

Liberal Party of Canada

Party Bylaw 1

Procedures for the election of delegates to a Biennial Convention

This Bylaw establishing the procedures referred to in subsection 63(1) of the National Constitution was made by the National Board of Directors pursuant to section 67 of the National Constitution at its meeting on July 29, 2008, and amended by the Council of Presidents at its meeting on December 9, 2008 and at the National Board of Directors meetings on January 24, February 17 and October 13, 2011.

1. APPLICATION AND INTERPRETATION

1.1 Unless otherwise determined by the National Board of Directors¹, this Bylaw applies to the election of delegates to a Biennial Convention of the Liberal Party of Canada that is not a National Leadership Convention from:

- (a) federal Liberal electoral district associations; and
- (b) student clubs, women's clubs and seniors clubs constituted as contemplated by the constitution of the Liberal Party of Canada.

1.2 This Bylaw must be applied in a fair and equitable manner and must be interpreted in a manner which is fair and reasonable, having regard to all circumstances, and in the best interests of the Liberal Party of Canada.

1.3 For the purposes of this Bylaw, the following terms have the following meanings:

- (a) "Affiliated Constituent Body" means any EDA, Student Club, Women's Club or Seniors Club entitled to representation by delegates at the Convention;
- (b) "*Canada Elections Act*" means the *Canada Elections Act*, S.C. 2000, c. 9, as amended;
- (c) "Commission" means, as the context may require, any or all of the Commission of Young Liberals of Canada, the National Women's Liberal Commission, the Aboriginal Peoples' Commission or the Senior Liberals' Commission;
- (d) "Commission Returning Officer" means a person appointed under Subsection 2.3;
- (e) "Constitution" means, as the context may require, in relation to a PTA, a Commission or an Affiliated Constituent Body, the constitution, rules, bylaws or

¹ In the National Constitution, the term National Executive was changed to National Board of Directors at the 2009 Leadership and Biennial Convention in Vancouver, April 30 to May 2, 2009.

other constating documents of the PTA, Commission or Affiliated Constituent Body;

- (f) “Convention” means the Biennial Convention of the Liberal Party of Canada for which delegates are elected under this Bylaw;
- (g) “Cut-off Date” has the meaning assigned in Subsection 7.1;
- (h) “General Secretary” means the general secretary of the Convention appointed by the National Board of Directors pursuant to subsection 66(1) of the National Constitution;
- (i) “Local Returning Officer” means a person appointed under Subsection 2.4;
- (j) “Meeting” means a meeting called and held in accordance with this Bylaw for the purpose of electing delegates from an EDA or a Commission Club;
- (k) “National Constitution” means the constitution of the Liberal Party of Canada as adopted at the 2006 Leadership and Biennial Convention as amended from time to time;
- (l) “National Board of Directors” means the National Board of Directors of the Liberal Party of Canada constituted under chapter 6 of the National Constitution;
- (m) “National Management Committee” means the National Management Committee of the Liberal Party of Canada constituted under section 30 of the National Constitution;
- (n) “National Returning Officer” means the person appointed under subsection 66(2) of the National Constitution;
- (o) “Party” means the Liberal Party of Canada;
- (p) “Permanent Appeal Committee” means the Permanent Appeal Committee of the Liberal Party of Canada constituted under chapter 10 of the National Constitution;
- (q) “PTA” means one or more of the provincial or territorial associations that compose the federation of the Liberal Party of Canada under the National Constitution;
- (r) “Regional Returning Officer” means a person appointed under Subsection 2.2;
- (s) “Relevant PTA” means, as the context may require:
 - (i) the PTA for the province or territory in which the federal electoral district represented by an EDA is located;
 - (ii) the province or territory in which a Commission Club principally operates or with which it is identified or in which a majority of its members live; or

- (iii) the province or territory in which a Meeting is held;
- (t) “Relevant Commission” means the Commission by which a Commission Club has been established;
- (u) “Returning Officer” means, as the context requires, a Regional Returning Officer, a Commission Returning Officer, a Local Returning Officer or a deputy returning officer but does not include the National Returning Officer or the Deputy National Returning Officer;
- (v) “Seniors Club” means a seniors club established by the Senior Liberals’ Commission under subsection 38(3) of the National Constitution and recognized for the purposes of the National Constitution;
- (w) “Student Club” means a student club established by the Commission of Young Liberals of Canada under subsection 37(3) of the National Constitution and recognized for the purposes of the National Constitution;
- (x) “Women’s Club” means a women’s club established by the National Women’s Liberal Commission under subsection 36(3) of the National Constitution and recognized for the purposes of the National Constitution.

