. Appointment. Pursuant to Section 11.2 & 11.3 of the Constitution, the “**Nomination Commissioner**” is the senior official of the Ontario Liberal Party appointed by the Leader with responsibility for the oversight and management of the process of nominations of candidates.
7. Role and Responsibilities. Pursuant to Section 11.3.4 of the Constitution, in addition to any other authority granted to them by virtue of the Constitution, these Rules of Procedure or a resolution of the Executive Council or Provincial Council, the Nomination Commissioner or their designate shall:
  - a. regulate the timing of Nomination Meetings in the best overall interest of the Ontario Liberal Party;
  - b. receive the Draft Nomination Plan from each Constituency Association;
  - c. have the right to require that any Constituency Association submit a Draft Nomination Plan;
  - d. have the right to resolve specific issues or terms within the Draft Nomination Plan consistent with fairness and common practice;
  - e. have the right to withhold approval of any proposed Draft Nomination Plan if the Constituency Association has not satisfied the requirements set out in Section 32 of these Rules;
  - f. receive Nomination Papers from all prospective Nomination Contestants;
  - g. on appropriate grounds, have the ability to impose sanctions on Nomination Contestants and Nominees, up to and including disqualification;
  - h. have the discretion to waive or postpone the time requirements for the filing of Nomination Papers, if it is expedient and in the best interest of the Ontario Liberal Party; and
  - i. where requested by a Constituency Association, to assist that Association in the identification and recruitment of potential Nomination Contestants.

## CANDIDATE VETTING COMMITTEE

8. Committee Composition. The Nomination Commissioner shall establish a “**Candidate Vetting Committee**” that shall be responsible for vetting and approving all persons seeking to be Nomination Contestants. The committee will be composed of a chair and such number of additional members that the Nomination Commissioner deems appropriate. All duties and authorities of the committee may be discharged by a panel made up of members of the committee as determined by the chair of the committee. The Nomination Commissioner shall be an *ex officio* member of the Candidate Vetting Committee, entitled to but not required to attend and participate in any deliberations thereof.
  
9. Scope and Powers of Review. The Candidate Vetting Committee shall interview all persons seeking to be approved as Nomination Contestants and before making determination shall conduct a review of the following:
  - a. Vetting Papers;
  - b. criminal reference check and credit check;
  - c. information provided to the Candidate Vetting Committee by any source;
  - d. public statements made by the person, on social media, in publications, or otherwise;
  - e. any claim, dispute or litigation in which the person is involved or in which the person has previously been involved;
  - f. ethical questions or concerns;
  - g. history of contribution to the community and/or participation in public life;
  - h. whether the person has demonstrated a history of commitment to the Ontario Liberal Party; and
  - i. whether the person subscribes to the policies and values of the Ontario Liberal Party.
  
10. Eligibility for Approval. To be approved by the Candidate Vetting Committee as a Nomination Contestant eligible for inclusion on a Nomination Plan, a person must:
  - a. have submitted a complete set of Vetting Papers in the form in Schedule A of these Rules (provided that an Incumbent Member may submit the short form of Vetting Papers provided for Incumbent Members herein);
  - b. have submitted a valid criminal reference check and credit check;
  - c. have submitted a non-refundable processing fee, by way of a cheque from the nomination contestant’s bank account, or, in the case of an Incumbent Member, from the bank account

of the Constituency Association which such Incumbent Member represents (except to the extent waived by the Nomination Commissioner) of:

