



RULES AND PROCEDURES FOR THE BC LIBERAL PARTY LEADERSHIP VOTE

(Adopted by the Rules Committee August 30, 2017)

ARTICLE 1: INTERPRETATION

- 1.1 These rules are in effect pursuant to Sections 7.10 and 10.2(c) of the Constitution of the Party (the “**Constitution**”).
- 1.2 Any capitalized term not defined herein has the meaning assigned to it in the Constitution.
- 1.3 If there is a conflict between these Rules and the Constitution, the Constitution will prevail.
- 1.4 In these Rules:
 - (a) “**Candidate Participation Fee**” means a fee of \$15,000.00;
 - (b) “**Chief Returning Officer**” and “**Deputy Returning Officer**” have the meanings given to them under Article 6 of these Rules;
 - (c) “**Compliance Deposit**” means a deposit of \$10,000.00;
 - (d) “**Exploratory Entry Fee**” means a fee of \$9,500.00;
 - (e) “**Final Candidacy Fee**” means a fee of \$25,000.00;
 - (f) “**Leadership Contestant**” means a Member who has delivered, or who has expressed an interest in delivering, a written nomination for election as the Leader pursuant to section 10.2 of the Constitution and includes any person who represents or acts for, or on behalf of, a Leadership Contestant and in the case of any circumstances where there is any uncertainty as to whether a person is a Leadership Contestant or whether a person represents or acts for, or on behalf of, a Leadership Contestant the Chief Returning Officer may, in their Opinion, make a determination as to whether a person is a Leadership Contestant or a person who represents or acts for, or on behalf of, a Leadership Contestant;
 - (g) “**Membership Deadline**” means 5:00 p.m. (PST) December 29, 2017;
 - (h) “**Nomination Application Fee**” means a fee of \$500.00;
 - (i) “**Nomination Deadline**” means 5:00 p.m. (PST) December 29, 2017;
 - (j) “**Opinion**” means sole and uncontrolled opinion which is not subject to review or appeal;
 - (k) “**Party Leadership Events**” means those events described in Article 7;
 - (l) “**Province-Wide Count**” has the meaning given to it under Article 5 of these Rules ;
 - (m) “**Rules**” means the rules and procedures herein; and



- (n) “**Rules Committee**” means the committee appointed by the Party Executive on August 20, 2017 to which it delegated its authority to determine the rules and procedures for the nomination of Leadership Contestants and conducting the Leadership Vote and Leadership Convention.

ARTICLE 2: DATE AND LOCATION OF THE LEADERSHIP CONVENTION

- 2.1 The date of the Leadership Vote, Leadership Convention and the announcement of the winner and the new Leader of the Party shall be February 3, 2018.
- 2.2 The Leadership Convention will be held at such location as may be designated by the Rules Committee in consultation with the Party Executive.

ARTICLE 3: RULES COMMITTEE

- 3.1 Leadership Contestants and the Chief Returning Officer have a right to file with the Rules Committee an allegation that a particular Leadership Contestant is not complying with these Rules. The Rules Committee will conduct an investigation into such allegation in order to determine whether there has been a contravention of these Rules. If the Rules Committee determines that a Leadership Contestant has contravened these Rules then it may enforce any penalty it deems appropriate, including but not limited to:
- (a) issue a letter of caution to the Leadership Contestant;
 - (b) direct the Leadership Contestant to take specified actions to achieve compliance with these Rules and to remedy any consequences of the contravention, with which direction the Leadership Contestant shall immediately comply;
 - (c) a fine not exceeding the amount the Compliance Deposit, which fine will be taken from the refundable portion of the Compliance Deposit;
 - (d) suspension from participation in Party Leadership Events; and
 - (e) with the prior approval of the Provincial Executive first had and obtained, disqualify the Leadership Contestant and instruct the Party and the Chief Returning Officer to remove such Leadership Contestant’s name from the leadership ballot.

The decision of the Rules Committee in this regard is final.

- 3.2 The Rules Committee will on a regular basis keep the Party Executive apprised of its decisions referred to in Section 3.1 above. The Rules Committee may from time to time seek direction from the Provincial Executive.



3.3 Rules Committee members shall conduct themselves in an entirely neutral fashion in all respects in relation to the processes of electing the Leader of the Party.

ARTICLE 4: NOMINATION PROCESS

4.1 To be eligible for election for Leader, a Leadership Contestant must:

- (a) be a Member;
- (b) be eligible under the Election Act for election to the Legislative Assembly of British Columbia,
- (c) deliver to the President a written nomination signed by 100 Members representing not less than 5 Electoral Districts, which may be in one or more counterparts;
- (d) deliver to the President a nomination application and contestant questionnaire in the form approved by the President;
- (e) pay to the Party the Nomination Application Fee, the Exploratory Entry Fee, the Candidate Participation Fee, the Final Candidacy Fee and the Compliance Deposit as provided in these Rules;
- (f) comply and cause those involved with their leadership campaigns to comply with these Rules; and
- (g) comply with the Party's Rules and Procedures for Membership.