1.4 **Terms defined in National Constitution.** Terms which are not defined in this Bylaw have the same meaning as in the National Constitution.

1.5 **Short title.** This Bylaw may be referred to as the “Rules of Procedure for the Election of Delegates”.

2. APPOINTMENT OF RETURNING OFFICERS

2.1 **Deputy National Returning Officer.**² The National Management Committee may appoint a Deputy National Returning Officer to assist the National Returning Officer and, in doing so, must respect the principles set out in subsections 2(2) and 2(3) of the National Constitution. The National Management Committee may remove the Deputy National Returning Officer from office and, in that case, may appoint a successor.

2.2 **Regional Returning Officers.** The executive of each PTA may, with the prior written approval of the National Returning Officer, appoint a member of the PTA as the chief electoral officer (referred to as a “Regional Returning Officer”) in respect of Meetings of EDAs within the geographic boundaries of the province or territory. The executive of the appointing PTA may remove its appointed Regional Returning Officer from office and, in that case, may, with the approval of the National Returning Officer, appoint a successor.

2.3 **Commission Returning Officers.** The executive of each Commission may, with the prior written approval of the National Returning Officer, appoint a member of the Commission

2 Note that the National Returning Officer is appointed under subsection 66(2) of the National Constitution.

as the chief electoral officer (referred to as a “Commission Returning Officer”) in respect of the election of delegates for that Commission. The executive of the appointing Commission may remove its Commission Returning Officer from office and, in that case, may, with the approval of the National Returning Officer, appoint a successor.

2.4 Local Returning Officers. A Regional Returning Officer may, after consultation with the National Returning Officer, appoint any member of the Liberal Party of Canada who has signed a declaration of neutrality in Form 1 at least 30 days before the Meeting (or such shorter period approved by the National Returning Officer) as:

- (a) the returning officer for a Meeting of an EDA (referred to as a “Local Returning Officer”);
- (b) after additional consultation with the Commission Returning Officer, the returning officer for a Meeting of a Commission Club (also referred to as a “Local Returning Officer”).

2.5 Deputy Returning Officers. A Local Returning Officer may appoint deputy returning officers and such other officials necessary for the conduct of the Meeting if the person appointed has, before the appointment, signed a declaration of neutrality in Form 1.

2.6 Authority of the National Returning Officer. Subject to direction given by resolution of the National Board of Directors and subject to an appeal to the Permanent Appeal Committee, the National Returning Officer may:

- (a) specify the extent of the authority of Returning Officers (including the authority of a Regional Returning Officer to remove Local Returning Officers and the authority of Local Returning Officers to remove deputy returning officers and other meeting officials);
- (b) establish rules (consistent with this Bylaw, the National Constitution and, insofar as it is made applicable by this Bylaw, the Constitution of any Relevant PTA or Relevant Commission) generally applicable to Returning Officers and to the conduct of Meetings;
- (c) give directions (consistent with this Bylaw, the National Constitution and, insofar as it is made applicable by this Bylaw, the Constitution of any Relevant PTA or Relevant Commission) on a case by case basis with respect to the conduct of a Returning Officer or of a Meeting;
- (d) enact interpretation bulletins (consistent with this Bylaw, the National Constitution and, insofar as it is made applicable by this Bylaw, the Constitution of any Relevant PTA or Relevant Commission) in order to clarify any provision of this Bylaw or the National Constitution;
- (e) overrule a direction given by a Regional Returning Officer or a Commission Returning Officer to a Local Returning Officer;

- (f) overrule a direction given by a Local Returning Officer in connection with a Meeting;
- (g) remove from office any Returning Officer.

2.7 **Delegation by National Returning Officer.** The National Returning Officer may, in writing, delegate all or part of her or his authority to the Deputy National Returning Officer and to other individuals and may revoke that delegation in her or his absolute discretion at any time.

2.8 **Finality of decision of the National Returning Officer.** Subject to direction given by resolution of the National Board of Directors and subject to an appeal to the Permanent Appeal Committee, a decision of the National Returning Officer is final and the interpretation bulletins enacted under Paragraph 2.6(d) apply as if they were part of this Bylaw.