- i. \$ 2500; or
  - ii. \$ 1250, if the person is a woman; or
  - iii. \$ 500, if the person would not have reached their 30th birthday on the expected date of election.
- d. have completed an interview with the Candidate Vetting Committee (except that an Incumbent Member need only complete an interview where requested by the Candidate Vetting Committee);
- e. have resigned the role of President of the applicable Constituency Association held by such person; and
- f. have satisfied the Candidate Vetting Committee that:
- i. the person is qualified to be a Nominee or sit as a member of the Legislative Assembly under the Ontario Elections Act, the Legislative Assembly Act and any other applicable legislation;
  - ii. the person has not been convicted of a non-regulatory federal or provincial offence or has not been removed from elected office pursuant to the Municipal Conflict of Interest Act where the nature of the offence and its date are such that it is not in the best interest of the Ontario Liberal Party that the person be approved as a Nomination Contestant or a Nominee, notwithstanding any other penalty to which the person has been subject pursuant to law;
  - iii. the person has not made a material misrepresentation to the Candidate Vetting Committee;
  - iv. the person has not made a material misrepresentation in their Vetting Papers or campaign literature;
  - v. the person has not engaged in conduct or a pattern of conduct which shows lack of respect for the rule of law, for the rights, dignity and worth of other people, or for fairness in electoral competition, including the nomination process, or which shows breach of trust;
  - vi. the person is not engaged in a claim, litigation or dispute of any sort which is liable to bring controversy or disrepute upon the person or the Ontario Liberal Party;
  - vii. the person has not made statements on social media, in written publications or otherwise, that would bring controversy or disrepute upon themselves, or the Ontario Liberal Party; and
  - viii. the person will not otherwise bring controversy or disrepute upon themselves, or the Ontario Liberal Party.

11. Form of Vetting Papers. Vetting Papers shall be in the form in Schedule A of these Rules and shall be signed and sworn by the person and notarized as required therein. Vetting Papers shall include an undertaking by the person signing them (1) not to run except as a Liberal Nominee in the election to which such Vetting Papers relate, (2) not to make public statements critical of any decision of the Candidate Vetting Committee or party officials, (3) to release and not to pursue any claim they may have now or in the future against the Nominee, the Ontario Liberal Party or party officials, (4) to consent to the review and background checks to be undertaken by the Candidate Vetting Committee, and (5) to pay a liquidated damage of \$35,000 in respect of any breach of the foregoing or a breach of any of the restrictions on nomination campaigns set out herein. If, at any time subsequent to submission of the Vetting Paper and prior to the date of election, there is a material change in the information as previously reported in the Vetting Papers, the person shall forthwith disclose such changes, in writing, to the Nomination Commissioner.
12. Procedures Relating to Vetting Papers. The Nomination Commissioner may require any person who wishes to be a Nomination Contestant to provide additional information before approving the person as a Nomination Contestant. A person's Vetting Papers shall be deemed to have been received when they are received at the offices of the Ontario Liberal Party provided that if the Nomination Papers were received electronically or by fax, provided that the originals are received within 72 (seventy-two) hours.
13. Incumbent Members. An Incumbent Member shall, for the purposes of the review by the Candidate Vetting Committee, be presumed to satisfy the criteria in Sections 9 hereof, absent evidence to the contrary. The Candidate Vetting Committee will make every effort to provide an expedited review to an Incumbent Member.
14. Approval. Upon approval by the Candidate Vetting Committee of a person as eligible for inclusion on a Nomination Plan, the chair of the Candidate Vetting Committee will notify (1) the Nomination Commissioner, (2) the President of the Constituency Association or the Alternate of such President, (3) the Regional Vice-President for the region to which the Constituency Association is assigned, and (4) the Executive Director of the Ontario Liberal Party.
15. Exclusion Following Approval. Each of the Leader and the Nomination Commissioner retain the sole and unfettered discretion to overturn an approval by the Candidate Vetting Committee and deem a Nomination Contestant ineligible for inclusion on a Nomination Plan.

