



Ontario Liberal Party Rules of Procedure No. 6

## Rules of Procedure for the Candidate Nomination (“Nomination Rules”)

Approved by Ontario Liberal Party Provincial Election Campaign Committee  
on DATE , 2024

**NOTE:** These Rules of Procedure supplement and are subordinate to the Ontario Liberal Party Constitution. Please refer to the Ontario Liberal Party website for the most current version of these documents.

### Authority and Interpretation

1. Authority. These Nomination Rules (the “Rules”) are the “Rules of Procedure” referred Sections 11.1 and 11.2 of the Constitution of the Ontario Liberal Party (the “Constitution”), as adopted by the Provincial Election Campaign Committee. 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.
  - a) All rules previously adopted by the Provincial Election Campaign Committee relating to subject matter addressed in these Nomination Rules are hereby repealed.
  - b) The Provincial Election Campaign Committee may amend these Rules at any time, subject to any limitations in the Constitution.
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) **“Call”** in relation to a Nomination Meeting means the process described in Section 47.
  - b) **“Campaign Committee”** means the Provincial Election Campaign Committee of the Ontario Liberal Party established under Article 12 of the Constitution.
  - c) **“Contestant Presentations Meeting”** means a meeting of a Constituency Association for the purpose of presentations or speeches by the Nomination Contestants.
  - d) **“Chief Returning Officer”** is the officer appointed pursuant to Section 49.
  - e) **“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.

- f) **“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.
  - g) **“Membership Rules”** means the Rules No. 4 - Rules of Procedure for Membership of the Ontario Liberal Party, as enacted by the Executive Council pursuant to sections 3.17, 3.20, and 5.9(e) of the Constitution.
  - h) **“Nomination Contestant”** means a person seeking nomination as a Candidate pursuant to these Rules.
3. **Nomination Pursuant to Rules.** A Nomination Contestant may only be nominated as a Candidate (1) by selection of a Nomination Contestant as a Candidate by a Constituency Association at a nomination meeting called and conducted in accordance with these Rules, or (2) by appointment of a Candidate 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 Panel of the Arbitration Committee 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 after the matter complained of has, or should reasonably have, come to the attention of such Nomination Contestant (or, in the case of an appeal of decisions made at the Nomination Meeting, within 72 hours after the start of the Nomination Meeting). Such notice must be delivered within the stated time limit to the Chair of the Arbitration Committee at the offices of the Ontario Liberal Party, either in person or via email delivered to the Executive Director, with copies to be delivered promptly thereafter to:
      - i) the Chief Returning Officer;
      - ii) the Returning Officer for the Contested Nomination Meeting, if such an appointment has been made;
      - iii) the other Nomination Contestants or their representatives;
      - iv) The Nomination Commissioner;
      - v) The President of the affected Constituency Association; and
      - vi) the Regional Vice-President for the region to which the Constituency Association is assigned.

## **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 nominated Candidates, 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 prospective Nomination Contestants.

