



Public Inquiry Into Foreign Interference  
in Federal Electoral Processes and  
Democratic Institutions

Enquête publique sur l'ingérence étrangère  
dans les processus électoraux et les  
institutions démocratiques fédéraux

## Overview Report:

# Political Parties' Rules and Processes

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## Summary of Report

This report provides a brief comparative analysis of the rules and processes of registered political parties with representatives in the Senate and House of Commons.

## Note to Reader

Pursuant to Rules 42-44 of the Commission's *Rules of Practice and Procedure*, the following Overview Report contains a summary of background facts and documents relating to the Commission's mandate.

Overview Reports allow facts to be placed in evidence without requiring the facts and related documents to be presented orally by a witness during the public hearings. The Overview Report may be used to assist in identifying issues relevant to the Commission, make findings of fact and enable recommendations to be made by the Commission.

Parties have been provided an opportunity to comment on the accuracy of this Overview Report. Commission Counsel and the Parties may call evidence from witnesses at the Inquiry that casts doubt on the accuracy of the content of the documents underlying this Report. The Parties may also make submissions regarding what, if any, weight should be given to this Report and the cited documents.

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## 1. Introduction

- [1] This report summarizes the rules and processes of the following registered political parties with members in the Senate or House of Commons: Liberal Party of Canada (“**LPC**”), Conservative Party of Canada (“**CPC**”), Bloc Québécois (“**BQ**”), New Democratic Party of Canada (“**NDP**”) and Green Party of Canada (“**GPC**”).
- [2] The analysis focuses on political party rules and processes that may be relevant to foreign interference and draws on the constitutions of the political parties, as well as information provided by them through institutional reports requested by the Commission.<sup>1</sup>
- [3] The following activities are summarized: membership criteria, fees, rights and responsibilities; governance; the roles and functions of electoral district associations; candidate nomination and selection processes; new party leader selection processes; and fundraising approaches.

## 2. Membership

### 2.1 Eligibility

- [4] The CPC, NDP and GPC require members to be either citizens or permanent residents, while the LPC extends eligibility to those who “ordinarily live in Canada” and to Canadians living abroad who are eligible to vote in federal elections. The BQ has no citizenship or residency requirements.

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<sup>1</sup> Institutional Report of the Liberal Party of Canada, **LIB0000002(EN)/LIB0000004(FR)** and Appendix A, **LIB0000003(EN)/LIB0000005(FR)**; Institutional Report of the Conservative Party of Canada, **CPC0000013(EN)/CPC0000013.FR** and Annexes, **CPC0000012(EN)/CPC0000012.FR**; Institutional Report of the Bloc Québécois, **BLQ0000005(FR)/BLQ0000006(EN)** and Annexes, **BLQ0000001-0000004**; Institutional Report of the New Democratic Party of Canada, **NDP0000001.EN/NDP0000001.FR**; Institutional Report of the Green Party of Canada, **GPC0000001\_EN/GPC0000001\_FR**.

- [5] The LPC, CPC, BQ and GPC have a minimum age of 14 for membership. NDP membership is generally governed at the provincial or territorial level. In most regions, the minimum age to secure a voting membership is between 12 and 14.
- [6] The LPC NDP and GPC require members to not have memberships in any other political party. The CPC prohibits membership in another federal party.

## 2.2 How to join and fees

### Liberal Party

- [7] There are no fees to become a “Registered Liberal.” Registration lasts for three years and can be renewed.

### Conservative Party

- [8] The CPC has a membership fee of \$15 for one year, \$25 for two years, \$35 for three years, \$45 for four years and \$50 for five years. For membership fees, the party accepts personal cheques, money orders issued from a Canadian financial institution, or personal credit cards (not prepaid credit cards). The CPC does not accept cash or any form of payment through a corporation.

### Bloc Québécois

- [9] Anyone meeting the eligibility requirements who submits a membership form and annual membership fee to the BQ National Secretariat is deemed a member of the BQ 30 days after submitting the form and fee. Membership is for one year.

### New Democratic Party

- [10] Except in Quebec and Nunavut, individuals who join the federal NDP do so through their provincial/territorial NDP, in accordance with each provincial/territorial party's constitution. Provincial/territorial NDP constitutions, except for those in Manitoba, Saskatchewan and Newfoundland and Labrador (“NL”), stipulate annual membership. NL's constitution says membership persists until withdrawn by the member, the member's death or termination by the party. The Saskatchewan NDP lets members purchase a lifetime membership. British Columbia, Manitoba and Nova Scotia NDPs

provide for honorary life memberships. In all regions, regular members must pay a fee, which must come from their own personal funds.

### Green Party

- [11] Anyone aspiring to be a member of the GPC can apply through the party's governing body (the Federal Council, see Section 3, below), an electoral district association, a provincial or territorial organization or a regional association. These bodies can set their own membership fees. Members must make a donation of \$10/year or \$25 or more for a three-year membership. Those 14-29 years of age can apply for free membership.

## 2.3 Member rights

- [12] Membership in a political party comes with rights, including the right to vote for the leader, vote in a nomination contest, participate in a national convention or a meeting of the electoral district association and stand for election for a position within the party.
- [13] Most Canadian political parties do not have categories of membership with differentiated rights, privileges or fees. However, although the GPC allows youth members to sign up between the ages of 12-14, they cannot vote on party matters. BQ members 30 years of age or younger are automatically part of its Youth Forum.
- [14] The LPC, CPC, BQ and GPC have rules for the expulsion of members, as do various provincial/territorial NDP. For example, if a member runs as a candidate for another party, or initiates a legal proceeding against the party, steps can be taken to remove their membership.

