



RULES GOVERNING CANDIDATE NOMINATIONS
2016 - 2018

June 3, 2017
Progressive Conservative Party
of Ontario

CONTENTS

1.	INTRODUCTION & EFFECTIVE DATE	3
2.	PROVINCIAL NOMINATION COMMITTEE.....	3
3.	NEUTRALITY	4
4.	NOMINATION PERIOD.....	5
5.	APPLICATION FOR NOMINATION MEETING	5
6.	CANDIDATE SEARCH.....	7
7.	CONTESTANT ELIGIBILITY	7
8.	QUALIFICATION AND DISQUALIFICATION OF CONTESTANTS.....	9
9.	RESTRICTIONS ON USE OF PARTY LOGO.....	10
10.	AVAILABILITY OF MEMBERSHIP APPLICATION FORMS.....	10
11.	MEMBER RECRUITMENT SYSTEM	11
12.	ELIGIBILITY TO VOTE.....	11
13.	AVAILABILITY OF MEMBERSHIP LISTS	12
14.	CHAIR OF NOMINATION MEETING	13
15.	NOTICE OF NOMINATION MEETING.....	13
16.	CHAIR OF ELECTIONS	14
17.	BALLOTING PROCESS.....	14
18.	RIDING CANDIDATE	15
19.	POST-WRIT OR IMMINENT WRIT	16
20.	FURTHER RULES AND INTERPRETATIONS	16
21.	DISPUTES AND APPEALS.....	17
22.	ADDRESS	18
23.	DEFINITIONS.....	18

1. INTRODUCTION & EFFECTIVE DATE

- 1.1 In order to be organized before the next election and/or by-election, the Party Executive is continuing its practice of setting down requirements for a fair and orderly candidate selection process.
- 1.2 These Rules are made and distributed by the Party Executive pursuant to Article 9.9 of the Party's Constitution, and shall apply upon approval until the conclusion of the 2018 general provincial election.
- 1.3 Nomination of a Candidate for the Party in any electoral district shall be conducted in accordance with the Party's Constitution and these Rules.
- 1.4 For greater clarity, these rules may be waived at the discretion of the Provincial Nomination Committee in reference to by-elections.

2. PROVINCIAL NOMINATION COMMITTEE

- 2.1 The Party Executive hereby establishes the Provincial Nomination Committee to manage the candidate selection process in accordance with these Rules. The following individuals shall comprise the voting members of the Provincial Nomination Committee:
 - (i) the Party President, as Chair;
 - (ii) two (2) members designated by the Party President, who shall serve as Vice-Chairs;
 - (iii) two (2) members designated by the Leader;
 - (iv) the Campaign Chair; and
 - (v) the Executive Director of the Party.
- 2.2 In addition, the appropriate Regional Vice-President shall be a voting member of the Provincial Nomination Committee for all deliberations relating exclusively to riding associations in his/her region.
- 2.3 Party counsel shall attend each meeting of the Provincial Nomination Committee for the purpose of providing legal advice, but shall not be a voting member.
- 2.4 The mandate of the Provincial Nomination Committee is to ensure that a suitable Candidate is selected to represent the Party in every electoral district.
- 2.5 The responsibilities of the Provincial Nomination Committee, as more fully detailed in these Rules, shall include:

Nomination Rules 2018

- (i) consulting with the riding president and/or the riding's nominations committee on aspects of the local nomination process, as appropriate;
- (ii) regulating the timing and conduct of Nomination Meetings;
- (iii) receiving and reviewing such documents from the riding as are determined by these Rules to be prerequisite to the holding of a Nomination Meeting;
- (iv) receiving and reviewing Nomination Forms from all Potential Contestants;
- (v) making all inquiries which they consider to be necessary or appropriate in order to assess the suitability of a Potential Contestant, including, without limiting the generality of the foregoing, obtaining background checks of any nature and determining the veracity of any statements contained in the Nomination Forms;
- (vi) interviewing Potential Contestants;
- (vii) evaluating whether it is in the best political interests of the Party that a Potential Contestant or a Qualified Contestant be a Candidate of the Party and, on the basis of that evaluation, approving or recommending rejection of a Potential Contestant, Qualified Contestant or Candidate;
- (viii) on appropriate grounds, imposing sanctions on Potential Contestant, Qualified Contestant and Candidates, up to and including disqualification;
- (ix) issuing guidelines with respect to the use and disclosure of Party membership information as contained in the Provincial Party Membership Registry; and
- (x) issuing further guidelines as it deems appropriate to provide for the fair and orderly conduct of the nominations process.