### **Vetting Committee**

8. Committee Composition. The Nomination Commissioner shall establish a “**Vetting Committee**” that shall be responsible for vetting and, where appropriate, recommending approval of 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 Vetting Committee, entitled to but not required to attend and participate in any deliberations thereof.
9. Scope and Powers of Review. One or more members of the Vetting Committee shall interview each person seeking to be approved as Nomination Contestants, and before making a recommendation on a person shall conduct a review of factors that shall include the following and may use technology/ AI to assist with the process where deemed appropriate by the Nomination Commissioner:
  - a) Vetting Papers;
  - b) criminal record check obtained from the local police authority where the person resides, and credit report obtained from either TransUnion or Equifax;
  - c) information provided to the 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. For greater clarity, the factors listed in Subsections 9(c) to (i) are not prerequisites to the approval of a candidate, and the Vetting Committee has the discretion to recommend the approval of such candidates as it considers to be appropriate.
11. Eligibility for Approval. To be eligible for approval 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 record check obtained from the local police authority where the person resides, and a credit report obtained from either TransUnion or Equifax;
  - c) have submitted a non-refundable processing fee, by way of a cheque electronic transfer through a means approved by the Ontario Liberal Party, 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 or reduced by the Nomination Commissioner) of:
    - i) \$ 3000; or
    - ii) \$ 2000, if the person is a woman
  - d) have completed an interview with the Vetting Committee (except that an Incumbent Member need only complete an interview where requested by the Vetting Committee);
  - e) have resigned the role of President of the applicable Constituency Association held by such person; and
  - f) have satisfied the Vetting Committee that:
    - i) the person is qualified to be a Candidate and sit as a member of the Legislative Assembly under the *Election 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 Candidate, despite any other penalty to which the person has been subject pursuant to law;
    - iii) the person has not made a material misrepresentation to the 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 has 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 the person, or the Ontario Liberal Party;
  - viii) the person has not engaged in conduct that impugns or may undermine the electoral success of the Ontario Liberal Party, the Leader, party officials, or any Candidates and
  - ix) the person will not otherwise bring controversy or disrepute upon the person, or the Ontario Liberal Party.
12. For greater clarity, the factors listed in Subsections 11(f) ii to ix are not prerequisites to the approval of a candidate, and the Vetting Committee has the discretion to recommend the approval of such candidates as it considers to be appropriate.
13. Form of Vetting Papers. Vetting Papers shall be in the form in Schedule A of these Rules and shall be signed before a Commissioner for taking Oaths, and copies of required documents shall be notarized as such. Vetting Papers shall include an undertaking by the person signing them (1) not to run except as a Liberal Candidate in the election to which such Vetting Papers relate, (2) not to make public statements critical of any decision of the Vetting Committee or party officials, (3) to release and not to pursue any claim they may have now or in the future against the Candidate, the Ontario Liberal Party or party officials, (4) to consent to the review and background checks to be undertaken by the Vetting Committee, and (5) to pay liquidated damages in the amount 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 the 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. A failure to provide full and frank disclosure on Vetting Papers, or to disclose changes may constitute reasons for the revocation of an approval, pursuant to section 17.
14. Procedures Relating to Vetting Papers.
- a) 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.
  - b) 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 Vetting Papers were received electronically, the originals must be delivered to the offices of the Ontario Liberal Party within 72 (seventy-two) hours thereafter.
15. Incumbent Members. An Incumbent Member shall, for the purposes of the review by the Vetting Committee, be presumed to satisfy the criteria in Section 9 hereof, absent

evidence to the contrary. The Vetting Committee will make every effort to provide an expedited review to an Incumbent Member.

16. Approval. Upon completion of review, the Vetting Committee shall make a recommendation to the Nomination Commissioner to approve a person as a Nomination Contestant eligible for inclusion on a Nomination Plan, or to withhold such approval. The Nomination Commissioner, in consultation with appropriate party officials, retains the sole and unfettered discretion to provide or withhold approval of any person, subject only to instruction by the Leader to provide or withhold approval of a specific person. Upon approval by the Nomination Commissioner of a person as eligible for inclusion on a Nomination Plan, the Nomination Commissioner will notify (1) the Executive Director, (2) the President of the Constituency Association or the Alternate of such President, and (3) the Regional Vice-President for the region to which the Constituency Association is assigned.
17. Exclusion Following Approval or Nomination.
  - a) Each of the Leader and the Nomination Commissioner retains the sole and unfettered discretion to revoke a previous approval and deem a Nomination Contestant ineligible for inclusion in a Nomination Plan.
  - b) If the Leader advises the Nomination Commissioner that he or she will decline to endorse a person who has been nominated in accordance with these Rules, pursuant to section 27(2) of the *Election Act*, such person ceases forthwith to be the Candidate and a new Candidate may be determined in accordance with these Rules.