## 3. Governance

- [15] Each federal political party has a constitution that defines its governance structure, allocates decision-making responsibilities to specific party entities and establishes rules for internal governance on matters like the party's policy agendas, annual meetings, leadership and nomination contests, membership and fundraising.



[16] All registered parties have “chief agents,” responsible for administering the party’s financial transactions and reporting them to Elections Canada as required by the *Canada Elections Act*, SC 2000, c 9.

[17] This section breaks down the governance structure for each party.

### 3.1 Liberal Party

[18] In addition to its constitution, the LPC is governed by decisions at its national conventions. National conventions decide party policy, ratify by-laws, set training requirements and ensures election readiness. The LPC is overseen by the National Board of Directors (“National Board”), which consists of the following voting members:

- a. the Leader
- b. the President
- c. the English and French Vice-Presidents
- d. the Policy Secretary
- e. the Party Secretary
- f. the immediate Past President
- g. a caucus representative
- h. a representative from each province and territory
- i. a representative appointed from each commission created by the National Board (the commissions represent specific groups within the party).

[19] National Board non-voting members include the National Director, Treasurer, representative of the Chief Agent, representative of the leader, Revenue Chair, Chairs of the National Campaign Committee and constitutional and legal advisors.

[20] Party presidents, vice-presidents and secretaries are elected by Registered Liberals at national conventions and they cannot serve more than two consecutive two-year terms. The National Director, Treasurer and Revenue Chair are appointed by the National Board with the consent of the Leader and the President.



- [21] The National Board has the power to make by-laws and to determine any matter delegated to it in the constitution including without limitation:
- a. The delegation of authority to the National Management Committee.
  - b. The establishment and governance of standing and special committees, including without limitation committees dealing with matters of policy, election readiness, conventions and leadership contests.
  - c. The establishment and governance of commissions<sup>2</sup> and the recognition of sections, branches and clubs.
  - d. The governance and administration of electoral district associations.
  - e. The process of policy consultation and development followed by the party.
  - f. The rules governing registration as a Registered Liberal.
  - g. The rules governing registration and attendance (both remote and in-person) at conventions.
  - h. The rules governing the election of officers to the National Board.
  - i. The responsibilities, rules and procedures of the National Board and the National Management Committee.
  - j. The rules governing the election, responsibilities, removal and limitation of provincial or territorial Boards.
  - k. The procedures of the Permanent Appeals Committee.
  - l. The Chief Agent.

- [22] The LPC Chief Agent is a Canadian federal corporation appointed by the National Board with consent of the Leader and President.

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<sup>2</sup> Commissions provide a forum for regional groups of Registered Liberals to engage with each other and to represent them at the national level: LPC Constitution, s. 31 in Appendix A to the Institutional Report of the Liberal Party of Canada, **LIB00000003(EN/LIB00000005(FR))**.

- [23] The National Management Committee exercises all powers of the National Board except for appointing or removing officers or modifying by-laws about the establishment, governance or administration of commissions. It includes:
- a. the Leader
  - b. the President
  - c. the English and French Vice-Presidents
  - d. the Policy Secretary
  - e. the Party Secretary
  - f. two directors from a province or territory
  - g. a representative of the commissions
  - h. a representative of the National Campaign Committee
  - i. the Treasurer (non-voting)
  - j. the Revenue Chair (non-voting)
  - k. the National Director (non-voting)
  - l. a representative of the Chief Agent (non-voting).
- [24] The National Board appoints the National Returning Officer who establishes party rules for election campaigns and administers them. The National Returning Officer also considers complaints about candidates, disciplines them and determines their eligibility, and determines the eligibility of a Registered Liberal's right to vote.
- [25] Each province has a provincial board composed of a director, vice-chair, secretary, organization chair, policy chair and directors-at-large, elected by Registered Liberals who reside in the province. Each territory has a territorial board composed of the board of the electoral district association recognized for the territory.
- [26] Provincial and territorial boards are responsible for establishing and governing standing and special committees dealing with election readiness, policy and provincial or territorial conventions, implementation of election readiness programs established by



the National Campaign Committee and organizing provincial or territorial policy consultation and development processes.

### 3.2 Conservative Party

- [27] The governance, management and control of the activities of the CPC are vested in its members at national conventions. National conventions with a National Council election must occur at least every two years. Between conventions, governance is shared between the National Council, the Leader and the Conservative Fund Canada.
- [28] The National Council is composed of the following individuals, most of whom are elected at national conventions:
- a. the Leader (elected via leadership contest)
  - b. the Chair of the Conservative Fund Canada (and an additional director who participates in a non-voting capacity)
  - c. the Executive Director (non-voting)
  - d. a representative from the Parliamentary Caucus (non-voting)
  - e. one member from each territory
  - f. members from each province in proportion to their share of seats in the House of Commons.
- [29] The last requirement is a way of ensuring more populous and vote-rich provinces have higher representation in the party's governing body. For example, provinces with more than 100 seats in the House of Commons have 4 representatives on the National Council, while provinces with 25 seats or less get only 1 representative.
- [30] Once National Council members are elected, they choose a president, vice-president, secretary and any other vice-president position they deem appropriate.
- [31] The National Council has the authority to, among other things, work with electoral district associations on matters including setting up their constitutions, developing and implementing rules for candidate recruitment and selection and form committees.

- [32] The Conservative Fund Canada, a non-share capital corporation governed by the provisions of the *Canada Not-for-profit Corporations Act*, S.C. 2009, c. 23, is the Chief Agent of the party registered with Elections Canada. It is also the sole fundraising arm of the party. The leader nominates directors who must be ratified by the National Council. The president of the National Council (or designate) and one other elected National Council member sit on the board in a non-voting capacity.
- [33] The CPC's Policy Declaration is set by votes at national conventions. However, its constitution does not obligate the leader or its parliamentary caucus to include any or all aspects of the Policy Declaration in the party's election platform or adopt any or all aspects of it as part of the leader or parliamentary caucus' legislative agenda.