2.9 **Declaration of neutrality.** Before or forthwith after their appointment, the Deputy National Returning Officer (if any) and each Regional Returning Officer and Commission Returning Officer must sign a declaration of neutrality in Form 2. If the Deputy National Returning Officer does not sign the declaration and deliver it to the National Returning Officer forthwith after their appointment, then their office may be declared vacant by the National President of the Liberal Party of Canada and the National Management Committee may appoint another person to that office in their place. If a Regional Returning Officer or a Commission Returning Officer does not sign the declaration and deliver it to the National Returning Officer forthwith after their appointment, then their office must be declared vacant by the National Returning Officer who may, after consultation with the PTA or Commission who appointed them, appoint another person to that office in their place. If a Local Returning Officer does not sign the declaration and deliver it to the Regional Returning Officer who appointed them forthwith after their appointment, then their office must be declared vacant by the Regional Returning Officer who may appoint another person to that office in their place.

2.10 **Authority of Returning Officers.** A Returning Officer may only exercise authority to the extent specified, from time to time, by the National Returning Officer or as specifically provided in this Bylaw and must, at all times, act in accordance with all rules established by the National Returning Officer and in accordance with all directions given by the National Returning Officer and, in the case of Local Returning Officers, given to him or her by the appointing Regional Returning Officer or Commission Returning Officer.

2.11 **Delegation by Regional and Commission Returning Officers.** A Regional Returning Officer and a Commission Returning Officer may, in writing, delegate all or part of their authority to other individuals and may revoke that delegation in their absolute discretion at any time.

3. ELECTION OF DELEGATES

3.1 **Delegates from EDAs.** Subject to Subsection 3.6, the 22 delegates from each EDA provided for in paragraphs 62(1)(k) and 62(1)(l) of the National Constitution must be elected at a local meeting called for the purpose of electing those delegates and held in accordance with this Bylaw.

3.2 **Delegates from Commission Clubs.** Subject to Subsection 3.6, the delegates from each Commission Club entitled to send delegates to the Convention in accordance with paragraph 62(1)(m) of the National Constitution must be elected at a meeting called for the purpose of electing those delegates and held in accordance with this Bylaw.

3.3 **Principal officers of Commission.** The executive of each Commission may, in its absolute discretion, determine who are the seven principal officers of the Commission provided for in paragraph 62(1)(f) of the National Constitution.

3.4 **Delegates elected by PTA executives.** The delegates provided for in paragraphs 62(1)(n) and (o) of the National Constitution may be elected in accordance with procedures adopted in the absolute discretion of the executive of the PTA electing them.

3.5 **Rules applicable to Meetings.** Each Meeting must be called and held in accordance with this Bylaw and other Party Bylaws. To the extent that the Constitution of a Relevant PTA is not inconsistent with this Bylaw and other Party Bylaws, each Meeting of an EDA must also be called and held in accordance with that Constitution. To the extent that the Constitution of a Relevant Commission is not inconsistent with this Bylaw and other Party Bylaws, each Meeting of a Commission Club must also be called and held in accordance with that Constitution. To the extent that the Constitution of an Affiliated Constituent Body is not inconsistent with this Bylaw, other Party Bylaws or the Constitution of a Relevant PTA or Relevant Commission, each Meeting of the Affiliated Constituent Body must also be called and held in accordance with that Constitution.

3.6 **Selection of delegates after conclusion of meeting.** If, at any time after the conclusion of a meeting called for the purpose of electing delegates and the promotion of all alternates, the number of delegates from an EDA or a Commission Club who will attend the convention is less than the number of delegates to be selected from that EDA or Commission Club, as the case may be, then the Regional Returning Officer appointed by the Relevant PTA or the Commission Returning Officer appointed by the Relevant Commission, as the case may be, may choose persons by lot from among those who have made application for delegate status to the National Returning Officer and those persons are deemed to be persons selected as alternate delegates to the convention from that EDA or Commission Club, as the case may be.

4. CALLING MEETINGS

4.1 **Call of EDA Meeting.** Each Meeting of an EDA may be called by:

- (a) the executive of the Relevant PTA; or
- (b) if authorized by the executive of the Relevant PTA or permitted or required by the Constitution of the Relevant PTA, the voting members of the executive of the EDA by resolution passed at a duly called and constituted meeting of the executive of the EDA.