### **Nomination Contestants**

18. Appointment of Candidates. Subject to Section 11.9 of the Constitution, the Leader has the sole and unfettered discretion to appoint a Candidate in a particular electoral district without the need for the holding of a Nomination Meeting.
19. 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 in accordance with Section 16 as a Nomination Contestant.
  - b) Despite the foregoing, where a Constituency Association is in whole or in part 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 as the candidate for that Constituency Association, 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) Despite the foregoing, an Incumbent Member will not be required to complete the following Sections of the Vetting Papers, except 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.
20. Approval Confers No Entitlement for Inclusion. Approval 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.
21. 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.
22. Form of Nomination Papers. Nomination Papers shall be substantially in the form set out in Schedule B of these Rules, and such papers shall be signed by at least twenty-five (25) Members in good standing or Associate Members of the Constituency Association. If, at any time subsequent to the nomination of a Nomination Contestant as a Candidate, and prior to the date of election, there is a material change in the circumstances of that Candidate, as previously reported in the Nomination Papers, the Candidate shall forthwith disclose such changes, in writing, to the Nomination Commissioner.
23. 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, the originals are received within 72 (seventy-two) hours thereafter.
24. Notices and Information. A Nomination Contestant may designate a person to receive or give notices and information on their behalf.
25. Access to Membership List. A Nomination Contestant shall from time to time as determined by the Chief Returning Officer or a designate thereof, be entitled to receive a copy of or be given access to the Membership List of the Constituency Association. A Nomination Contestant must, in the form required by the Ontario Liberal Party, provide all such assurances as to list confidentiality, scope of use, and destruction as may be mandated by the Party.
26. Restrictions on Nomination Campaigns. Nomination Contestants shall not, and shall take all reasonable steps to ensure that no person acting on their behalf shall:
- a) use the logo of the Ontario Liberal Party, the Liberal Party of Canada, or any variations, imitation, or artistic interpretation of any current or past logos of any liberal party, prior to successful nomination as the Candidate 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 at 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 nominated Candidate, the Ontario Liberal Party, or any party official, except in accordance with the appeal provisions contained herein, or as required by law, or
  - d) engage in voter suppression of supporters of another Nomination Contestant.
27. Nomination Campaign Fundraising. On the tenth business day of each calendar month after a Nomination Contestant is registered pursuant to Section 12.1 of the Election Finances Act, such Nomination Contestant shall ensure that his or her chief financial officer (as registered under Section 12.1(3)(d) the *Election Finances Act*) delivers to the Executive Director or her designate (1) a statement of the contributions received by such Nomination Candidate in the most recently completed calendar month, including the name, address and amount given by the relevant contributor, and (2) a fee payment, in a manner specified by the Executive Director, equal to 20% of the sum of all such contribution to the Ontario Liberal Party for the purpose of offsetting the cost associated with nomination contests. In no event shall any amount paid to this Party as a fee arising from a contribution of any individual to a nomination contestant exceed the amount that individual would be permitted to contribute to the Party under the Election Finances Act.
28. Disqualification. The Nomination Commissioner may disqualify a Nomination Contestant or a nominated Candidate pursuant to Sections 11.3.4(g) and 11.3.5 of the Constitution.
29. Expected Conduct of Nomination Contestants.
- a) For the purposes of Section 11.3.5 of the Constitution, the failure of a Nomination Contestant or their campaign team to
    - i) conduct themselves with decorum and respect for opposing Nomination Contestants, the Ontario Liberal Party, any of its members, or any of its officials,
    - ii) refrain from conduct that will unduly and material diminish the chances of any Candidate to win their electoral district for the Ontario Liberal Party in a general election,
    - iii) refrain from conduct that is unbecoming or detrimental to the public confidence in the Ontario Liberal Party or its nomination process,
    - iv) to comply with direction from the Nomination Commissioner, the Chief Returning Officer, or the Returning Officer to conduct or cease to conduct specific activities,

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 nominated Candidate.
  - 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 nominated Candidate.