### 3.3 Bloc Québécois

- [34] A convention called a "National Congress" is held every two years and decides party policy. The National Congress can adopt and amend the BQ's constitution. The General Council is the decision-making body between national conventions. Its mandate is to:
- a. Guide the political action of the party.
  - b. Implement decisions of the National Congress and its policies.
  - c. Make decisions on any urgent matter that the National Congress has not yet made.
  - d. Adopt the annual budget.
  - e. Receive the audited financial statements.
  - f. Adopt the annual plan of action.
  - g. Adopt any by-laws supplementing the constitution.
  - h. Fill vacancies in the National Bureau and the commissions.
  - i. Receive reports from the Youth Forum, commissions and the Members' Caucus.



- j. Adopt, on the recommendation of the National Bureau, rules of procedure for the leadership contest and elect the Organizing Committee.

[35] In addition to the National Bureau members, the General Council is composed of the following:

- a. the president, youth (under 30) delegate and mandated delegate of each electoral district association
- b. regional chairpersons or their alternates
- c. members of commissions
- d. members of the National Executive of the Youth Forum
- e. regional presidents of the Youth Forum
- f. members of Parliament.

[36] There is a General Council of Presidents, which includes presidents of each electoral district association. The BQ also has a Youth Forum and the following commissions (i.e. committees): Political, Citizen, Remote electoral districts, Seniors' and Former Members of Parliament.

[37] The National Bureau governs the BQ in accordance with decisions adopted by the National Congress and the General Council. It also takes positions on any urgent question about party affairs or political situations. The following are voting members of the National Bureau:

- a. the Leader
- b. the President
- c. the Vice-President
- d. the Treasurer
- e. the Secretary of the National Bureau
- f. the Chairman of the Political Commission
- g. the Chairperson of the Citizenship Commission

- h. the Chairperson of the Remote Electoral Commission
- i. the Chair of the Seniors' Commission
- j. the President of the Youth Forum
- k. a representative of regional chairpersons
- l. two representatives of electoral district association chairpersons
- m. a representative of the members in good standing
- n. a representative of former deputies
- o. two members elected by the caucus, including the Caucus Chair.

[38] Except for the leader (see Section 6, below), members of the National Bureau are elected by a simple majority at the National Congress. The National Bureau is supported in its work by a National Secretariat staffed by salaried employees.

### 3.4 New Democratic Party

[39] Like the other parties, the NDP is governed by its constitution and decisions taken at national conventions, which are held every two years and attended by delegates from across the country. Formulas for selecting delegates are outlined in the constitution.

[40] The NDP's Federal Council, which governs the party between conventions, consists of 130 people elected at the biennial conventions. Thirty members of the Federal Council form the Executive, along with the people holding the following officer positions:

- a. President
- b. Vice-President
- c. Vice-President Labour
- d. Treasurer
- e. the Leader
- f. National Director.



[41] The president, vice-presidents and treasurer are elected at conventions and the leader is elected at a leadership convention. The National Director is appointed by the Executive Council and is a permanent, full-time staff position. The National Director is the chief executive officer of the NDP as well as its Chief Agent.

[42] The Executive sets the party's goals and objectives and constitutes the Election Planning Committee. It has financial responsibility for the party and is authorized to incur credits, products and loans as necessary to advance the party's interests.

[43] The NDP's constitution refers to the following Executive Council committees:

- a. the Participation of Women Committee
- b. the New Democratic Youth of Canada
- c. the Racial Justice and Equity Committee
- d. the Aboriginal Commission
- e. the Lesbian-Gay Bisexual-Transgendered Committee
- f. the Persons Living with Disabilities Committee.

[44] The NDP makes an explicit effort toward representational balance in its constitution. For example, the vice-president must be of a linguistic group other than that of the president and the constitution guarantees gender balance in the composition of the Executive Council.

### 3.5 Green Party

[45] The GPC's Federal Council is the party's governing body between general meetings of the membership. It is accountable to membership at general meetings and implements the party's constitution, bylaws and general meeting decisions. The Federal Council establishes strategic plan goals based on the constitution and the party's values and perspectives, strengthens party membership and manages election readiness, as well as human and financial resources. It makes decisions as a collective; no member has a veto over any decision.



- [46] The Federal Council meets four times per year and is composed of the following individuals:
- a. the Leader
  - b. the Chair of the Federal Council
  - c. a representative from each province and territory
  - d. a GPC Fund representative
  - e. the Executive Director
  - f. two youth representatives
  - g. an anglophone vice-chair
  - h. a francophone vice-chair
  - i. a representative from each Indigenous group (First Nations, Inuit and Metis).
- [47] The GPC Fund is a not-for-profit corporation registered as the party's Chief Agent with Elections Canada. Federal Council positions are held for two years. Any member of the party is eligible to apply for a position on the Federal Council if they meet the criteria in the job description.
- [48] The Federal Council has five standing committees:
- a. Finance
  - b. Governance
  - c. Human Resources
  - d. Strategic Planning
  - e. Justice, Equity, Diversity and Inclusion (JEDI).
- [49] Committees undertake the work identified in their terms of reference, which are approved by the Federal Council. They provide oversight and research for the Federal Council and provide recommendations to it.

[50] Any Federal Council member except the leader may be removed from office for cause, by a three-quarters vote of the Federal Council at a meeting called for that purpose. The leader may be removed from office by motion at a general meeting, following a non-confidence vote supported by three-quarters of the Federal Council at a meeting called for that purpose. No other party has this kind of approach, although the NDP has a leadership review at every national convention.