3. NEUTRALITY

- 3.1 All members of the Provincial Nomination Committee shall be neutral. In the event that any member of the Provincial Nomination Committee is unwilling to be or remain neutral, he or she shall be replaced by another appropriate person as determined by the President in consultation with the Provincial Nomination Committee.
- 3.2 If a member of the Provincial Nomination Committee has a conflict of interest or is himself/herself a Potential Contestant or Qualified Contestant, then for the purposes of the Provincial Nomination Committee's mandate related only to the riding or ridings in respect of which the conflict exists, he or she shall recuse himself or herself from the affairs of the Provincial Nomination Committee.

- 3.3 If any member of a riding nomination committee is unwilling to be neutral, he or she shall be replaced by a designate from the riding as determined by the riding executive and acceptable to the Provincial Nomination Committee.

4. NOMINATION PERIOD

- 4.1 Nomination Meetings shall be held for each electoral district no earlier than January 1, 2017 and no later than December 31, 2017, except in the case of a by-election or otherwise with the approval of the Provincial Nomination Committee.
- 4.2 Except in the case of a by-election or otherwise with the approval of the Provincial Nomination Committee, where the boundaries of an electoral district have been altered by redistribution since the 2014 general election, no Nomination Meeting shall be held for such electoral district until all assets, liabilities and other matters pertaining to the riding associations of the relevant pre-existing electoral districts have been settled to the satisfaction of the Executive Director, and the riding association has been registered with Elections Ontario.

5. APPLICATION FOR NOMINATION MEETING

- 5.1 Each riding association shall submit to the Provincial Nomination Committee an application for permission to hold a Nomination Meeting, which application shall include the following:
- (i) a proposed date, time and location for the Nomination Meeting;
 - (ii) a copy of the riding association's constitution;
 - (iii) a summary of the riding association's recent activities including executive and general meetings, community meetings, social events and fundraising activities;
 - (iv) confirmation that the riding association has provided an up-to-date report of all active members to be listed on the Provincial Party Membership Registry;
 - (v) financial information to satisfy the Provincial Nomination Committee that the association's finances are in order;
 - (vi) evidence that all required Elections Ontario filings have been duly completed and that the riding association is in good standing according to the records of Elections Ontario;

Nomination Rules 2018

- (vii) a detailed plan for the riding in terms of pre-writ activity, including raising and spending of funds, and writ organization with members of the riding team having attended training seminars where offered by the Party;
 - (viii) an acceptable candidate search report, as more specifically detailed below, or written confirmation from a sitting PC MPP that he or she intends to seek re-election;
 - (ix) confirmation that at least one or more Qualified Contestants (which may include a sitting PC MPP) have been approved in accordance with these Rules;
 - (x) such supporting information as the Provincial Nomination Committee may require in connection with the membership and financial thresholds described below in section 5.3; and
 - (xi) evidence of active participation by the riding association with the Party's database including memberships, identified supporters past and present; and a commitment to use the Party's database in the months leading up to and including the campaign period.
- 5.2 The Provincial Nomination Committee may in its discretion (but need not) approve special voting or Nomination Meeting arrangements for any of the fifteen (15) largest electoral districts by geographic area in order to provide members the greatest opportunity to vote in the nomination process.
- 5.3 Prior to submitting an application for permission to hold a Nomination Meeting, a riding association must satisfy the thresholds for memberships and finances set out for the riding association by the Party Executive. Expenditures already made on any Party pre-writ or writ programs at the time of the application may be taken into account when calculating funds on hand. Notwithstanding the foregoing, the Provincial Nomination Committee may in its discretion accept a plan to satisfy the requisite thresholds in lieu or evidence that the thresholds have been satisfied.
- 5.4 A response to the riding association will be provided on a timely basis by the Provincial Nomination Committee in accordance with the process established by these Rules.
- 5.5 Riding associations may not proceed with the announcement or holding of a nomination meeting until approval of the date, time and location is received from the Provincial Nomination Committee. In the event a riding proceeds with the announcement of a nomination meeting without the prior approval of the Provincial Nomination Committee, such meeting shall be null and void.
- 5.6 Final approval of the date, time and location will be determined by the Provincial Nomination Committee in the strategic best interest of the Party.

- 5.7 If by October 1, 2017, a riding association has not submitted an application for permission to hold a Nomination Meeting, the Provincial Nomination Committee may in its discretion unilaterally schedule the Nomination Meeting.

6. CANDIDATE SEARCH

- 6.1 A riding association in respect of which a sitting PC MPP (whether or not currently representing the same riding) who has confirmed to the Provincial Nomination Committee in writing that he or she will be seeking the nomination in the riding may, but is not required to, conduct a candidate search process. Where a sitting PC MPP is seeking the nomination, the application for permission to hold a Nomination Meeting shall so indicate.
- 6.2 A riding association in respect of which a sitting PC MPP is not seeking the nomination shall strike a candidate search committee. The candidate search committee shall conduct a diligent and exhaustive search for Potential Contestants with potential to win an election, culminating in a written report. The search will consider a range of Potential Contestants with varied backgrounds and qualifications.
- 6.3 The report must detail the candidate search committee members, the list of Potential Contestants, the process followed by the committee, the responses and curriculum vitae of interested candidates. For greater clarity, the riding association candidate search shall be in addition to any search conducted by the Party or the Provincial Nomination Committee.
- 6.4 A copy of the written report of the findings of the committee shall be submitted to the Provincial Nomination Committee with the application for approval to hold a candidate nomination meeting.