## NOMINATION CONTESTANTS

16. Appointment of Candidates. Pursuant to Section 11.9 of the Constitution, the Leader has the sole and unfettered discretion to appoint a Nominee in a particular electoral district without the need for the holding of a Nomination Meeting.
17. Eligibility for Inclusions on Nomination Plan.
  - a. To be eligible for inclusion on a Nomination Plan, a Nomination Contestant (including, for greater certainty, an Incumbent Member) must, by the time of approval of the Nomination Plan, except to the extent waived by the Nomination Commissioner, have been approved by the Candidate Vetting Committee as eligible for inclusion on a Nomination Plan.
  - b. Notwithstanding the foregoing, where a Constituency Association is in entirety represented in the Legislature by an Incumbent Member who is a member of the Ontario Liberal Caucus, or the Speaker of the House, if such person was elected as a Liberal Candidate in the immediately prior election, who has indicated an intention to seek re-election, such Constituency Association may only submit a Nomination Plan that includes only the name of such Incumbent Member as the sole Nomination Contestant, except with the consent of the Nomination Commissioner.
  - c. Notwithstanding the foregoing, an Incumbent Member will not be required to complete the following Sections of the Vetting Papers, except upon with the express request of the Nomination Commissioner:
    - i. Sections 1(e) through (m);
    - ii. Sections 3(a) and 3(g);
    - iii. Sections 4, 5, 6 and 7 except with respect to matters arising since the most recent provincial election; and
    - iv. Section 10 to 14.
18. Approval Confers No Entitlement for Inclusion. Approval by the Candidate Vetting Committee of a person as a Nomination Contestant eligible for inclusion on a Nomination Plan does not confer any entitlement to that person for inclusion on a Nomination Plan.
19. Eligibility for Inclusions on Ballot. Pursuant to Section 11.10.1 of the Constitution, and subject to the Nomination Commissioner's discretion to permit the rectification of minor or strictly technical flaws, no Nomination Contestant named in the Nomination Plan shall be eligible to be elected unless they submit fully completed and executed Nomination Papers in the form provided herein to the Nomination Commissioner or their designate, not later than 5:00 P.M. Eastern Time on the seventh (7th) day subsequent to the date of approval of the Nomination Plan.
20. Form of Nomination Papers. Nomination Papers shall be in the form in Schedule B of these Rules, and such papers shall be signed by at least twenty-five (25) members in good standing of the

Constituency Association. If, at any time subsequent to the nomination of a Nomination Contestant as a Nominee, and prior to the date of election, there is a material change in the circumstances of that Nominee, as previously reported in the Nomination Papers, the Nominee shall forthwith disclose such changes, in writing, to the Nomination Commissioner.

21. Procedures Relation to Nomination Papers. A person's Nomination Papers shall be deemed to have been submitted to the Nomination Commissioner when they are received at the offices of the Ontario Liberal Party provided that if the Nomination Papers were submitted electronically or by fax, the originals are received within 72 (seventy-two) hours.
22. Notices and Information. A Nomination Contestant may designate a person to receive or give notices and information on their behalf. A Nomination Contestant shall be entitled to receive a copy of or be given access to (1) from time to time as determined by the Nomination Commissioner prior to the call of the Nomination, the Membership List of the Constituency Association, and (2) from time to time as determined by the Chief Returning Officer or a designate thereof, the Voters' Lists for the Nomination Meeting.
23. Restrictions on Nomination Campaigns. Nomination Contestant shall not, and shall not permit any person acting on their behalf to:
  - a. use the logo of the Ontario Liberal Party prior to successful nomination as the Nominee for a Constituency Association;
  - b. spend any amount in excess of \$25,000 or such lesser amount as proscribed by law on their nomination campaign from the period beginning on the call of the Nomination Meeting and ending upon the completion of balloting;
  - c. make any public allegations of fraud, irregularities or misconduct against any opposing Nomination Contestant, the Nominee, the Ontario Liberal Party, or any party official, except as required by law, or
  - d. engage in voter suppression of supporters of another Nomination Contestant.
24. Disqualification. The Nomination Commissioner may disqualify a Nomination Contestant or a Nominee pursuant to Sections 11.3.4(g) and 11.3.5 of the Constitution
25. Expected Conduct of Nomination Contestants.
  - a. For the purposes of Section 11.3.5 of the Constitution, the failure of a Nomination Contestant to conduct themselves (1) with decorum and respect for opposing Nomination Contestants, the Ontario Liberal Party or any of its officials, or (2) in a manner that will unduly and material diminish the chances of any Nominee to win their electoral district for the Ontario Liberal Party in a general election, may, in each case and in the sole discretion of the Nomination Commissioner, constitute grounds for the disqualification of a Nomination Contestant or of a Nominee.
  - b. For the purposes of Section 11.3.5 of the Constitution, the Nomination Commissioner may rely on any statement on social media deemed to be offensive, inflammatory, controversial

or presenting untenable political risk as grounds for the disqualification of a Nomination Contestant or of a Nominee.