#### 4. Electoral District Associations

[51] Electoral district associations (EDAs), also known as riding associations or constituency associations / organizations, are party associations based in a specific electoral district and recognized by a party as being affiliated with it. Parties recognize only one EDA per riding, which is a requirement of the *Canada Elections Act*.<sup>3</sup> These associations have executive teams to run their operations.

[52] EDAs are the closest point of contact for the party membership. EDAs are typically involved in the following activities:

- a. Recruiting potential candidates to represent the riding as the party's official candidate in a federal election.
- b. Organizing and facilitating nomination meetings.
- c. Recruiting and mobilizing volunteers.
- d. Getting out the vote on election day.
- e. Holding community events and raising funds for the association.
- f. Working with the federal party organization.

[53] Each party's constitution regulates the activities of EDAs, which also have their own constitutions.

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<sup>3</sup> *Canada Elections Act*, s. 449.



[54] EDAs are required to submit financial returns to Elections Canada, as they are eligible to accept political donations and must account for contributions and expenditures.

#### 4.1 Liberal Party

[55] The National Board recognizes an EDA for each federal electoral district. EDAs are responsible for:

- a. Endorsing and supporting the party's candidate in the riding.
- b. Engaging in field organizing.
- c. Outreach and fundraising within the district.
- d. Facilitating input into party policy from local Registered Liberals.

[56] An EDA's board is comprised of voting and non-voting members. The voting members include a Chair, Vice-Chair, Secretary, Organization Chair, Policy Chair and up to six directors-at-large. Non-voting members include a Treasurer and Fundraising Chair who are selected and appointed by the board. Officers and directors are elected by Registered Liberals in the electoral district during general meetings held every 12 to 24 months.

[57] EDAs have no right to send delegates to national conventions. Any Registered Liberal who pays the fee established by the National Board may register and attend conventions.

[58] EDAs can be deregistered if they fail to comply with Elections Canada reporting requirements, fail to serve their purpose, fail to meet any criterion for recognition as established by the National Board or act in ways that are harmful to the LPC.

#### 4.2 Conservative Party

[59] EDAs are recognized by the National Council. CPC EDAs have certain core objectives, including:

- a. Supporting and promoting the principles, objectives and policies of the party.



- b. Providing organizational and financial support to the party's candidate or member of Parliament in the riding.
- c. Raising money and maintaining a fund to support the EDA and assist candidates.
- d. Actively identifying potential supporters and recruiting new members.
- e. Encouraging the participation and recruitment of youth.
- f. Facilitating, supporting and maintaining an ongoing policy discussion within the party.

[60] The composition of an EDA's board of directors is determined by each EDA, but no more than one in every five directors, up to a maximum of six, can be party members living in a different electoral district.

[61] EDAs can send up to 10 members, plus their presidents, to vote as delegates at national conventions. At least one of the delegates must reflect youth participation.

[62] EDAs must comply with requirements as to their governance, financial management and reporting, as may be implemented by the National Council by by-law or otherwise. The National Council can revoke EDA recognition in accordance with party by-laws.

### 4.3 Bloc Québécois

[63] Each BQ EDA has an Executive Council elected at a general assembly. The EDA Executive Council mandate is to:

- a. Ensure the vitality of the BQ in the riding by maximizing its influence and promoting its orientations and objectives.
- b. Achieve the objectives of the national, regional and local plans of action.
- c. Ensure that as many members as possible join the party.
- d. Ensure the party has the financial means to achieve its objectives.
- e. Produce the EDA's annual financial statements and send them to the party's Chief Agent.



- f. Transmit, to regional and national bodies, the ideas and concerns of the EDA.

[64] The following personnel form EDA Executive Councils:

- a. the Chairperson
- b. the Vice-Chairperson
- c. the Secretary
- d. the Treasurer
- e. a communications officer
- f. at least one advisor
- g. a deputy and/or candidate elected at an assembly
- h. two youth representatives who are members of the Youth Forum
- i. any president of a student cell recognized by the party and present in the riding.

[65] The National Secretariat is the liaison between EDAs and the National Bureau. A minimum of three EDA members, including its president and one member under 30, designated by each EDA's rules, are sent as delegates to the National Congress.

[66] The BQ has regional councils made up of EDA executives and regional representatives.

#### 4.4 New Democratic Party

[67] NDP EDAs are run by a volunteer-based executive, elected by local members at annual general meetings. They play a key role in preparing for elections, fundraising, convening conversations, sharing information and collaboration.

[68] Executives consist of the following positions (though they may not all be filled in every riding):

- a. President
- b. Vice-President

- c. Chief Financial Officer
- d. Communications Officer
- e. Youth Representative
- f. Labour Representative
- g. Disability Rights Representative
- h. 2SLGBTQ Representative
- i. Members at large.

[69] Each EDA has the right to send delegates to a national party convention, based on the total number of members in good standing in the riding.

[70] Once recognized by the Federal Council, a provincial or regional grouping of EDAs becomes a Council of Electoral District Associations. Each Council of EDAs meets once a year and governs itself through its own representational structure and bylaws.

#### 4.5 Green Party

[71] The Federal Council acknowledges one EDA per riding and, in exchange for this recognition, the EDA must comply with accountability and transparency requirements as to their governance, financial management and reporting, implemented by the Federal Council or by-law. Their constitutions must not be inconsistent with the party's.

[72] There is no limit to the size of an EDA board. The federal party recommends people for main roles such as communication chair, local organizer and fundraising chair. It also encourages EDAs to create a candidate search committee.

[73] EDAs must meet every 15 months and provide financial information to the party as the Federal Council requires. EDAs must inform the party of the names of their chief executive officers and financial agents. EDAs have no right to send delegates to general meetings. Any GPC member in good standing has a vote at general meetings.