7. CONTESTANT ELIGIBILITY

- 7.1 In order to be a Qualified Contestant in a riding, a Potential Contestant (including a sitting PC MPP) must meet the following requirements, except to the extent waived or varied by the Provincial Nomination Committee:
- (i) be qualified to sit as a member of the Legislative Assembly under the provisions of the *Election Act* or any other applicable legislation;
 - (ii) be a member of the Party;
 - (iii) pledge to uphold the Party's Constitution;
 - (iv) affirm his or her intention to support the Party in the election;
 - (v) file all required Nomination Forms within the timeframe set down by the Provincial Nomination Committee for that purpose, provided that the

Nomination Rules 2018

Provincial Nomination Committee may waive certain redundant Nomination Forms for a sitting PC MPP (for example, if such information is already in the Party's possession or relates only to the evaluation process); and

- (vi) discharge all debts due to the Party and its constituent bodies by the Potential Contestant or by any campaign organization that supported the election of the Potential Contestant in any previous election, nomination race or leadership race.

7.2 Any person other than a sitting PC MPP seeking to become a Qualified Contestant, must also:

- (i) attend an interview with representatives of the Provincial Nomination Committee, such representatives to be determined by the Chair;
- (ii) provide his or her consent for the Provincial Nomination Committee to conduct background checks (including police and credit checks, and education verification) in accordance with the provisions of section 7.3, in order to permit the Provincial Nomination Committee to assess his or her suitability as a candidate;
- (iii) pay such fee as may be reasonably determined by the Provincial Nomination Committee to cover the cost of conducting a background check;
- (iv) obtain the approval of the Provincial Nomination Committee to be a Qualified Contestant in the applicable electoral district.

7.3 It is a continuing condition of status as a Qualified Contestant that he or she, both before or after approval, consent to any and all background check(s) that the Provincial Nomination Committee considers to be appropriate to have undertaken in the best interests of the Party. Such background checks may include, but are not limited to, the release of criminal and military service records and credit reports. The results of such background checks shall be kept confidential by the Provincial Nomination Committee and its designates. The Provincial Nomination Committee may only disclose such information where the person's candidacy is rejected or revoked and the person claims to have been disallowed without good reason. Notwithstanding the foregoing, the Provincial Nomination Committee may, upon receiving potentially negative or questionable information as a result of such a background check, disclose such information to the Campaign Chair and/or to the Leader in order to consult upon a decision, but those individuals shall not make further disclosure of such information, except in accordance with the foregoing. Nothing in this provision shall be construed as precluding the Provincial Nomination Committee, the Campaign Chair or the Leader from disclosing information to legal counsel for the purpose of obtaining legal advice thereon.

8. QUALIFICATION AND DISQUALIFICATION OF CONTESTANTS

- 8.1 In carrying out its evaluation of a Potential Contestant in order to determine whether to provide approval to be a Qualified Contestant, the Provincial Nomination Committee may consider the following non-exhaustive criteria, as well as such other criteria as may from time to time be determined by the Provincial Nomination Committee:
- (i) background checks;
 - (ii) financial affairs and liabilities;
 - (iii) statements on the public record and social media history;
 - (iv) any ethical questions or concerns;
 - (v) history of contribution to the community and/or participation in public life;
 - (vi) whether the candidate has a demonstrated history of commitment to the Party; and
 - (vii) whether the candidate subscribes to the policies and values of the Party.
- 8.2 After carrying out its evaluation, the Provincial Nomination Committee may, in its sole and unfettered discretion, acting in the best political interests of the Party, approve or reject a Potential Contestant as a Qualified Contestant, provided that such decision shall be made and the Potential Contestant (as well as the Leader) notified thereof within forty-five (45) days of receipt of a completed application; provided that if notice of a Nomination Meeting for applicable the riding association is issued during such 45 day period, then such decision shall be made and the Potential Contestant (as well as the Leader) notified thereof by the earlier of forty-five (45) days after receipt of a completed application or fifteen (15) days prior to the Nomination Meeting.
- 8.3 Without limiting the authority of the Provincial Nomination Committee to reject a Potential Contestant or to revoke the approval of a Qualified Contestant on appropriate grounds in its sole and unfettered discretion, but subject to section 8.5, the following shall constitute grounds for disqualification:
- (i) the person provides false or misleading information, or omits to provide material information, in his/her Nomination Forms; or
 - (ii) the person refuses to provide consent for a suitable background check and/or fails to provide the prescribed fee; or
 - (iii) the person has made a false or misleading representation in his/her campaign literature; or

- (iv) the person has breached these Rules;
- (v) the person has, in a public and material way, been critical of the Party or the Leader; or
- (vi) the person becomes unable or unwilling to continue in the campaign or whose candidacy or continued candidacy would bring harm, disrepute or dishonour to the Party.