## NOMINATION PLANS

26. Draft Nomination Plan. At the request of the Leader or Nomination Commissioner the Riding Association shall prepare and submit a Draft Nomination Plan. The process for requisition, content, process for review and process for adoption of Nomination Plans are prescribed by Sections 11.6, 11.7, and 11.8 of the Constitution.
27. Form of Draft Nomination Plan. The Draft Nomination Plan shall be in the form in Schedule C of these Rules.
28. Women Only Draft Nomination Plan.
- a. The Nomination Commissioner may, in consultation with the Leader, make a determination that a Constituency Association may only submit a Draft Nomination Plan that included only Nomination Contestants who are women.
  - b. The Leader may direct the Nomination Commissioner to make a determination that a Constituency Association may only submit a Draft Nomination Plan that included only Nomination Contestants who are women.
  - c. Upon a determination pursuant to subsection a or b, the Nomination Commissioner shall notify (1) the chair of the Candidate Vetting Committee, (2) the President of the Constituency Association or the Alternate of such President, (3) the Regional Vice-President for the region to which the Constituency Association is assigned, and (4) the Executive Director of the Ontario Liberal Party.
  - d. Where a Constituency Association submits a Draft Nomination Plan that does not comply with such determination, the Nomination Commissioner may
    - i. deem the Draft Nomination Plan to be not submitted, or
    - ii. amend the list of Nomination Contestants in the Draft Nomination Plan with no further consultation to the Panel and accepted the Draft Nomination Plan as amended.
29. Candidate Presentations Meeting.
- a. In addition to the content prescribed by Section 11.6 of the Constitution, a Draft Nomination Plan shall indicate the date, start time, location of a Candidate Presentations Meeting where:
    - i. the date must not be more than seven days prior to the Nomination Meeting;
    - ii. if the date is the same date of the Nomination Meeting, the start time must be no later than the start time of the Nomination Meeting; and

- iii. the location may be a physical location or by electronic means, and must be reasonably accessible to members of the Constituency Association.
    - b. Where a Draft Nomination Plan only includes the name of one Nomination Contestant, the Candidate Presentations Meeting and the Nomination Meeting shall have the same date, location and start time, and the location of both meetings may be a physical location or by electronic means.
30. Composition of the Panel: Pursuant to Section 11.7 of the Constitution, the Panel is the group of persons that shall convene for each Constituency Association for the purpose of considering a Draft Nomination Plan, and shall consist of:
- a. the Nomination Commissioner or their designate,
  - b. the Constituency Association President or their Alternate; and
  - c. the Regional Vice-President for the region to which the Constituency Association is assigned pursuant to the Rules of Procedure. If the Regional Vice-President is unavailable or unwilling to act, they shall be replaced by a member of the Executive Council appointed by the President of the Ontario Liberal Party.
31. Further Notifications Upon Approval. Upon the adoption of a Nomination Plan, the Nomination Commissioner shall be responsible to notify (1) the Leader, (2) the Executive Director of the Ontario Liberal Party, and (3) the Chief Returning Officer.
32. Constituency Association Eligibility. Except where expressly waived by the Nomination Commission, a Constituency Association may only submit its draft Nomination Plan when it:
- a. has met its financial commitments to the Ontario Liberal Party;
  - b. has completed and/or had approved all filings required by Elections Ontario;
  - c. except for Constituency Associations represented by an Incumbent Member, has completed a Nomination Contestant search process, with demonstrable outreach effort made to prospective Nomination Contestants who are
    - i. women or are under the age of 30
    - ii. from communities that are traditionally under-represented, including but not limited to black, indigenous and people of color, LGBT, people with disabilities and marginalized communities
 to the satisfaction of the Nomination Commissioner;
  - d. has a membership not lower than the membership threshold fixed for that Constituency Association by the Nomination Commissioner;
  - e. has held, or called, an Annual General Meeting in the twelve (12) months preceding the submission of the Draft Nomination Plan;