[74] The Federal Council can revoke EDA recognition in accordance with party by-laws. If an EDA is deregistered or ceases to exist, its funds are transferred to the party.

## 5. Candidate Nomination Contests and Selection

- [75] Federal political parties employ a combination of methods to identify candidates to represent them in federal elections, typically involving a balance of power and responsibility between the national party organization and the EDAs.
- [76] EDAs often play a lead role in recruiting individuals to contest nominations, because they are the primary contact for party members within local ridings. EDAs are well poised to know which individuals would resonate with the community and be most capable of signing up new members and ultimately winning the election.
- [77] However, Elections Canada requires each candidate to submit a document indicating the party has endorsed them. As party returning officers cannot confirm nominations without the leader's endorsement, this means the leader has the final say on who the nominee is, even if the EDA does not agree.
- [78] Age restrictions for each party's membership also apply to voting in nomination contests since only members in good standing can vote.
- [79] For nomination contests, the LPC, CPC, BQ and GPC appoint local "returning officers" who run the nomination meetings and inform Elections Canada who won the nomination. This function is equivalent to a returning officer at a polling station in an election.
- [80] Elections Canada has no role to play in nomination contests other than to monitor financial accounting of contributions and spending. However, the *Canada Elections Act* requires candidates for election have signatures of a fixed minimum number of electors in an EDA.<sup>4</sup>

### 5.1 Liberal Party

- [81] The National Campaign Committee is appointed by the leader and is composed of national campaign chairs and Registered Liberals designated by the leader, including

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<sup>4</sup> *Canada Elections Act*, ss. 66(1)(e), (f).

one or more provincial or territorial campaign chairs. It can establish national rules for nominations, the voter registration process at a nomination meeting, vetting of nomination candidates, nominated candidates removal and settling disputes.<sup>5</sup>

[82] The Green Light Committee is a subcommittee of the National Campaign Committee responsible for evaluating potential nomination contestants based on various criteria outlined in the National Rules for the Selection of Candidates.<sup>6</sup>

[83] Under party rules, the leader has the right to appoint a candidate without a nomination process.

[84] To become a nomination contestant, an individual must meet several criteria including the following:

- a. be a Registered Liberal
- b. be eligible for election to the House of Commons
- c. have discharged any election-related debts
- d. have the approval of the National Campaign Chair
- e. have delivered a Nomination Contestant Package to the party.

[85] The National Campaign Chair is responsible for setting the date, timing and location for nomination meetings. A Liberal nomination meeting can only be called if:

- a. One of the following requirements has been met:
  - i. the EDA has demonstrated to the satisfaction of the National Campaign Chair that it has conducted an acceptable search for potential contestants, including documented evidence of a thorough search from communities or backgrounds underrepresented in Parliament<sup>7</sup> or

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<sup>5</sup> It also makes rules for campaign matters and election readiness.

<sup>6</sup> Liberal Party of Canada, National Rules for Selection of Candidates in Appendix A of the Institutional Report of the Liberal Party of Canada, **LIB0000003(EN)/LIB0000005(FR)**.

<sup>7</sup> Including, but not limited to, candidates who are women; Black, Indigenous or people of colour; LGBTQ2; people with disabilities; and marginalized communities.





- ii. the provincial or territorial campaign chair has conducted such a search,
- b. One of the following requirements has been met:
  - i. the EDA has registered in accordance with the *Canada Elections Act*, and demonstrated to the satisfaction of the National Campaign Chair that all required filings have been completed or will be completed within the allotted timeframe or
  - ii. in the absence of an EDA, appropriate measures have been taken to permit the proper conduct of the nomination meeting in accordance with the *Canada Elections Act*,
- c. One of the following requirements has been met:
  - i. the EDA has reached the operational targets established by the National Campaign Chair or
  - ii. the National Campaign Chair has determined it is not necessary for the EDA to meet such targets, and
- d. One or more Qualified Nomination Contestant(s) have been approved in accordance with the rules for the EDA.

[86] All Registered Liberals living in the electoral district can vote in the nomination meeting provided they obtained registration status prior to a cut-off date set by the National Campaign Chair.

[87] Qualified nomination contestants can challenge, in writing, an individual's right to vote in a nomination race. The Permanent Appeals Committee (PAC) hears disputes related to the party's rules and disputes about the party's nomination and selection procedures are referred to it. PAC does not review substantive decisions made under the Nomination Rules unless the decision is deemed unreasonable. A notice of appeal must disclose the entire basis for appeal, include all relevant information and documentation, be made within 72 hours after a nomination meeting commenced or a decision is made, and be accompanied by payment of a fee of \$1,500.



[88] The National Campaign Chair can disqualify a person as a candidate in an election on any grounds deemed appropriate. A candidate can be removed from an election up until the nomination period closes, which occurs 21 days before the election day.

## 5.2 Conservative Party

[89] The National Council sets the rules for EDA nomination processes. One must be a member of the party to seek a nomination. Unless decided otherwise by party officials including the Executive Director, contestants must have been members of the party for at least six months, must not have been a failed candidate in either of the last two elections, must not have been a failed contestant in another nomination contest during the same Parliament as the one contested and must not have been disallowed at any prior nomination contest.

[90] Those wishing to be a nomination contestant must submit the following to the party:

- a. Personal and Residential Information form
- b. Financial Agent Consent
- c. a good conduct bond of \$1,000 to the Conservative Fund Canada (and a void cheque to return the bond)
- d. Nomination Contestant Questionnaire
- e. Certificate of Conduct / criminal records check done within the last six months
- f. a credit check done within the last six months
- g. authorization for the Party to conduct criminal and credit records checks
- h. Confidentiality Agreement
- i. consent letter to Elections Canada
- j. various declarations agreeing to party terms for contestants

- k. forms authorizing the Canada Revenue Agency, Canada Border Services Agency, Citizenship and Immigration Canada and the Department of National Defence to release information under the *Privacy Act*
- l. Candidate Assignment Form
- m. Candidate Donation Pledge
- n. a letter of intent about which electoral district the person intends to contest
- o. a nomination petition.