4.2 **Call of Commission Club Meeting.** Each Meeting of a Commission Club may be called by:

- (a) the executive of the Relevant PTA; or
- (b) if authorized by the executive of the Relevant Commission or permitted or required by the Constitution of the Relevant Commission, the voting members of the executive of the Commission Club by resolution passed at a duly called and constituted meeting of the executive of the club.

4.3 **Approval of dates and locations.** The dates, times and locations of Meetings called under Paragraph 4.1(b) and 4.2(b) must be approved in advance by the Regional Returning Officer appointed by the Relevant PTA or the Commission Returning Officer appointed by the Relevant Commission, as the case may be.

4.4 **Dates of Meetings.** Each Meeting must, unless otherwise directed by the National Returning Officer or, in circumstances considered appropriate by the Permanent Appeal Committee on an appeal, by the Permanent Appeal Committee, be called on the notice required by this Bylaw so that the Meeting is held at least 50 days before the Convention.

4.5 **Times of Meetings.** Each Meeting must be held on a day and at a time of day that is, in the opinion of the Regional Returning Officer or Commission Returning Officer, as the case may be, reasonably convenient for those members entitled to vote at the Meeting. In particular, the Commission Returning Officer for the Young Liberals of Canada must give due regard to the preoccupation or absence of students during periods of examinations and student holidays. No Returning Officer may deny a member person eligible to vote at a Meeting the opportunity to do so if they are in the line established by the Local Returning Officer for registration or voting at the expiry of the voting hours. Where appropriate, in order to permit orderly voting and to ensure that members have a fair opportunity to vote, the responsible Regional Returning Officer may (a) in their sole discretion, direct that voting hours for a particular Meeting be varied and (b) with the approval of the National Returning Officer, (i) establish one or more advance polling stations open in the week before the Meeting (ii) provide for mail-in ballots.

4.6 **Deemed presence of members.** A member of the Party who attends in person at an advance polling station and a member of the Party who votes by mail-in ballot in accordance with the procedures established by a Regional Returning Officer for that ballot is deemed for all purposes of this Bylaw and the National Constitution to be present at the delegate selection meeting.

4.7 **Report on possible meeting locations.** Each Affiliated Constituent Body must at least 90 days before the Convention, or at such later time permitted by the responsible Regional Returning Officer or Commission Returning Officer, submit a written report to the responsible Regional Returning Officer or Commission Returning Officer proposing one or more locations for the Meeting of the Affiliated Constituent Body which satisfy the following requirements:

- (a) the facilities available for the Meeting at each location must provide adequate space for all members who might reasonably be expected to vote at that location;
- (b) each location must be reasonably convenient in terms of the time and expense required to travel to that location by all members who might reasonably be expected to vote at that location but the location of a Meeting of an Affiliated

Constituent Body related to a federal electoral district is not required to be within that federal electoral district and the Meeting of a Student Club is not required to be on any campus of the post-secondary institution for which the club is accredited;

- (c) where extraordinary geographic circumstances warrant, multiple meeting locations will be considered;
- (d) each location must be reasonably accessible to physically disabled persons;
- (e) the locations, taken together, must permit the Meeting to be conducted in an orderly and fair manner and otherwise in accordance with this Bylaw;
- (f) the locations, taken together, must ensure the reasonable enfranchisement of all members entitled to vote at the Meeting.

4.8 Additional requirement for multiple meeting locations. If the Meeting is to be conducted at more than one location, then the report must also include:

- (a) a timetable for the proceedings at each location (which may be different for each location);
- (b) a plan for the conduct of the ballot (including by means of a travelling ballot box or in any other way established by the National Returning Officer); and
- (c) a plan to ensure that each member entitled to vote only votes once.

4.9 Additional requirements for disabled person. If any location is not reasonably accessible to physically disabled persons, then the report must also include a plan for alternate arrangements which will reasonably accommodate such persons.

4.10 Final decision on meeting locations. Within 10 days after receiving a report on possible meeting locations, the Regional Returning Officer or Commission Returning Officer, as the case may be, must accept the report or direct that the meeting be held at one or more locations specified by the Returning Officer.

5. NOTICE OF MEETINGS

5.1 Responsibility for notice of EDA meetings. Each PTA is responsible (at its expense or that of the EDA) to ensure that notice of each Meeting of an EDA is given in accordance with this Bylaw.