## Nomination Plans



30. 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. Where a constituency association has not submitted a Draft Nomination Plan within thirty days of a general request having been made pursuant to Section 11.6.1, the Nomination Commissioner may issue a specific request that it do so within fourteen (14) days
31. Form of Draft Nomination Plan. The Draft Nomination Plan shall be in the form in Schedule C of these Rules.
32. Under-represented Groups 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 includes only Nomination Contestants who are from groups or communities identified by the Nominations Commissioner that are traditionally underrepresented in the Legislature, specifically
    - i) Women and/or non-binary people,
    - ii) Racialized, Black, and/or People of Colour (“Visible Minorities”)
    - iii) People with disabilities (including invisible and episodic disabilities)
    - iv) 2SLGBTQI+ and/or gender and sexually diverse individuals
    - v) Indigenous Peoples
  - 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 from such groups.
  - c) Upon a determination pursuant to subsection a or b, the Nomination Commissioner shall notify (1) the chair of the 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 accept the Draft Nomination Plan as amended.
33. Contestant 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, and location of a Contestant Presentations Meeting where:
  - b) the date must not be more than seven days prior to the Nomination Meeting;
    - i) if the date is the same date as the Nomination Meeting, the start time must be no later than the start time of the Nomination Meeting; and
    - ii) the location may be at a physical location or conducted by electronic means, and must be reasonably accessible to members of the Constituency Association.
  - c) Where a Draft Nomination Plan only includes the name of one Nomination Contestant, the Contestant 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.

34. 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.
35. Further Notifications Upon Approval. Upon the adoption of a Nomination Plan, the Nomination Commissioner shall notify (1) the Leader, (2) the Executive Director of the Ontario Liberal Party, and (3) the Chief Returning Officer of the relevant details.
36. 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, and has reported its current bank account balance to the 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 from groups or communities that are traditionally under-represented in the Legislature, 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**

37. 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) Despite the foregoing, a member is not entitled to vote at a Nomination Meeting if the member has already voted at a Nomination Meeting of another Constituency

Association held for the purpose of choosing a Liberal Candidate in the same general election.

38. Bulk Membership Applications. The Nominations Commissioner may, in respect of any riding, by written directive, to the Party President, Executive Director, and each applicable Regional Vice-President, President of the Riding Association, establish rules and procedures for the bulk processing of memberships in a particular electoral district or in a group of electoral districts. Any Nomination Contestant or prospective nomination contestant submitting bulk memberships to the Ontario Liberal Party for processing shall pay to the Ontario Liberal Party, concurrent with such submission, by cheque or other method established by the Executive Director, a bulk processing fee of \$2.89 per membership application.
39. Deficient Memberships. Despite 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.
40. Draft Membership 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 Membership 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) Members eligible to vote at the Nomination Meeting;
  - b) 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) Members who are not eligible to vote at the Nomination meeting.
41. Distribution of Draft Membership List. The Returning Officer shall provide access to the Draft Membership 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 complied with section 25.
42. Corrections. The Draft Membership Lists may be corrected by the Returning Officer at any time before the Nomination Meeting is adjourned.
43. 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.
44. 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) does not reside at the address contained on the membership list, (2) did not provide a valid email address and a valid telephone number for the Member, if applicable, or (3) did not provide a date of birth of the Member, if applicable, or if

- the date of birth provided is materially incorrect, (4) otherwise does not meet the criteria for valid membership.
- b) Unless otherwise determined and communicated by the Returning Officer, all challenges must be submitted
  - c) at least 168 hours prior to the start time of the Nomination Meeting prescribed in the Nomination Plan. The CRO may, in his or her unfettered discretion, set a challenge deadline for a particular Nomination Meeting that is less than 168 hours and greater than or equal to 72 hours.
  - d) The Returning Officers 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.