[91] The National Council establishes a National Candidate Selection Committee that has the right to deny the candidacy of any person, whether before or after nomination by an EDA. A nomination contestant must submit an application, participate in an interview and be granted permission to compete by the National Candidate Selection Committee.

[92] When directed to do so by the National Council, the board of an EDA appoints a Candidate Nomination Committee for the purpose of recruiting potential nomination contestants and administering the candidate selection process.

[93] Nomination voting is done via a single preferential ballot. To vote at a nomination meeting, members must provide identification displaying their name, address and photograph. The CPC allows returning officers to waive identification requirements where exceptional circumstances warrant.

[94] If a nomination contestant wishes to appeal the conduct or the results of the nomination meeting, they must do so in writing within five days of the meeting, submitting their appeal to the Chair of the National Candidate Selection Committee through the Executive Director. They must clearly identify the issues being raised as well as any support of those issues for which they feel an appeal should be heard. If the nomination candidate is not satisfied with the decision of the National Candidate Selection Committee on their complaints, they may appeal to the National Council within 72 hours of the decision being communicated to the person. The decision of the National Council is final.



[95] If the National Candidate Selection Committee disallows or does not permit the candidacy of any person before or after nomination by the EDA, that person may appeal to the National Council by filing an appeal in writing with the Executive Director within 48 hours of the decision being communicated to the person. The Executive Director then brings the appeal to the attention of the President and Secretary of the National Council.

### 5.3 Bloc Québécois

[96] Candidates are elected by members but the party sometimes solicits candidates, for example, to ensure general parity.

[97] Anyone who wants to be a candidate must be a member in good standing, submit a form of “probity,” disclosing information of a professional, legal and ideological nature, and submit a nomination paper to the National Bureau.

[98] To get a nomination paper, the potential candidate must sign a document saying they will comply with the *Canada Elections Act* provisions relating to nomination contests, submit information to the National Secretariat about contributions received on a weekly basis, submit financial accounting for the contest to the National Secretariat and EDA Executive Council, comply with spending limits, accept the party’s platform and constitution and refrain from conflicts of interest.

[99] The National Bureau establishes rules for nomination contests, supervises nomination meetings and appoints the returning officer. It also sets the date for the meeting and can object to a nomination at the meeting. Disagreements are settled by the president of a nomination meeting.

[100] All members of the party in good standing can vote in nomination contests and must show photo identification to prove they reside in the electoral district. A contestant is elected when they receive an absolute majority of votes cast by secret ballot.

[101] The BQ has processes for internal challenges to nominations. Challenges do not suspend the results unless the National Bureau decides otherwise. Also, the National Bureau can cancel a meeting to vote on nomination contestants and order a new one if there are serious irregularities. The National Secretariat keeps, for 30 days after a



general nomination meeting, nomination ballot papers, a copy of the official list of voters in the nomination contest and any other document used to hold the meeting.

## 5.4 New Democratic Party

[102] The Federal Council makes rules and procedures for nominations of candidates and reviews these rules after each general election. The Executive Council appoints a National Candidate Nominations Committee that administers the nomination process. The National Director must approve all candidates.

[103] Individuals looking to contest a federal NDP nomination must be a member of the party in good standing at least 30 days before the nomination meeting. Applicants must submit signed copies of the following documents:

- a. Personal Disclosure Questionnaire
- b. Declaration of Candidate Responsibilities
- c. Adherence to Party Policy
- d. Power of Attorney respecting the reimbursements of the Candidate's election expenses
- e. Anti-Harassment Statement
- f. NDP Membership List Confidentiality Agreement
- g. Direction and Authorization by Candidate and Official Agent
- h. Power of Attorney by Candidate and Official Agent.

[104] To become a nomination candidate, the National Director must approve a nomination contestant's application.

[105] In 2023, each candidate had a spending limit of \$6,500.

[106] The timing of a nomination meeting is determined by the local EDA. Members of the party who live in the electoral district for which the nomination contest is being held are eligible to vote if they are members in good standing at least 45 days prior to the day of the nomination vote.

[107] If the National Director denies an individual the ability to stand for nomination, the individual may submit a written request for review and reconsideration to the party President, Vice-President and Treasurer. Nomination contestants may dispute the eligibility of an individual on the membership list. These disputes are raised with the National Director, who makes a final determination.

## 5.5 Green Party

[108] In ridings where there is an EDA, the EDA selects the candidate in accordance with its by-laws and with the support of a regional political organizer. Where no EDA exists, candidates will be selected in accordance with a process determined by the Federal Council or by by-law.

[109] To be eligible to contest the nomination, individuals must:

- a. Be members of the party for at least 90 days before the nomination meeting and pass a vetting process to the satisfaction of an EDA's Executive Council.
- b. Be eligible for election to the House of Commons.
- c. Have discharged all debts to the party.

[110] Nomination contestants have a spending limit of \$5,000 once approved to run for a nomination.

[111] The GPC requires EDAs to choose a meeting chair and a returning officer at each nomination meeting. The returning officer adjudicates any dispute arising from the conduct of the nomination meeting. Every party member has a right to vote in nomination meetings if they are ordinarily a resident of the riding, present at the meeting and have been a member for at least 30 days. Voting is done via preferential ballot, which means voters rank candidates by preference. The winner needs a majority of votes.