8.4 For greater certainty, the approval of the Provincial Nomination Committee is not required for a sitting PC MPP to be a Qualified Contestant. A PC MPP shall be a Qualified Contestant upon satisfying the requirements of section 7.1.

8.5 Any approval by the Provincial Nomination Committee shall not in any way preclude the Leader from subsequently declining to endorse such person pursuant to section 28.1 of the *Election Act*.¹ Any rejection or disqualification of a Potential Contestant may be overruled by the Leader, in which case the Potential Contestant shall be deemed to be a Qualified Contestant.

9. RESTRICTIONS ON USE OF PARTY LOGO

9.1 No Potential Contestant or Qualified Contestant shall, in connection with their candidacy or possible candidacy for the nomination, use any current or previous logo or mark of the Party or use any confusingly similar logo or in a manner that suggests any association with the Party, and if he or she does so, the Provincial Nomination Committee, the Executive Director of the Party, or such other person as may be empowered to do so in accordance with these Rules or common law, may take such action as he or she may consider to be appropriate in the interest both of fairness and of the Party. Such action may include the issuance without notice of a prohibition on the distribution of any material which violates this Rule, and notwithstanding section 0, the outcome of a Nomination Meeting shall not be subject to appeal on the basis that disturbed by the Permanent Appeal Committee on the basis that the such action was taken. This clause shall not restrict a PC MPP, Party staff member or other authorized Party official or contractor from using such logo or mark in the course of their authorized Party business.

10. AVAILABILITY OF MEMBERSHIP APPLICATION FORMS

10.1 The membership secretary and president of a riding association shall make available to Potential Contestants membership application forms within 24 hours of any request.

¹ From and after July 1, 2017, see section 27(2)(h) of the *Election Act*.

- 10.2 The Party and the membership secretary of the riding association shall accept any application forms substantially similar to the form of the Party's membership application forms, if accompanied by the requisite membership fees.

11. MEMBER RECRUITMENT SYSTEM

- 11.1 Membership in a recognized riding association obtained through an application to the Member Recruitment System shall be considered eligible for vote at the nomination meeting, in accordance with paragraph 8.5 of the Party Constitution, subject to residency requirements and membership cut-off periods referred to in these Rules and/ or guidelines issued by the Provincial Nomination Committee.
- 11.2 The Secretary of the Party, or his or her designate, and members of the Membership Committee (provided they are not Potential Contestants or Qualified Contestants) shall accept applications for membership through the Member Recruitment System by mail, fax, or delivered to the address below, or through the Party website. Membership applications that are delivered in person to the address below may only be received between 9:00 a.m. and 5:00 p.m. (EST), Monday to Friday, excluding statutory holidays. Membership applications received after 5:00 p.m. or on a weekend or statutory holiday will be deemed to be delivered at 9:00 a.m. on the next business day.
- 11.3 At the membership cut-off date, the Secretary of the Party, or his or her designate, shall advise the riding association of all memberships received through the Member Recruitment System, and shall provide a list of those members within twenty four (24) hours after the membership cut-off date, setting out all information contained in the membership applications received.
- 11.4 At the membership cut-off date, the Secretary of the riding association shall advise the Secretary of the Party, or his or her designate, by fax, courier or e-mail, of all memberships purchased through the riding association within twenty four (24) hours after the membership cut-off date, setting out all information contained in the membership applications received.
- 11.5 Further, the Provincial Nomination Committee may, in accordance with these Rules, issue additional guidelines regarding the management of the membership process for voting at a Nomination Meeting.

12. ELIGIBILITY TO VOTE

- 12.1 As stated in the section 8.2 of the Party's Constitution, the Provincial Party Membership Registry is the official record of members of the Party. The contents of such Registry shall be determinative of those persons eligible to vote at a nomination meeting.

- 12.2 A member shall only be eligible to vote at a Nomination Meeting for the Electoral District of the member's residence. "Residence" shall be determined in accordance with the *Election Act*. However, a student may elect to have their residence deemed to be the place where he or she lives while attending school, in accordance with any guidelines issued by the Provincial Nominations Committee.
- 12.3 Notwithstanding any other provision of these Rules, in no circumstances may a member vote at Nomination Meetings for more than one electoral district.
- 12.4 Eligibility for voting membership is determined in accordance with these Rules and any guidelines issued hereunder by the Provincial Nomination Committee.
- 12.5 Membership cut-off for voting privileges at a candidate nomination meeting shall be fifteen (15) days in advance of the Nomination Meeting, which provision shall prevail over any provisions in the constitution of the riding association.