- f. has held a minimum of four (4) Riding Executive meetings within the twelve (12) months preceding the submission of the Draft Nomination Plan;
- g. has met voter contact targets prescribed by the Nomination Commissioner;
- h. has the minimum required number of monthly donors, inclusive of Future Fund members and Red Trillium Club members, as prescribed by the nomination commissioner.

## MEMBERS

33. Eligibility to Vote.
- a. For each Nomination Meeting, every Member in good standing of the Constituency Association pursuant to sections 2.10, 3.1, 3.30 of the Constitution and sections 8.1 and 8.2 of the Membership Rules on the date specified in the Nomination Plan pursuant to section 11.6.b of the Constitution may vote at the Nomination Meeting.
  - b. Notwithstanding the foregoing, a member is not entitled to vote at a Nomination Meeting if the member have already voted at a Nomination Meeting of another Constituency Association held for the purpose of choosing a Liberal Nominee in the same general election.
34. Deficient Memberships. Notwithstanding section 33.a of these Rules, if a membership application received by the Ontario Liberal Party is deficient in any way or is not submitted in compliance with the Membership Rules, the Returning Officer may refuse to allow the Member to vote at the Nomination Meeting.
35. Draft Voters List. As soon as practicable after the date specified in the Nomination Plan for membership cut-off for members resident in the riding, the Returning Officer for a Nomination Meeting shall prepare Draft Voters' Lists for the Constituency Association, in a manner and form as may be determined by the Executive Council from time to time, which consist of:
- a. a list of Members eligible to vote at the Nomination Meeting;
  - b. a list of Immediate Past Members who will be eligible to vote at the Nomination Meeting if they renew their memberships at any time before the Meeting is called to order; and
  - c. a list of Members who are not eligible to vote at the Nomination meeting.
36. Distribution of Draft Voters List. The Returning Officer shall provide access to the Draft Voters' Lists, in an electronic format, to each Nomination Contestant included in the Nomination Plan who has submitted Nomination Papers in the required time and has submitted appropriate confidentiality undertaking required by the Membership Rules.
37. Corrections. The Draft Voters' Lists may be corrected by the Returning Officer at any time before the Nomination Meeting is adjourned
38. Discretion of Returning Officer. A decision made by the Returning Officer regarding the validity of a membership, or the date and time a new membership was effective shall be final and not subject to appeal.
39. Challenges Before Meeting.
- a. Upon receipt of a draft Voters' List, a Nomination Contestant or their designate may submit, for consideration by the Returning Officer, challenges to the inclusion of any

Members on the draft Voters' List, on the basis that such person (1) did not pay their own membership fee or such fee was not paid a member of such person's immediate family, if applicable (2) did not sign their own membership form, if applicable, (3) does not reside at the address contained on the membership list, (4) did not provide a valid email address and a valid telephone number for the Member, if applicable, or (5) did not provide a date of birth of the Member, if applicable, or if the date of birth provided is materially incorrect, (6) otherwise does not meet the criteria for valid membership.

- b. Unless otherwise determined and communicated by the Returning Officer, all challenges must be submitted at least 72 hours prior to start time of the Nomination Meeting prescribed in the Nomination Plan.
- c. The Returning Officer's shall make reasonable efforts to rule on all challenges prior to the Nomination Meeting, and may designate challenged Members for further review at the Nomination Meeting.