[112] An applicant is entitled to details regarding a decision to deny their application to participate in the nomination contest. The rejected applicant can appeal the decision within 48 hours. An Appeal Committee reviews rejected applications. The Appeal Committee may overrule or confirm the original decision. The Appeal Committee is

formed by members of the Federal Council, who are not members of the Executive Committee (as the Executive Committee approves nominated contestants).

[113] After initial approval, the Executive Council, or its delegate, may revoke approval of a nomination contestant based on information about the contestant received after approval.

## 6. Leadership Contests

[114] Historically, political parties have chosen their leaders via national conventions where delegates voted, on behalf of members, for their preferred leadership candidate. Rounds of voting continued until a candidate received the most votes. Today, these conventions have been replaced with one-member-one-vote leadership contests that allow every member of the party to cast a ballot to elect a new leader.

[115] Parties use majoritarian voting systems so that the winning candidate has a consensus of support around them. The one-member-one-vote method means instead of placing leadership decisions in the hands of the party faithful, leadership contestants are incentivized to sign up as many members as possible to maximize their chances of winning.

[116] Political parties run their own leadership contests and are free to determine the rules that contestants and members must follow during these processes. For example, parties can determine the cut-off dates for individuals to register their candidacy and to sign up members. They can also determine the duration of the leadership race, the rules for voting and how results will be communicated to party members and the public.

[117] Parties might also choose to place limits on the amount of money that candidates can spend and they can require candidates to provide a minimum deposit or fee to the party to prove the viability of their candidacy. If the fee is non-refundable, this helps the party raise money.

[118] Like in nomination contests, Elections Canada has no role to play other than to monitor contributions and spending. Leadership contests are not subject to statutory spending limits.

[119] Party constitutions tend not to enumerate exhaustively details of how the party will run its leadership contests. Instead, parties tend to determine the specifics of each leadership race on a case-by-case basis, which means that the rules change over time depending on general trends in democracy and democratic culture and on the specific circumstances at the time of the leadership race.

[120] The following is a brief description of the rules that governed the most recent leadership contest in each of the parties.

## 6.1 Liberal Party

[121] LPC leaders are selected by a leadership vote on a date set by the National Board. The LPC uses a secret preferential ballot system.

[122] The National Board appoints a Leadership Vote Committee to organize and run the leadership vote. The Leadership Vote Committee has two co-chairs, the President, two elected National Board members, two representatives appointed by the Caucus and any number of other Registered Liberals appointed by the co-chairs in consultation with the National Board.

[123] The National Board also establishes a Leadership Expenses Committee responsible for setting the deposit to be paid by leadership contestants, setting the maximum limit for leadership contestant expenses, adopting Leadership Expense Rules and ensuring compliance with the Leadership Expense Rules.

[124] To be eligible to be leader, a person must:

- a. Be a Registered Liberal.
- b. Be eligible for election to the House of Commons.
- c. Provide to the President, at least 90 days before the leadership vote, a written nomination signed by at least 300 Registered Liberals, with at least 100 Registered Liberals from each of three different provinces or territories.
- d. Provide the President with a written application.



[125] All Registered Liberals can vote in the leadership race if they are ordinarily resident in Canada and were registered at least 41 days prior to the vote.

## 6.2 Conservative Party

[126] The Leader of the CPC is selected by preferential direct vote of members in each electoral district. Members may vote by mail-in ballot. Each member of the party has one vote and each electoral riding is allocated 100 points or 1 point per vote cast, whichever is less. The winner needs a majority of points from across the country. This is meant to ensure that all regions of the country have a role in leadership selection and that regions or EDAs with larger numbers of members do not automatically outweigh those with fewer members.

[127] The above rules apply to all leadership conventions and are set out in the CPC constitution, while contest-specific rules are determined by the Leadership Election Organizing Committee (LEOC) for each contest. LEOC is appointed by the National Council and sets operational rules for leadership contests, including the appointment of nomination, rules and appeals committees and candidate requirements. To compete in the race in 2022, candidates were required to:

- a. Be a member of the party for at least six months.
- b. Confirm support for the founding principles of the CPC in its constitution.
- c. Submit the Leadership Contestant Questionnaire.
- d. Provide a list of signatures from at least 500-member endorsements.  
Endorsements must be from members in at least 30 EDAs representing at least 7 provinces.
- e. Submit an entry fee of \$200,000.
- f. Submit a fully refundable compliance deposit of \$100,000.
- g. Submit a written endorsement of the CPC Code of Conduct for Volunteers, Campaign Staff, and EDA Staff and agree that the Code would apply to the candidate and their team for the duration of the race.

h. Submit a contact document.

[128] Even if candidate requirements are met, LEOC decides who will stand as a candidate.

[129] In 2022, LEOC required members purchase their own memberships with a personal credit card, cheque or money order issued by a Canadian financial institution. Also, in its institutional report, the CPC said where its internal processes identified these requirements were not complied with, it referred the matter to the Office of the Commissioner of Canada Elections.<sup>8</sup>

### 6.3 Bloc Québécois

[130] The leader of the party is elected by a leadership election conducted by majority vote using secret ballots with each member having one vote. The leader submits to a vote of confidence at all national conventions and after an election if they have been in office for at least a year.

[131] The General Council adopts, on the recommendation of the National Bureau, rules of procedure for leadership contests and appoints an organizing committee. Rules can be adapted to provide for regional primaries.

### 6.4 New Democratic Party

[132] All members of the NDP are eligible to vote. The NDP constitution requires voting by secret ballot and selecting the winner via voting in rounds. If no candidate receives a majority of votes on the first round, the least popular candidate is eliminated and the vote proceeds to a subsequent round at a future date. This continues until someone gets a majority of votes.

[133] Leaders are subject to a leadership review at every national party convention and, if 50% plus one of the delegates vote for the selection of a new leader, it will happen within the year.