5.2 Responsibility for notice of Commission Club meetings. Each Commission is responsible (at its expense or that of the Commission Club) to ensure that notice of each Meeting of a Commission Club is given in accordance with this Bylaw. With the consent of a PTA, a Commission may delegate part or all of this responsibility to one or more of the PTAs.

5.3 Membership lists. For the purposes of confirming the right to vote, to be selected as a delegate or alternate delegate or otherwise to participate in any Meeting, only information provided by the National Office or a PTA Office from information in the National Membership Registry may be used.

5.4 Rules for notice. In the case of the notice of each Meeting, the following rules apply to the notice of meeting:

- (a) the notice must be given:
 - (i) by mail to all those members entitled to vote at the Meeting and to all those members who would be entitled to vote at the Meeting if they renewed their membership in accordance with the Constitution of the Relevant PTA or Relevant Commission, as the case may be, at the residential address shown in the membership records maintained by the PTA or Commission or provided under Subsection 5.3 or to such other address as approved by the National Returning Officer; or
 - (ii) by any other means (such as email, posting on the website of the Liberal Party of Canada or of the Relevant PTA or by newspaper advertisement) approved by the National Returning Officer;
- (b) the notice must be given no fewer than 13 days before the Meeting, unless otherwise approved (whether before or after the notice is given) by the National Returning Officer;
- (c) the notice must be substantially in the form specified by the National Returning Officer.

5.5 Computation of time. In calculating the length of notice of 13 days, the day the notice is mailed (or otherwise given) and the day of the meeting are not to be counted. As an example, if a meeting is to be held on Friday, September 29, then 13 days notice of that meeting must be given on or before Friday, September 15.

5.6 Failure to give notice and waiver of notice. The accidental omission to give notice of any Meeting as required by the National Constitution and this Bylaw does not invalidate the notice, the Meeting or any proceedings at that meeting unless such omission is, in the opinion of the National Returning Officer (which is subject to appeal to the Permanent Appeal Committee), so grave as to compromise fundamentally the fair conduct of the Meeting. Any person entitled to notice of a Meeting may, in writing or otherwise, waive or reduce the period of notice of such meeting.

5.7 Additional advance notice. If, in the opinion of the Regional Returning Officer, notice in addition to the notice required under Subsection 5.4 is required to ensure a representative attendance at a Meeting, then the Relevant PTA or Relevant Commission is responsible at its expense to give sufficient advance notice by advertisement or otherwise.

6. QUALIFICATIONS TO BE A DELEGATE

6.1 **Eligibility for delegate position.** To be eligible for election as a delegate, a person must satisfy the requirements of paragraph 63(4)(d) of the National Constitution³ but, in accordance with paragraph 23(2)(a) of the National Constitution, the National Board of Directors hereby reduces the time qualification established under subparagraph 63(4)(d)(i) of the National Constitution such that a person has a right to be selected as a delegate or alternate delegate to the Convention if that member has been a member of the Party since the Cut-Off Date. With respect to each Commission Club, a member of the Party must have been a member of the Commission Club before the Cut-off Date in order to be eligible for election as a delegate from the Commission Club.

6.2 **Additional age qualifications.** In addition to the requirements set out in Subsection 6.1, to be eligible for election as a youth delegate, a person must not be a person who will have celebrated their 26th birthday before the last day of the Convention,⁴ and be at least 14 years of age on the Cut-off Date.⁵ In addition to the requirements set out in Subsection 6.1, to be eligible for election as a seniors delegate, a person must be at least 65 years of age on the day of the Meeting.⁶ Where age is in dispute, acceptable proof may only be a birth certificate, a Canadian-issued baptismal certificate, a Canadian citizenship card or certificate, Government of Canada immigration papers, a passport or such other documentation prescribed by the National Returning Officer.

6.3 **Youth, seniors and aboriginal delegates.** Youth members seeking to be delegates are not restricted only to those delegate positions set aside for youth. Senior members seeking to be delegates are not restricted only to those delegate positions set aside for seniors. Aboriginal members seeking to be delegates are not restricted only to those delegate positions set aside for aboriginal persons.

6.5 **May only seek selection in one EDA.** A member may only seek to be selected as a delegate or an alternate delegate to any convention of the Party from one EDA.

6.6 **Selection as delegate from EDA and Commission Club.** A member of the Party who is selected as a delegate from an EDA and as a delegate from a Commission Club is deemed to be a delegate from the Commission Club and their selection as a delegate from the EDA is cancelled.