## CANDIDATE PRESENTATIONS MEETINGS

40. Time and Date of Meeting. An Candidate Presentations Meeting shall be held on the date, at the time and location set out in the Nomination Plan, provided that a Candidate Presentations Meeting shall not be held on a date or at a time that is a statutory or civic holiday, or a religious holiday that would preclude or impede the ability of a substantial number of Members to attend the meeting. The Nomination Commissioner may waive compliance with any part of this Rule where they consider it to be necessary in the best interests of the Ontario Liberal Party.
41. Change. The Nomination Commissioner may, in consultation with the President of the Constituency Association, change the date, time, and location the Candidate Presentations Meeting. Upon such change, the Nomination Commissioner shall forthwith inform the Nomination Contestants, and where feasible direct the Secretary to issue notice to members of the Constituency Association setting out the new location and time of the Candidate Presentations Meeting.
42. Chair.
- a. For each Candidate Presentations Meeting, the Nomination Commissioner or a designate thereof (and the Nomination Commissioner may appoint themselves to such role) shall appointed as soon as possible following the approval of the Nomination Plan a chair for the Candidate Presentations Meeting (the “Chair”), who shall convene and conduct the meeting and shall read aloud any notice or script as and when required by these Rules, the Nomination Plan or the President.
  - b. The Chair may be a member of the relevant Constituency Association. No person who has expressed support for a Nomination Contestant in that Constituency Association, or is themself such a Nomination Contestant, may act as the Chair.
  - c. The Nomination Commissioner may revoke an appointment, and make a new appointment, of a Chair at any time.
43. Speeches & Demonstration. Nomination Contestants shall be allocated equal amount of time, set by the Chair of the meeting in consultation with the President of the Constituency Association and the Nomination Contestants, to delivery speeches, inclusive of any speeches by nominators or supporters, and conduct any demonstration at the Candidate Presentations Meeting.
- a. Nomination Contestants may not yield any portion of their allocated time to other Nomination Contestants or speakers in support of other Nomination Contestants.
  - b. Nomination Contestants may not use their allocated time to endorse another Nomination Contestant. For greater certainty, this rule does not preclude Nomination Contestants from making ranking recommendation involving other Nomination Contestants for preferential ballot.
  - c. The order of the speeches & demonstrations shall be determined by random draw.

44. Other Meetings. For greater certainty, the foregoing Rules do not preclude a Constituency Association from hosting other meetings or forums where Nomination Contestants are given opportunities to speak.

## NOMINATION MEETINGS

45. Time and Date of Meeting. A Nomination Meeting shall be held on the date and at the time set out in the Nomination Plan, provided that a Nomination Meeting shall not be held on a date or at a time that is a statutory or civic holiday, or a religious holiday that would preclude or impede the ability of a substantial number of Members to attend the meeting. The Nomination Commissioner may waive compliance with any part of this Rule where they consider it to be necessary in the best interests of the Ontario Liberal Party.
46. Location of Meeting. A Nomination Meeting shall be held at the location set out in the Nomination Plan. The Nomination Commissioner may waive compliance with this Rule where they consider it to be necessary in the best interests of the Ontario Liberal Party.
47. Call of Nomination Meeting. A Constituency Association shall be deemed to have called its Nomination Meeting for the date set out in its Nomination Plan upon the adoption of such Nomination Plan, and staff of the Ontario Liberal Party shall be responsible to issue a call of the Nomination Meeting upon such event.
48. Notice of Meeting.
  - a. After being notified of the adoption of a Nomination Plan, the Secretary shall send a Notice of a Nomination Meeting to (i) all Members of the applicable Constituency Association, and (ii) all Immediately Past Members of the applicable Association, in each case at least seven (7) days, and no more than twenty-one (21) days, before the date of the Meeting.
  - b. The Nomination Commissioner may determine (i) the form of the Notice and direct the Secretary to include additional information from time to time, and (ii) the manner by which the Secretary may send Notice from time to time.
  - c. Notice shall be sent by email, and shall be sent, addressed to the most current email address of the member known to the Constituency Association.
  - d. Notice shall only be sent by regular mail if (1) one or more relevant members did not provide, and was not required to provide, valid email addresses, and (2) the Constituency Association assumes the cost of such a mailing.
  - e. Notice shall be deemed to have been sent on the date it was transmitted. If Notice is sent by mail, it shall be deemed to have been sent either on the day it was delivered by the Secretary to Canada Post or on the day following the day on which it was provided to a third party mailing service.
  - f. The failure of any Member entitled to Notice to receive it shall not invalidate a Nomination Meeting or any decisions taken at it. The Party shall have no responsibility to take steps to ensure that an individual who has not provided a valid email address to the Party receives any Notice.
  - g. Notice shall be posted on the website of the Ontario Liberal Party.