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<sup>8</sup> Institutional Report of the Conservative Party of Canada, **CPC0000013(EN)/CPC0000013.FR**, at p 27.

- [134] To become a leadership candidate, members must be in good standing and have:
- a. Selected a financial agent.
  - b. Submitted nomination papers with signatures from 500 members in good standing. Of the 500, at least 50 must be from each of Quebec, Ontario, British Columbia and the territories, the Prairies and the Atlantic region, at least 50% must be from female-identified members and at least 100 members must be from other equity-seeking groups.
  - c. Been approved by the NDP's National Director.
  - d. Submitted a non-refundable registration fee to the NDP.<sup>9</sup>

[135] To vote, a person must be a member in good standing for at least 45 days prior to the closing of the first ballot. Members must be 14 years of age or older to vote in a federal leadership contest. Recall, that the NDP does not specify a minimum age for general membership because individuals sign up through the appropriate provincial branch of the party.

## 6.5 Green Party

[136] The Federal Council sets the rules for each leadership contest. The vote in 2022 was held online using a preferential ballot system whereby members ranked the candidates from most to least preferred. If no candidate received a majority of number one votes, the least popular candidate was eliminated and votes redistributed to other candidates until someone got a majority.

[137] Eligible contestants must be party members in good standing for at least three months. Individuals who wish to run for the leadership must submit an application with signatures of a least 100 members and include an application fee of \$1,000.

[138] In 2022, the Federal Council decided candidates also needed to have proficiency in both official languages to run for the leadership. Further, the Federal Council

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<sup>9</sup> In 2017, the amount was \$30,000.

determined that 50% of all funds raised by leadership contestants would be pooled for common campaign events, candidate support and the general operations of the GPC.

[139] Applications are vetted by the Leadership Contest Committee. This protects the party from having someone take it over and appropriate its resources in pursuit of their own goals.

[140] All members of the party are permitted to vote in the contest provided they signed up in advance of a cut-off date.

## 7. Fundraising

[141] All political parties use a variety of methods to raise money to support their operations. Under the *Canada Elections Act*:

- a. Registered parties, EDAs, nomination contestants, election candidates and leadership contestants can only accept legitimate contributions from eligible donors. Only Canadian citizens and permanent residents are eligible to donate.<sup>10</sup>
- b. Parties, EDAs, nomination contestants and candidates must file financial returns with Elections Canada.<sup>11</sup>
- c. Candidates are eligible for reimbursement of 60% of their election expenses provided they receive 10% of the vote in their riding and comply with financial reporting requirements.<sup>12</sup>
- d. Parties are eligible for reimbursement of 50% of their election expenses provided they receive 2% of valid votes cast nationally or 5% of the valid votes cast in electoral districts where they endorsed candidates.<sup>13</sup>

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<sup>10</sup> *Canada Elections Act*, s. 363.

<sup>11</sup> *Canada Elections Act*, ss. 432-433, 475.4, 476.75, 477.59.

<sup>12</sup> *Canada Elections Act*, ss. 477.74(2).

<sup>13</sup> *Canada Elections Act*, s. 444.

[142] Party events such as leadership races tend to generate revenue for the parties because of the influx of membership sign-ups and funds that flow from the candidates to the parties during this time. Although, they can also generate costs and the CPC's experience is there is no financial benefit.

[143] The following is a brief description of the parties' fundraising efforts.

## 7.1 Liberal Party

[144] The LPC accepts donations by various methods, including cash (for amounts under \$20), cheques, money orders or credit and debit card. The party may collect anonymous contributions of up to \$20.

[145] The party's Victory Fund allows donors to make custom monthly donations split between the national party and an EDA of their choice. Victory Fund donors must designate both a riding and national amount, each between \$5 and \$133.34.

[146] Individuals can also join the Laurier Club by contributing at least \$1,725 annually (or \$143.75/month). If they are 35 years of age or under, the fee for the Laurier Club is \$875 annually (or \$72.92/month).

[147] Donors can also donate specifically to the Judy LaMarsh Fund or the Indigenous Electoral Fund, to encourage more diversity on the Liberal team and in Parliament.

[148] The LPC or EDAs sell tickets for fundraising events through the party's online tool. Tickets are processed by the National Office. Some events sell tickets at the door as well where donors can pay by credit card, cheque or money order.

## 7.2 Conservative Party

[149] The Conservative Fund Canada is the CPC's sole fundraising arm. The Conservative Fund Canada contacts donors through various methods, including but not limited to email campaigns, direct telephone calls, mail communications, text messaging, events and digital advertising.

[150] As with membership purchases, the Conservative Fund Canada only accepts contributions via personal credit card, personal cheque or a money order issued from a Canadian financial institution.

### 7.3 Bloc Québécois

[151] The BQ's largest revenue comes from political donations. Each year, the General Council adopts annual funding targets for each EDA (78 in total). Until the target is reached, the EDA retains a percentage of the financing and the other percentage is sent to the party. If an EDA collects more than its target, then the percentages are reversed.

### 7.4 New Democratic Party

[152] The NDP solicits funds from its membership base and from the public through digital, direct mail and phone-based methods. The NDP has no equivalent to the LPC Victory Fund or the CPC Conservative Fund of Canada, so the NDP uses solicited contributions to fund its operations and its campaigns, including federal general elections and byelections.

### 7.5 Green Party

[153] The GPC collects contributions through cheques and online from their website. The party reviews contributions and returns ineligible contributions (i.e., contributions beyond the maximum allowed by Elections Canada).

[154] Members making contributions to the party through the website can request they be transferred to a specific EDA or candidate. These count as contributions to the party and the party transfers 90% of the amount on a quarterly basis to the selected EDAs.