4.2 Any prospective Leadership Contestant must be approved for candidacy by the Rules Committee. The Rules Committee must only approve those Leadership Contestants who have complied with these Rules.

4.3 Prospective Leadership Contestants must deliver to the President the Nomination Application Fee and the Exploratory Entry Fee payable to the Party no later than 5:00 p.m. (PST) December 29, 2017. The Nomination Application Fee and the Exploratory Entry Fee must be paid at the same time the prospective Leadership Contestant delivers the materials described in subsection 4.1(c) and 4.1(d) to the President.

4.4 The Nomination Application Fee is non-refundable. The Exploratory Entry Fee is refundable if after considering the materials described in subsections 4.1(c) and 4.1(d) the Rules Committee does not approve the prospective Leadership Contestant.

4.5 Leadership Contestants must deliver the Candidate Participation Fee to the President payable to the Party on or before whichever of the following events last occurs:

- (a) the date such prospective Leadership Contestant is approved by the Rules Committee;
- or



- (b) the date of the next Party Leadership Event following the date referred to in subsection 4.5(a).
- 4.6 Leadership Contestants must deliver to the President the Final Candidacy Fee payable to the Party on or before December 29, 2017.
- 4.7 The Candidate Participation Fee and the Final Candidacy Fee are non-refundable.
- 4.8 Leadership Contestants must deliver to the President the Compliance Deposit payable to the Party concurrent with payment of the Candidate Participation Fee. In the event that the Rules Committee determines that a Leadership Contestant has breached a Rule and imposes a fine pursuant to subsection 3.2(a), then the amount of such fine will be taken from such Leadership Contestant's Compliance Deposit. Such Leadership Contestant must forthwith replenish their Compliance Deposit by the amount of such fine. The balances of the Compliance Deposits are refundable after the election of the new Leader.
- 4.9 Delivery of the materials, fees or deposit referred to in this Article 4 to the President shall be deemed to have been made if delivered to Party Headquarters.

ARTICLE 5: LEADERSHIP VOTING PROCEDURES

- 5.1 The election of the Leader will be conducted on a one Member – one vote preferential ballot system on which the Member indicates the Member's preference for Leadership Contestants, ranking as many or as few as they decide. In order to be eligible to vote, an individual must be a Member as of 5:00 p.m. (PST) December 29, 2017 and must be a Member when they vote for the Leader.
- 5.2 Each Electoral District will be given equal weight in the balloting, and in particular, each Electoral District is allocated 100 points.
- 5.3 If only one Leadership Contestant runs for Leader, then that Leadership Contestant is elected Leader and no election for Leader will be held.
- 5.4 If two or more Leadership Contestants run, then each Member who has a right to vote may vote by a preferential ballot on which the Member indicates their preference for the Leadership Contestants. A ballot is not spoiled because the Member has not indicated a preference for all the Leadership Contestants. The ballots must be counted under the direction of the Chief Electoral Officer, in accordance with the following procedure:
 - (a) Each Electoral District is allocated 100 points.
 - (b) On the first count:
 - (i) For each Electoral District, the first preference votes recorded in favour of Leadership Contestants on the ballots cast by the Members who ordinarily reside in that Electoral District (or are registered in such Electoral District as Members living outside such Electoral District pursuant to section 4.4 of the



Constitution) are counted and then the 100 points allocated to the Electoral District are allocated to each Leadership Contestant on the basis of the ratio the number of the first preference votes received by that Leadership Contestant bears to the total number of votes counted for such Electoral District; and

- (ii) The total number of points allocated to each Leadership Contestant from all Electoral Districts in British Columbia are added to produce a total for the province-wide count (the “Province Wide Count”).
- (c) On the second count, the Leadership Contestant who received the least points on the first Province-Wide Count is eliminated and that Leadership Contestant’s first count ballots are distributed in each Electoral District among the remaining Leadership Contestants according to the second preferences indicated and counted according to the procedure set out in the previous paragraph as if they were first preference votes.
- (d) On each subsequent count, the Leadership Contestant who received the fewest points in the preceding Province-Wide Count is eliminated, and that Leadership Contestant’s ballots are distributed among the remaining Leadership Contestants according to the next preferences indicated.
- (e) The first Leadership Contestant to receive more than 50% of the points allocated on any Province-Wide Count is selected as the Leader.

5.5 Leadership Vote balloting will take place through a secure online voting system starting 9:00 a.m. (PST) February 1, 2018 and ending 5:00 p.m. (PST) February 3, 2018 with a telephone voting option. An online or telephone voting system may include a voter registration process, requiring eligible Members to register and verify their identity in order to receive voting credentials.

5.6 Members are prohibited from allowing another person to use their voting credentials or otherwise vote in their place.

ARTICLE 6: CHIEF RETURNING OFFICER

6.1 The Chief Returning Officer appointed by the Party Executive will be responsible for all arrangements necessary for the conduct of the Leadership Vote.