49. Chief Returning Officer. The Campaign Chair shall appoint a Chief Returning Officer, to discharge the responsibilities assigned in these Rules to such person, to co-ordinate the training and appointment of Returning Officers for each Contested Nomination Meeting, and to discharge the responsibilities of a Returning Officer in the absence thereof.

50. Returning Officer.

a. For each Contested Nomination Meeting, a meeting returning officer (the “**Returning Officer**”), appointed by the Chief Returning Officer or a designate thereof in consultation with the Nomination Commissioner (and the Chief Returning Officer may appoint themselves to such role), shall be appointed as soon as possible following the Adoption of the Nomination Plan.

b. The Returning Officer shall have final authority at the Nomination Meeting to rule on all matters relating to the Nomination Meeting, subject to direction by the Chief Returning Officer. The Returning Officer may reconsider or modify any previous ruling or earlier direction, but may also decline to do so with or without explanation and without further appeal at the Nomination Meeting.

c. The Returning Officer may:

i. Delay the start time, recess, or extend the voting hours of the Nomination Meeting;

ii. move the Nomination Meeting to another location; or

iii. require any alternation of the physical arrangement of the Nomination Meeting location;

where the Returning Officer believes that such action is necessary in order to allow the Nomination Meeting to be conducted in a fair and orderly manner in accordance with the Constitution, these Rules, the Nomination Plan and any direction from the Nomination Commissioner. If the Returning Officer believes that it is necessary to change the location of the Nomination meeting, then prior to making such a decision, the Returning Officer shall where practicable, consult with the Nomination Commissioner regarding both the need for such a change, and the new location. If the Returning Officer decides to move the location of the Nomination Meeting, the Returning Officer shall forthwith inform the Nomination Contestants, and the President of the Constituency Association; and, if the Nomination Meeting has not yet been called to order and there is sufficient time, the Secretary shall issue, and deliver by such means as are feasible, a revised Notice, in accordance with the Rules applicable to Notice of a Nomination Meeting, setting out the new location and time.

d. The Returning Officer has the final authority to rule on all matters relating to the voting process during the Nomination Meeting, including extension of voting hours and the eligibility of any person to vote.

e. The Returning Officer may appoint one or more Deputy Returning Officers to assist in the conduct of the meeting.

51. Scrutineers.

- a. Each Nomination Contestant may appoint (a) balloting scrutineers, in a number not more than the number of Deputy Returning Officers present at the Nomination Meeting, to be present when Members are provided with ballots and when members deposit ballots into ballot boxes; (b) counting scrutineers, in a number not more than the number of vote counting stations, to be present when the ballots cast are counted; (c) one ballot box scrutineer; and (d) one chief scrutineer who may present when Members are provided with ballots, when members deposit ballots into ballot boxes, and when the ballots cast are counted.
- b. The Chief Returning Officer may direct the Returning Officer for a Nomination Meeting reduce the number of scrutineers each Nomination Contestant may appoint, where they consider it to be necessary in the best interests of the Ontario Liberal Party, in which case the Chief Returning Officer shall direct the Returning Officer to inform each Nomination Contestant.
- c. Scrutineers shall not hinder or interfere with voters, voting or vote counting, except to raise challenges or objections to the Returning Officer and Deputy Returning Officers, and shall comply with all directions given by the Returning Officer (who shall have the power to remove scrutineers).