13. AVAILABILITY OF MEMBERSHIP LISTS

- 13.1 The riding association executive is required to make the updated membership list of the association available to all Qualified Contestants on an equitable basis.
- 13.2 The riding association executive may charge a fee not to exceed \$50.00 for each copy of the membership list requested by a Qualified Contestant.
- 13.3 The complete updated membership list must be emailed to the Qualified Contestant or made available for pick-up in the riding not later than 72 hours after any request.
- 13.4 The membership list shall include names, full addresses, and telephone numbers of all members at the time the list is produced.
- 13.5 In the event that a riding association executive is unable or unwilling to provide the membership lists to Qualified Contestants as provided for in this section, the Party shall provide such lists under the same conditions.
- 13.6 Membership information or a membership list of the Party is the exclusive property of the Party and may not be used by or disclosed to any third party without prior approval from the Party. A membership list made available to a Qualified Contestant pursuant to these Rules shall be used only for the purposes of pursuing the provincial Progressive Conservative nomination. The following provisions shall apply:
 - (i) Regarding use of list:
 - (a) use of the list for commercial or any other purpose is strictly prohibited;

- (b) use or disclosure of the list by or to any third party during the nomination campaign shall require written approval from the Provincial Nomination Committee; and
 - (c) the list remains the property of the Party and shall be immediately returned by any contestant who is unsuccessful to obtaining the nomination, and the contestant shall not retain any hard or electronic copy of the list.
- (ii) Delivery of a membership list to Qualified Contestants shall be contingent upon a document substantially to this effect being signed by the Qualified Contestant. The document shall be retained securely by the person delivering the list(s) on behalf of the riding association.

14. CHAIR OF NOMINATION MEETING

- 14.1 The chair of the Nomination Meeting shall be appointed by the Provincial Nomination Committee in consultation with the riding association. The chair shall be completely neutral and impartial.
- 14.2 The chair of the Nomination Meeting shall be responsible for the organization of the Nomination Meeting, including ensuring adequate notice is provided, and making adequate arrangements for a meeting hall, voting area and a room for counting ballots.

15. NOTICE OF NOMINATION MEETING

- 15.1 Notice of the Nomination Meeting shall be given in writing to the members of the riding association at least twenty-one (21) days before the Nomination Meeting or at the discretion of the Provincial Nomination Committee. The notice period shall not exceed forty-five (45) days in advance of the Nomination Meeting.
- 15.2 The notice must include a statement advising members of the cut-off date and the warning that those not in good standing by that date will not be eligible to vote at the nomination meeting. For greater certainty, there shall be no membership renewals at the Nomination Meeting that include eligibility to vote, unless the Nomination Meeting occurs within 15 days or less after notice of the Nomination Meeting is issued pursuant to section 19.1(i), in which case the Provincial Nomination Committee may, in its discretion, allow for such renewals.
- 15.3 The riding association shall be required to provide the Provincial Nomination Committee with a copy of the notice of the Nomination Meeting and such notice must be received at the address below within two (2) days of the required mailing date. Upon a failure or anticipated failure of the riding association to issue the required notice, the Provincial Nomination Committee may issue such notice.

- 15.4 The accidental omission to give notice of a Nomination Meeting as required by these Rules does not necessarily invalidate the notice, the Nomination Meeting or the proceedings thereat unless such omission is, in the opinion of the Provincial Nomination Committee, so grave as to compromise fundamentally the fair conduct of the Nomination Meeting.

16. CHAIR OF ELECTIONS

- 16.1 The Chair of Elections for each Provincial Nomination Committee shall be a member of the Provincial Nomination Committee where feasible or a designate appointed by the Provincial Nomination Committee for such purpose.
- 16.2 The Chair of Elections, assisted as required by neutral Party volunteers, shall be responsible for the registration of voters and the conduct of the nominations portion of the Nomination Meeting agenda, including speeches by all Qualified Contestants, the balloting process and the ballot count.

17. BALLOTING PROCESS

- 17.1 All Nomination Meetings shall be open to all members in good standing of the PC Party of Ontario, whether or not they are eligible to vote at such Nomination Meeting.
- 17.2 All balloting shall be conducted in accordance with the one member, one vote principle. No weighting of ballots is permitted.
- 17.3 Except in the case of an acclamation, all members eligible to vote shall be afforded a fair and adequate opportunity to vote, by way of secret ballot.
- 17.4 Balloting shall not open until all Qualified Contestants have had an opportunity to address the Nomination Meeting.
- 17.5 Ballots shall list each of the Qualified Contestants in alphabetical order by surname and, if two or more surnames are identical, by first and then middle names.
- 17.6 To be eligible to vote at any Nomination Meeting, a member must provide identification consistent with the identification requirements set out in Schedules A and B.
- 17.7 Notwithstanding any provisions in a riding association constitution, there shall be no proxy voting and no advance voting.
- 17.8 All Qualified Contestants whose names appear on the ballot shall be entitled to appoint scrutineers to monitor the registration of voters, the voting process, and the ballot counting process.