6.2 Independent of the Party Executive, the Rules Committee and each of the Leadership Contestants, the Chief Returning Officer will be empowered to monitor compliance with the Rules, refer contraventions to the Rules Committee and to determine whether or not a Member is eligible to vote.

6.3 A Deputy Returning Officer may be appointed by the Rules Committee to assist the Chief Returning Officer. Anything the Chief Returning Officer is directed or empowered to do by these Rules, or by the Rules & Procedures for Membership as they apply to the



Leadership Nomination and Leadership Vote, may be done by the Deputy Returning Officer.

ARTICLE 7: LEADERSHIP EVENTS

7.1 All approved Leadership Contestants must attend such events as may be prescribed by the Party Executive (“Party Leadership Events”). Party Leadership Events will include one debate or forum organized by the Party to be held in each of the following locations:

- (a) Vancouver;
- (b) Surrey;
- (c) Prince George;
- (d) at a location in the Thompson-Okanagan region;
- (e) Nanaimo; and
- (f) at a location designated by the B.C. Liberal Indigenous Network.

The Party Executive may, if it deems appropriate, change the location of Party Leadership Events referred to above.

7.2 The Party may make arrangements for remote participation in Party Leadership Events by Members residing in Northeast and Northwest British Columbia

ARTICLE 8: CAMPAIGN FINANCES

8.1 Leadership Contestant expenses will be limited to a maximum of \$600,000.00. Leadership Contestant expenses will include personal contestant expenses described in subsection 184(4) of the Election Act, but will not include those things described in ss. 180(5) and 184(6) of the *Election Act*, the Application Fee, the Exploratory Entry Fee, the Candidate Participation Fee, the Final Candidacy Fee, the Compliance Deposit, and the amounts referred to in subsection 8.4(a), 8.4(b) and 8.4(c). Calculation of expenditure by a Leadership Contestant will commence on the date these Rules come into effect and will end immediately after the Leadership Vote.

8.2 All Leadership Contestants are prohibited from taking advantage of public resources, including travel budgets incurred by or available to them as a member of the Legislative Assembly of British Columbia, for purposes of pursuing their leadership campaigns.



- 8.3 All Leadership Contestants must comply with the provisions of the Election Act.
- 8.4 In order to assist the Party with respect to expenses incurred by it in conducting and administering the Leadership Vote process:
- (a) each Leadership Contestant must on the 5th day of each and every month to and including January 5th, 2018 report to the Party the amount of leadership campaign contributions received by such Leadership Contestant for the immediately preceding calendar month and on such dates pay to the Party an amount equal to 20% of such contributions;
 - (b) each Leadership Contestant must on January 21, 2018 report to the Party the amount of leadership campaign contributions received by such Leadership Contestant for the period commencing on January 1, 2018 and ending on January 15, 2018 and on January 21, 2018 pay to the Party an amount equal to 20% of such contributions.
 - (c) each Leadership Contestant must on February 9, 2018 report to the Party the amount of leadership campaign contributions received by such Leadership Contestant for the period commencing on January 16, 2018 and ending on February 3, 2018 and on February 8, 2018 pay to the Party an amount equal to 20% of such contributions.
 - (d) Membership fees collected by the Party between the date which these Rules come into effect and 5:00 p.m. (PST) December 29, 2017 will be retained by the Party; and
 - (e) each Leadership Contestant will, within 30 days of the Leadership Vote, remit to the Party any positive difference between contributions received and expenditures incurred by their campaign.
- 8.5 Each Leadership Contestant must, within 90 days of the Leadership Vote, deliver to the Party at Party Headquarters with a copy of the Leadership Contestant's finance report in writing as required by the Election Act.

ARTICLE 9: PARTY UNITY

- 9.1 All Leadership Contestants must in writing undertake to the Party to:
- (a) pledge their support for the Leader;
 - (b) commit to campaigning for the Party in the first provincial general election occurring after the Leadership Vote;
 - (c) not make nor permit their supporters to make disparaging personal remarks concerning other Leadership Contestants;



- (d) provide the Party with all data and email addresses of persons or entities which have contributed to their leadership campaigns;
- (e) participate in fundraising activities organized by the Party, both before and after the Leadership Vote; and
- (f) conduct themselves and their campaigns in a manner so as not to bring the Party into disrepute.

9.2 All Leadership Contestants must fulfill their undertakings referred to in section 9.1.

ARTICLE 10: PRIVACY

10.1 All Leadership Contestants must comply with the Privacy Policy for Leadership Contestants.

10.2 With the approval of the Rules Committee, the Chief Returning Officer and the Party may put in place such conditions or restrictions as they deem necessary on the use of Party data by Leadership Contestants and their campaigns.

ARTICLE 11: AUDIT

11.1 The Rules Committee and its designates may conduct audits and retain an auditor to carry out oversight to ensure the integrity of the leadership election process, and in particular, compliance by interested parties with these Rules.

11.2 All Leadership Contestants must comply with such audits, random or otherwise, as may be conducted by the Rules Committee or its designates.