52. Voting Time. Voting shall not close until at least one (1) hour after it begins. The Returning Officer shall ensure that voting does not end before the time indicated on the Notice as the earliest time at which voting may end. The Returning Officer may permit voting to extended, if they determine that it is appropriate to do so, in which case the Returning Officer shall inform each Nomination Contestant, or their chief scrutineer, of the new time at which voting will end, and further extensions of the voting hours may similarly be implemented.

53. Proof of Identity. Before being provided with a ballot, a person who wishes to vote at a Nomination Meeting must present to the Deputy Returning Officer or such other official as the Returning Officer may direct, proof of the person's identity and place of residence. In order for a document to constitute proof of a person's identity, it must be an original document that shows the person's name and signature, and which is described in the current list of acceptable forms of documents published by the Chief Electoral Officer of Ontario on a website on the Internet, pursuant to section 4.2 of the *Ontario Election Act* as amended from time to time. In order for a document to constitute proof of a person's residence, it must be an original document that shows the person's name and residence, and which is described in the current list of acceptable forms of documents published by the Chief Electoral Officer of Ontario on a website on the Internet, pursuant to section 4.2 of the *Ontario Election Act* as amended from time to time. A single document may be accepted if it meets all the requirements of identity and residency. In exceptional circumstances, the Returning Officer may authorize the issuance of a ballot to a person who is unable to comply with the proof of identify requirements where they or their designate is fully satisfied as to the individual's identity and residence based upon thorough inquiry including a comparison of the individual's signature to the signed membership application, or where the individual has applied and paid for membership online, the individual or an immediate family member produces a credit card bearing the account number with which the membership was paid for, if applicable.

54. Ballots. Ballots shall be in a form approved by the Chief Returning Officer. In all cases where it is practicable to do so, ballots shall be pre-printed with the name of each Nominee. A Member to whom a ballot was issued who has marked their ballot but wishes to correct the ballot before casting it may exchange the original ballot for a new ballot by returning it to the Returning Officer who shall personally destroy the original marked ballot immediately, without ascertaining or revealing its contents. To be valid, a ballot must be anonymous, and the intention of the voter must be clear.
55. Balloting. Balloting shall be conducted pursuant to Section 11.12 of the Constitution. For greater certainty, balloting shall be by one secret ballot only, and in the event that there are more than two (2) nominees, it shall be a secret preferential ballot.
56. Counting and Results. Immediately upon the end of voting, the Returning Officer and the Deputy Returning Officers shall collect the ballot boxes and all unused ballots. The ballots shall be counted by the Deputy Returning Officers under the direction of the Returning Officer in a private place, in the presence of the counting scrutineers. The Returning Officer shall be the final authority at the Nomination Meeting in deciding how ballots should be counted in the event that the meaning of one or more ballots is doubtful. Upon the completion of the tabulation of all ballots cast, the Returning Officer shall certify the result of the vote and advise all Nomination Contestants present, and shall announce which Nomination Contestant was elected the Constituency Association's Nominee. Upon the adjournment of the Nomination Meeting, the Returning Officer shall seal all of the ballots that were cast and all of the ballots that were not used, and deliver them to the Ontario Liberal Party. The ballots so delivered shall be kept in a secure location for at least seven days after the Nomination Meeting adjourns and thereafter, if no objection to the results of the Nomination Meeting is pending before the Arbitration Committee, the Ontario Liberal Party shall destroy the ballots.

## **ELECTORAL URGENCY AND ELECTORAL PERIOD**

57. Electoral Urgency. Pursuant to Section 11.13 of the Constitution, The Nomination Commissioner may provide a Nomination Plan for any Constituency Association that, by the time that an Electoral Urgency has been declared, has not nominated a Nominee. If a Draft Nomination Plan has been submitted, but not adopted, the Nomination Commissioner may amend it as to dates and any other items they consider appropriate. If a Nomination Plan has been adopted, but the Nomination Meeting has not been held, the Nomination Commissioner may provide an alternate Plan revised as to dates and any other items which they consider appropriate.
  
58. Suspension of Rules. The Nomination Commissioner may amend, suspend or vary any of these Rules or impose additional Rules during Electoral Urgency.