- 17.9 Where there are only two (2) Qualified Contestants whose names appear on the ballot, the Candidate shall be the Qualified Contestant who receives the greater number of votes at the Nomination Meeting. In the event of a tie, the Chair of Elections shall cast the deciding ballot.
- 17.10 Where there are more than two (2) Qualified Contestants whose names appear on the ballot, the vote shall be conducted by way of a single preferential (ranked) ballot. If no Qualified Contestant secures an absolute majority (50% + 1 of the valid ballots cast, excluding spoiled ballots), the Qualified Contestant with the fewest votes is eliminated and the ballots redistributed accordingly, with such process repeated until a Qualified Contestant secures an absolute majority. In the event of a tie, the Chair of Elections shall cast the deciding ballot. For clarity, a ballot on which the voter has placed a checkmark, an “x”, a cross, or another unambiguous sign of support for a candidate shall be counted as a vote for such candidate, as long as no other mark or number appears on the ballot adjacent to another candidate, and the ballot is not otherwise spoiled.

18. RIDING CANDIDATE

- 18.1 The Party’s Candidate for an electoral district shall be the Qualified Contestant who is acclaimed or is elected from among the Qualified Contestants for that electoral district at the applicable Nomination Meeting held in accordance with these Rules.
- 18.2 Notwithstanding the foregoing, if the Leader declares in writing that it will not be his intention to endorse such person pursuant to section 28.1 of the *Election Act*,² or revokes such endorsement, such person ceases forthwith to be the Candidate. In such event:
- (i) the Qualified Contestant or Candidate must forthwith take all necessary steps to withdraw as a Qualified Contestant or Candidate of the Party, and cease to represent himself or herself as a Qualified Contestant or Candidate of the Party; and
 - (ii) subject to the provisions of section 19.1, the nomination process described in these Rules shall be repeated, except that any other previously Qualified Contestant shall not need to be re-qualified or re-approved.

² From and after July 1, 2017, see section 27(2)(h) of the *Election Act*.

19. POST-WRIT OR IMMINENT WRIT

- 19.1 Should the writ for a general provincial election or a by-election be issued prior to the nomination of a Candidate or, if in the opinion of the Provincial Nomination Committee, the issuance of such writ is imminent or there are other appropriate circumstances which warrant an expedited candidate selection process, then at the option of the Leader:
- (i) the time periods set out in these Rules may be abridged by the Provincial Nomination Committee, provided that in no event shall membership cut-off occur less than 3 days after the issuance of notice a Nomination Meeting; or
 - (ii) a Candidate may be selected by the Leader in lieu of the nomination process set out in these Rules.

20. FURTHER RULES AND INTERPRETATIONS

- 20.1 The Provincial Nomination Committee is hereby authorized to issue or revise guidelines and to make such further rules and provide such interpretation of these Rules and any guidelines issued hereunder as it may deem appropriate from time to time to ensure the fair and orderly conduct of the nomination process.
- 20.2 The Chair of Elections at any Nomination Meeting may make such rulings, and provide such interpretations of these Rules and any guidelines issued hereunder, as may be required to ensure the fair and orderly conduct of the Nomination Meeting.
- 20.3 Any provision in the constitution of any riding association relating to procedures for candidate nominations shall be subject to the Party's Constitution and these Rules.

21. DISPUTES AND APPEALS

- 21.1 Article 27 of the Party's Constitution provides for disputes and appeals.
- 21.2 The Party Executive shall carry out its obligations regarding Nomination Meeting complaints through the Appeal Panel as described below.
- 21.3 The Executive shall designate a pool of its members (excluding Regional Vice Presidents and members of the Provincial Nomination Committee) as "**Executive Appeal Candidates**" on behalf of the Executive. The Executive shall also designate between two and four members of the PNC as "**PNC Appeal Candidates**".
- 21.4 Complaints under sections 27.7 and 27.8 of the Party Constitution shall be considered appeals seeking a hearing for resolution.
- 21.5 The grounds for any appeal must be based upon a contravention of any of the riding association constitution, the Party Constitution or these Rules, or on the basis that the Nomination Meeting failed to meet the standards necessary to be considered open, public and democratic.
- 21.6 Upon receipt of a request for a hearing, a 3 member "**Appeal Panel**" shall be constituted as follows:
- (i) one (1) of the Executive Appeal Candidates, as determined by a majority of the Executive Appeal Candidates (the "**Executive Panelist**"); the individual shall not have attended the nomination meeting in question, and shall executive and dutifully abide by an Oath of Neutrality for the riding nomination;
 - (ii) one (1) of the PNC Appeal Candidates, who was not involved in the riding nomination meeting approval process and was also not present at the nomination meeting in question, as determined by consensus of the PNC Appeal Candidates (the "**PNC Panelist**"); and
 - (iii) one (1) Party member selected by the Executive (the "**Independent Panelist**"), provided that such Independent Panelist (a) is a lawyer or has a legal background, and (b) executes and dutifully abides by an Oath of Neutrality in respect of the nomination contest in question
- 21.7 Within seven (7) days of an Appeal Panel being constituted, the Appeal Panel shall review the request for a hearing and determine whether it raises a question that merits a hearing. Such decision shall not be subject to any appeal. In the event that a hearing is ordered, the Appeal Panel shall proceed to hear the appeal at such place and time, in such forum, and in accordance with such procedures as the Appeal Panel considers appropriate. Such determinations shall not be subject to any appeal.