7. MEMBERSHIP LISTS AND CHALLENGES

7.1 **Cut-offs.** With respect to each EDA and each Commission Club, the date before which a person must have been a member of the Party in order to be eligible to vote is referred to as the

3 This includes the requirement that the person is present in person or consents in writing to be a delegate.

4 Under subsection 37(2) of the National Constitution as soon as a member has celebrated his or her 26th birthday they are no longer eligible as a Young Liberal. Each youth delegate must remain eligible throughout the Convention.

5 If a person was not at least 14 on the Cut-off Date then they were not validly a member of the Party.

6 To be a senior delegate one must be a senior on the day of their election.

“Cut-off Date”. With respect to each Commission Club, a member of the Party must have been a member of the Commission Club before the Cut-off Date in order to be eligible to vote at a meeting of the Commission Club.

7.2 Notice of Cut-off Date. The Cut-off Date must be specified in the notice calling the meeting.

7.3 Challenges. If a person entitled to vote or be elected as a delegate at the Meeting or any other interested party (who is a member of the Liberal Party of Canada) wishes to challenge any individual’s right to vote or to be elected as a delegate, then the member must do so at least 72 hours before the scheduled time of the Meeting. Challenges may be made with respect to:

- (a) whether the member has provided proof that he or she or a member of their immediate family has paid for their membership⁸;
- (b) whether the address shown on the membership list is accurate;
- (c) whether the member lives at such address;
- (d) where relevant to the class of membership, whether the age or birth date indicated on the membership list is correct;
- (e) whether the member is a member of another federal political party; and
- (f) whether any other qualifications under the Constitution of the Relevant PTA or Relevant Commission have been satisfied.

7.4 Method of making challenge. Challenges must be made in writing setting out the reasons for the challenge and must be delivered to the National Membership Secretary or their designate.

7.5 Adjudication of the challenge. After receiving the challenge, the National Membership Secretary or their designate is responsible to ensure that a copy of the challenge is available at reasonable hours for inspection by any person entitled to vote or be elected as a delegate at that Meeting. The National Membership Secretary or their designate may at any time before or at the Meeting:

- (a) reject any challenge;
- (b) after giving the challenged individual an opportunity to answer the challenge, accept a challenge and decide that a challenged individual is not eligible to vote or not eligible to be elected as a delegate at the Meeting.

The National Membership Secretary must not authorize the issue of a ballot to a challenged individual before deciding all challenges relating to that individual.

⁸ See Article 6(2) of the National Constitution.

7.6 **Finality of decision.** The decision of the National Membership Secretary may be appealed in accordance with Section 10 except insofar as the decision relates to matters within the sole competence of the appeals tribunal of the Relevant PTA, in which case the appeal lies only to that appeals tribunal.

8. CONDUCT OF DELEGATE ELECTION MEETING

8.1 **Meeting chair.** A Regional Returning Officer may, after consultation with the National Returning Officer, appoint any member of the Liberal Party of Canada as:

- (a) the chair of a Meeting of an EDA;
- (b) after additional consultation with the Commission Returning Officer, the chair of a Meeting of a Commission Club.

8.2 **Duties of meeting chair.** It is the duty of the meeting chair to ensure that meetings are conducted in a fair, orderly and democratic manner. The meeting chair may require the meeting to be delayed, adjourned, postponed or moved to another meeting location within the electoral district or may require any alteration of the physical arrangement of the meeting location as the chair may see fit in order to comply with the provisions of this Bylaw or to conduct an orderly and fair meeting.

8.3 **Conduct of the Meeting.** The conduct of each Meeting and the voting at the Meeting is under the sole control of the meeting chair appointed under Subsection 8.1 and the Local Returning Officer appointed for the Meeting. All members of the Liberal Party of Canada must follow the direction of the meeting chair and the Local Returning Officer. The meeting chair and the Local Returning Officer may, except to the extent that it is not inconsistent with the National Constitution, this Bylaw and other Party Bylaws and any directions and interpretation bulletins issued by the National Returning Officer, rely on the current edition of *Robert's Rules of Order* or the *code Morin* for guidance in the conduct of the meeting and as a source of authority for their directions.

8.4 **Identification standards.** To be eligible to vote at any Meeting, a person must provide the identification prescribed by Party Bylaws.