### **Contestant Presentation Meetings**

- 45. Time and Date of Meeting. A Contestant Presentations Meeting shall be held on the date, at the time and location set out in the Nomination Plan, provided that a Contestant 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.
- 46. Change. The Nomination Commissioner may, in consultation with the President of the Constituency Association, change the date, time, and location of the Contestant 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 Contestant Presentations Meeting.
- 47. Chair.
  - a) For each Contestant Presentations Meeting, the Nomination Commissioner or a designate thereof (and the Nomination Commissioner may appoint themselves to such role) shall appoint as soon as possible following the approval of the Nomination Plan a chair for the Contestant 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 themselves 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.
- 48. Speeches & Demonstration. Nomination Contestants shall be allocated an equal amount of time, set by the Chair in consultation with the President of the Constituency Association and the Nomination Contestants, to deliver speeches, inclusive of any speeches by nominators or supporters, and conduct any demonstration at the Contestant 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 recommendations involving other Nomination Contestants for preferential ballot.
  - c) The order of the speeches & demonstrations shall be determined by random draw.
49. 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 Meeting**

50. 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.
51. Location of Meeting. A Nomination Meeting shall be held at the location set out in the Nomination Plan. A Nomination Meeting may be held virtually via electronic means for the purpose of voting (provided that no meeting shall be held virtually without the express consent of the Nominations Commissioner). 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.
52. 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 for issuing a call of the Nomination Meeting upon such event. This call of the Nomination Meeting is separate and distinct from the call of nomination contest contemplated in the *Election Finances Act*.
53. Notice of Meeting.
- a) After being notified of the adoption of a Nomination Plan, the Executive Director shall ensure a Notice of a Nomination Meeting is provided to (i) all Members of the applicable Constituency Association, and (ii) all Immediate Past Members of the applicable Association, in each case at least seven (7) days before the date of the Meeting.
  - b) The Nomination Commissioner may determine (i) the form of the Notice and direct the Executive Director 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 be deemed to have been sent on the date it was transmitted.
  - e) 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.

- f) Notice shall be posted on the website of the Ontario Liberal Party.
54. Chief Returning Officer. The Campaign Chair shall appoint a Chief Returning Officer, to discharge the responsibilities assigned in these Rules to such person, to coordinate 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.
55. 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. The appointment may be revoked or substituted at any time prior to the completion of the Nomination Meeting.
- 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) for in-person Nomination Meeting, move the Nomination Meeting to another physical location, or request to the Nominations Commissioner that the Nomination Meeting be held virtually via electronic means for the purpose of voting; or
- iii) for in-person Nomination Meeting, 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 or hold the Nomination Meeting virtually, 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 or hold the Nomination Meeting virtually, 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 the 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.

56. Scrutineers. In the event of an in-person Nomination Meeting:

- 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) 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).
- c) The Chief Returning Officer may direct the Returning Officer for a Nomination Meeting to 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.

57. Voting Time.

- a) Voting shall not close until at least one (1) hour after it begins.
- b) 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.
- c) The Returning Officer may permit voting to be 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.

58. Proof of Identity.

- a) 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.
- b) If the Nomination Meeting is held virtually, before being provided with an electronic voting credential, a person who wishes to vote must present to the Returning Officer or their designate, via electronic means and manners deemed acceptable by the Chief Returning Officer, proof of the person's identity and place of residence by a specific deadline. The Notice of the Nomination Meeting shall specify the deadline and the electronic means.
- c) 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 which is described in the current list of acceptable forms of documents as determined by the Chief Returning Officer from time to time and communicated to the Nomination Contestants. 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. 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 identity requirements where they or their designate is fully satisfied as to the individual's identity and residence based upon thorough inquiry.

59. Ballots. Ballots shall be in a form approved by the Chief Returning Officer, and may be electronic. In all cases where it is practicable to do so, ballots shall be pre-printed with the name of each Nomination Contestant. 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.
60. 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) Nomination Contestants, it shall be a secret preferential ballot.
61. Counting and Results.
  - a) In the event of an in-person Nomination Meeting, 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 Candidate. 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.
  - b) In the event of a virtual Nomination Meeting, upon the end of voting, the Returning Officer shall convene a virtual meeting with the Nomination Contestants and their representatives to announce the result of the tabulation of ballots and which Nomination Contestant was elected the Constituency Association's Candidate.

### **Electoral Urgency & Electoral Period**

62. 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 Candidate. 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.

63. Suspension of Rules. The Nomination Commissioner may amend, suspend, or vary any of these Rules or impose additional Rules during Electoral Urgency.