Nomination Rules 2018

- 21.8 The hearing shall be conducted in accordance with the principles of natural justice.
- 21.9 The Appeal Panel shall have full power to make any order it sees fit ranging from (but not limited to) dismissing the appeal to the holding of a new Nomination Meeting under the supervision of the Appeal Panel (unless the applicable writ has been issued). The Appeal Panel may make any ruling necessary to govern its procedure.
- 21.10 The decisions of an Appeal Panel are not subject to any appeal, whether to the Executive, to a court of competent jurisdiction, or otherwise.

22. ADDRESS

- 22.1 Correspondence regarding all aspects of the nomination process, including Contestant Applications, Nomination Forms, Guidelines, and Riding Nomination Meeting requests, may be obtained from and returned to:

Progressive Conservative Party of Ontario
Provincial Nomination Committee
59 Adelaide Street East, Unit 400
Toronto, Ontario M5C 1K6

Attention: Executive Director

Telephone: 416.861.0020
Email: bob.stanley@ontariopc.com

23. DEFINITIONS

- 23.1 In these Rules:

- (i) **“Constitution”** means the Constitution of the Ontario PC Party, as amended from time to time.
- (ii) **“Nomination Forms”** means the applications forms, agreements, confirmations, statements, disclosures and candidate questionnaires developed by the Provincial Nomination Committee from time to time for the purposes of assessing a Potential Contestant’s suitability and ensuring a Potential Contestant’s compliance with these Rules.
- (iii) **“Member Recruitment System”** means the system described in Article 8 of the Constitution.

Nomination Rules 2018

- (iv) **“Nomination Meeting”** means the duly constituted riding association meeting at which the members of the riding associate nominate a Candidate.
- (v) **“Party Executive”** means the Executive, as defined in the Constitution.
- (vi) **“PC MPP”** means a Member of Provincial Parliament who is a member of the Party’s Caucus.
- (vii) **“Potential Contestant”** means a person who wishes to be approved as a Qualified Contestant in order to seek the Party’s nomination as the Progressive Conservative candidate for an electoral district.
- (viii) **“Provincial Nomination Committee”** means the committee established by the Party Executive pursuant to section 2.1 of these Rules.
- (ix) **“Qualified Contestant”** means a Potential Contestant who has been cleared by the Provincial Nomination Committee to seek the Party’s nomination and appear on the ballot at the applicable Nomination Meeting.
- (x) **“Rules”** means these Rules Governing Candidate Nominations.

23.2 Terms used but not otherwise not defined in these Rules shall have the meanings given to them in the Party’s Constitution.

**SCHEDULE A:
PROOF OF IDENTITY AND AGE AND CHALLENGES AT THE BALLOTING STATION**

1. Before registering an individual whose name appears on the Voters' List, an election official shall request from the individual proof of identity consistent with the Voters' List.
2. If an individual presents pre-approved identification listed in Schedule B and the identification, to the satisfaction of the election official, contains:
 - (a) a photograph of the individual; and
 - (b) an address for the member the same as the member's address on the Voters' List,

then the person cannot be challenged, shall be registered to receive a ballot and shall be permitted to vote despite any challenge or objection by any scrutineer.

3. If an individual presents pre-approved identification that does not contain a photograph but, to the satisfaction of the election official, contains:
 - (a) the person's signature; and,
 - (b) an address for the member the same as the member's address on the Voters' List,

then the individual shall be registered to receive a ballot and shall be permitted to vote unless a scrutineer challenges the person's identification. If challenged, the individual shall be referred by the election official to the Chair of Elections or their designate.

4. If upon the request of an election official an individual is unable to present pre-approved identification, then the individual shall be referred to the Chair of Elections or their designate.
5. If it reasonably appears to an election official that an individual whose name appears on the Voters' List may not be 14 years of age or older, then the election official:
 - (a) in his or her discretion, may; or
 - (b) if requested by any scrutineer, shall request proof of age from the individual.