8.5 **Separate ballot box.** Voters must be given an opportunity to mark their ballots in secret and must deposit their ballots in a separate sealed ballot box before leaving the room where the vote is being conducted.

8.6 **Conclusion of voting.** At the conclusion of voting, the Local Returning Officer is responsible to count the ballots and report the results of the count to the Regional Returning Officer for the province or territory in which the ballot is conducted.

8.7 **Review of unofficial results.** Each Regional Returning Officer must review the counts and calculations as soon as possible after receiving them and determine the official results. In any case where doubt exists as to the correct determination of the official results, the Regional

Returning Officer must advise and consult with the National Returning Officer and comply with any instructions received from the National Returning Officer.

8.8 Notification of official results. As soon as possible after the Regional Returning Officer determines the official results in respect of an Affiliated Constituent Body, the Regional Returning Officer must certify the results as official and communicate them to the National Returning Officer in accordance with procedures established by the National Returning Officer. The National Returning Officer must, forthwith upon receipt of such results, communicate them to the General Secretary.

8.9 Confirmation of election. The General Secretary is responsible to send written confirmation of election and all necessary documentation to each elected delegate as soon as possible after receiving the required information from the National Returning Officer.

8.10 Custody of ballots. After the conclusion of each Meeting, the Local Returning Officer must seal all ballots and all documents used in the tabulation of the result and retain them in a secure place or securely deliver them to the Regional Returning Officer. The Local Returning Officer or the Regional Returning Officer having custody of the ballots and related documentation must retain them under seal until the earlier of:

- (a) an appeal of the result of the Meeting is submitted under this Bylaw; and
- (b) ten days have passed since the determination of the official result.

8.11 Transmittal of ballots on appeal. If an appeal of the result of a Meeting is submitted under this Bylaw, then the Local Returning Officer or Regional Returning Officer having custody of the ballots and related documentation must forthwith transmit them to one of the Chairs of the Permanent Appeal Committee or their designate. At the conclusion of the appeal, the materials must be disposed of in accordance with the direction of the Permanent Appeal Committee.

8.12 Destruction of ballots. If ten days have passed since the determination of the official result and there is no appeal of the result of a Meeting submitted under this Bylaw, then the Local Returning Officer or Regional Returning Officer having custody of the ballots and related documentation must destroy them in a manner that ensures that they are not subject to inspection by any person.

9. VACANCIES AND ALTERNATES

9.1 Promotion of alternates before the Convention. Where any delegate notifies the General Secretary in writing signed by the delegate⁹ on or before 5:00 p.m., Ottawa time, on seventh day before the Convention, that the delegate does not intend to attend the convention,

⁹ A notice by fax is acceptable but the delegate's signature must be included in the notice and electronic versions which do not include the signature are not acceptable.

then the General Secretary or their designate may, if practicable prior to the opening of registration:

- (a) cancel the delegate's certificate of election;
- (b) determine the identity of the person who:
 - (i) was selected as an alternate delegate to the convention from the same Affiliated Constituent Body;
 - (ii) was not elected as a delegate and has not already been promoted to delegate;
 - (iii) in the case of an EDA, satisfies the greatest number of the following criteria:
 - (A) is a youth, if there are not six youth delegates from that EDA;
 - (B) is an aboriginal person, if there are not two aboriginal delegates from that EDA;
 - (C) is a woman, if there are not ten delegates from that EDA who are women;
 - (D) is a man, if there are not ten delegates from that EDA who are men;
 - (E) is a senior, if there are not two delegates from that EDA who are seniors;
 - (F) received more votes than any other person who sought election from that EDA;
- (c) declare such person elected as a delegate and issue a certificate of election; and
- (d) forthwith make reasonable efforts to notify him or her of this change of status.

9.2 List of people entitled to promotion. As soon as practicable after the close of registration at the Convention, the General Secretary or their designate must produce a list of those persons who are entitled to promotion to delegate status and make them available throughout the Convention.

9.3 Promotion of alternates at Convention. A delegate who fails to register before the close of registration at the Convention will be replaced by the person, if any, who:

- (a) was selected as an alternate delegate to the convention from the same Affiliated Constituent Body;

- (b) presents himself or herself for promotion to delegate at the time and place designated in the convention agenda for that purpose;
- (c) has not already been promoted to delegate; and
- (d) in the case of an EDA, satisfies the greatest number of the following criteria:
 - (A) is a youth, if there are not six youth delegates from that EDA;
 - (B) is an aboriginal person, if there are not two aboriginal delegates from that EDA;
 - (C) is a woman, if there are not ten delegates from that EDA who are women;
 - (D) is a man, if there are not ten delegates from that EDA who are men;
 - (E) is a senior, if there are not two delegates from that EDA who are seniors;
 - (F) received more votes than any other person who sought election from that EDA; and
- (e) pays the fee required under the rules for the Convention.