Nomination Rules 2018

6. If an individual from whom proof of age has been requested presents pre-approved identification that, to the satisfaction of the election official, contains:
 - (a) a photograph of the individual; and
 - (b) proof that the individual is 14 years of age or older,then the individual cannot be challenged on the basis of age, shall be registered to receive a ballot and shall be permitted to vote (subject to any other challenge permitted under the Rules).
7. If an individual from whom proof of age has been requested presents pre-approved identification that does not contain a photograph but that, to the satisfaction of the election official, contains proof that the individual is 14 years of age or older, then the individual shall be registered to receive a ballot and shall be permitted to vote (subject to any other challenge permitted under the Rules) unless a scrutineer challenges the proof of age. If challenged, the individual shall be referred by the election official to the Chair of Elections or their designate.
8. If an individual from whom proof of age has been requested is unable to present pre-approved identification that contains proof that the individual is 14 years of age or older, then the individual shall be referred by the election official to the Chair of Elections or their designate.
9. The Chair of Elections or their designate shall determine any issue about the identity or age of an individual and shall decide whether the individual will be registered to receive a ballot and permitted to vote at the Nomination Meeting. The ruling of the Chair of Elections is final and binding.
10. If an individual presenting pre-approved identification has been referred to the Chair of Elections or their designate, then the individual shall be registered to receive a ballot and be permitted to vote in the Nomination Meeting unless the Chair of Elections or their designate is satisfied that the pre-approved identification does not belong to the individual or does not confirm the individual's identity and, if applicable, age.
11. If the Chair of Elections or their designate is satisfied that the pre-approved identification presented does not belong to the individual or does not confirm the individual's identity and, if applicable, age, then for purposes of this Schedule, the individual shall be considered to be a person without pre-approved identification.

12. Where an individual without pre-approved identification has been referred to the Chair of Elections or their designate , the onus of proof is on the individual to prove identity to the satisfaction of the Chair of Elections or their designate.
13. Where an individual without pre-approved identification has been referred to the Chair of Elections or their designate because it reasonably appeared to the election official that the individual may not be 14 years of age or older, the onus of proof is on the individual to prove to the satisfaction of the Chair of Elections or their designate that he or she is 14 years of age or older.
14. An individual may prove identity or age by any evidence that the Chair of Elections or their designate chooses to accept, including oral evidence whether sworn or unsworn, affidavits, signed statements and documents not listed in Schedule B.
15. The Chair of Elections or their designate shall not act unreasonably in admitting or excluding evidence under paragraph 14.

**SCHEDULE B:
PRE-APPROVED IDENTIFICATION OF VOTERS**

1. The identification listed in this schedule is pre-approved for use by members at Nomination Meetings as proof of identity.
2. To be considered pre-approved identification, two items of identification are required including one separate piece of identification from each list .
3. Despite paragraph 2, any single item of identification (such as an Ontario Driver's Licence) listed below that contains both a photograph of the member and a residential address the same as the member's address on the Voters' List is pre-approved as proof, without a second piece of identification being required, both of name and that an individual is the same as a member whose name appears on the portion of the Voters' List.
4. Name Only: Each of the following items is pre-approved as proof of name only, provided that the item is signed by the member or includes a photograph of the member.
 - Major Credit Card/Bank Card
 - Ontario Driver's Licence
 - Birth Certificate
 - Ontario Senior's Card
 - Student ID Card
 - Age of Majority Card
 - Passport of any Country
 - Permanent Resident Card
 - Transit Card Issued by a Public Transit Authority
 - Other identification issued by the Government of Canada or a Provincial Government
5. Name on List: Each of the following items is pre-approved as proof that an individual is the same as a member whose name appears on the portion of the Voters' List, provided that the item shows an address for the member the same as the member's address on the Voters' List:
 - Ontario Driver's Licence
 - Assessment Notice or Property Tax Bill for the most recent taxation year addressed to the member
 - Mid-term report or final report card for the current or most recent school year indicating student's home address, duly signed on behalf of the school
 - Other identification issued by the Government of Canada or a Provincial Government (if the address is shown on the identification)

Nomination Rules 2018

6. Name on List (more): Each of the following items is pre-approved as proof that an individual is the same as a member whose name appears on the portion of the Voters' List, provided that the item: (a) is addressed to the member at the member's address on the Voters' List, (b) is dated on or after November 1, 2016 and (c) does not contain any statement inconsistent with proof of address such as a reference to a relevant address change:
- Utility Bill (Hydro, Water, Telephone, Cable TV, Gas Company)
 - Credit Card Bill
 - Banking Record
 - Correspondence mailed to a student at the student's home address on the letterhead of school and duly signed on behalf of the school, together with the envelope post-marked by the post office
 - Correspondence mailed to the member by a federal, provincial or municipal government agency in Canada, together with the envelope post-marked by the post office