10. APPEALS PROCEDURE

10.1 Decisions made in the delegate election process, including the results of a Meeting, may be appealed to the Permanent Appeal Committee in accordance with its rules.¹⁰

10.2 An appeal to the Permanent Appeal Committee may only be commenced by notice of appeal in writing received not later than 72 hours after the time fixed for the commencement of a Meeting (or such longer time as the rules of the Permanent Appeals Committee may allow) or, if a decision is made outside a Meeting context, not later than 72 hours after the decision requiring review has been made (or such longer time as the rules of the Permanent Appeals Committee may allow).

10.3 Decisions of the Permanent Appeal Committee are final and not subject to appeal.

¹⁰ The rules of the Permanent Appeals Committee provide that unless the Permanent Appeal Committee orders otherwise, the submission of an appeal will not constitute a basis for the delay of a Meeting and will not restrict any meeting official from taking any steps that he or she would otherwise take in furtherance of the process. Section 14.1 of the rules of the Permanent Appeals Committee provide that "Any notice of appeal shall be filed with the Permanent Appeal Committee by delivering the notice by hand, mail or facsimile to the relevant Provincial or Territorial Association office or such other location as may be specified by the Permanent Appeal Committee."

10.4 The Permanent Appeal Committee has all the powers necessary to give effect to its decisions, including, without limiting the generality of the foregoing, the powers to postpone a Meeting, declare a Meeting void, order a new Meeting, declare persons ineligible to vote at a Meeting and declare a nominee duly elected at a Meeting.

FORM 1
DECLARATION OF NEUTRALITY FOR LOCAL RETURNING OFFICER OR
DEPUTY RETURNING OFFICER

TO: National Returning Officer
Liberal Party of Canada Biennial Convention
600 – 81 Metcalfe Street
Ottawa, Ontario K1P 6M8

RE: Delegate Election Meeting for _____ (the “DEM”)

I, _____, having agreed to accept appointment
to the position of _____ for the DEM
do hereby undertake and agree that, from this date, and continuing until 72 hours after the
conclusion of the DEM or any appeal arising from the DEM, I will refrain from partisan activity
on behalf of any person seeking to be elected as a delegate at the DEM.

I understand that the Liberal Party of Canada is relying upon me to abide by this undertaking and
that any failure by me to do so may undermine the integrity of the Party’s process.

DATED: _____ 2011

Witness

Appointee

FORM 2
**DECLARATION OF NEUTRALITY FOR DEPUTY NATIONAL RETURNING
OFFICER, REGIONAL RETURNING OFFICER OR COMMISSION RETURNING
OFFICER**

TO: National Returning Officer
Liberal Party of Canada Biennial Convention
600 – 81 Metcalfe Street
Ottawa, Ontario K1P 6M8

I, _____, having agreed to accept appointment

to the position of _____ for the upcoming Biennial Convention of the Liberal Party of Canada (the “Convention”), do hereby undertake and agree that, from this date, and continuing until all of my responsibilities arising from my acceptance of this position are complete, I shall conduct myself in an entirely neutral fashion in all respects in relation to the processes of electing the delegates to the Convention. To that end, and without limiting the generality of the foregoing:

- (a) I will exercise any discretion granted to me by virtue of this appointment or any other Liberal Party position that I may hold in a fair and objective fashion, consistent with maintaining the integrity of the Party’s procedures for election;
- (b) I will not support or otherwise assist a candidate for election as a candidate for election as a delegate by campaigning, either directly or indirectly, in support of or in opposition to the election of any person by the Liberal Party of Canada or by any association connected with it;
- (c) I will not permit my name to be used by another person or by a campaign in support of or in opposition to the election of any person by the Liberal Party of Canada or by any association connected with it; and
- (d) I will not publicly or otherwise express an opinion as to the desired outcome of the Party’s election process, and in particular, will not express any such opinion to any polling or media concern.

DATED: _____ 2011

Witness

Appointee