

Proposals for Improving the Rules and Procedures for Candidate Nominations

Submitted to the National Council Ad Hoc Committee by:

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SUMMARY

On the basis of our own experience of the 2024-2025 Candidate Nomination Process, and having also heard from others about their experiences, it is our conviction that the Rules and Procedures for Candidate Nominations require substantial revision, as outlined below. We propose, in summary, that they need to be changed so as to:

- 1) Highlight up front the Constitutional role and rights of each EDA and the limitations that these place on the role of the NCSC in any nomination process.
- 2) Mandate a more transparent, predictable nomination process conducted in line with a schedule that is published in advance, with defined start and end points.
- 3) Ensure that every CNC sees the application packages of all the nomination applicants in their riding, and interviews all of those applicants.
- 4) Ensure proper consultation between the NCSC and a CNC when the former intends to override the judgment of the latter.
- 5) Ensure that nomination applicants are treated in a strictly equitable manner when each is informed that they have become a nomination candidate.

Rules and Procedures for

Candidate Nominations

1) GENERAL

Changes proposed as follows:

- a) These Rules for candidate nominations have been adopted by the National Council for use by the EDAs of the Party pursuant to Article 8.7.2 of the Constitution.
- b) National Council hereby recognizes the NCSC to act pursuant to Article 14.1 of the Constitution and to provide general supervision over the nomination process. ~~This “general supervision” shall not be exercised in any manner inconsistent with Article 6.1.1 of the Constitution (“[The governance of the Party shall adhere to the following objectives]: full representation of the interests and views of members”); Article 5.1 of the Constitution (“The electoral district association is the primary organization through which the rights of members are exercised”) and Article 14.2 of the Constitution (“a candidate nomination committee in each electoral district … [shall] be responsible for the administration of the candidate selection process in the electoral district”).~~
- c) Pursuant to Article 14.1 of the Constitution of the Party, the NCSC has ~~the absolute discretion to disallow an Applicant, Nomination Contestant, or Candidate, the right to disallow the candidacy of any person before or after nomination by an EDA. It has not been granted the right to allow the candidacy of any person rejected as a nomination candidate by the CNC of an EDA.~~
- d) Pursuant to Articles 5.1 and 14.2 of the Constitution, the NCSC’s ~~right to disallow a candidacy before or after nomination shall only ever be exercised rarely to countermand the express wishes of an EDA’s CNC. In all such highly unusual cases, prior to NCSC communication with the applicant the CNC Chair (i) shall be fully briefed and consulted about the case by the NCSC Chair and (ii) shall have the right of appeal to National Council.~~

2) APPLICATION PROCESS

Changes proposed as follows:

All Other Electoral Districts

g) Where neither an MP was elected by means of a by-election nor the Electoral District is held by an MP:

i. ~~Each The Electoral District shall open and close for nominations according to a national nomination schedule created in consultation with local EDAs by~~ is Opened as of the date of the adoption these Rules by National Council.

ii. National Council shall publish this schedule as early as possible in each election cycle, to allow for proactive nomination planning, but in any event shall publish it no later than three (3) months prior to the date of the first nomination-opening on the schedule. At the same time, it shall publish an updated Rules and Procedure for Candidate Nominations document detailing the application process and providing contact information for the party representative overseeing nomination applications in each province or territory.

iii. The period between the opening and the closing of nominations in each electoral district shall be three (3) months, to be followed (where more than one nomination candidate has been approved) by a nomination contest lasting at least three (3) weeks and concluding with a nomination meeting held no later than six (6) weeks after close of nominations.

iv. The entire national nomination process described by the nomination schedule shall last no longer than twelve (12) months. It shall begin, in a majority parliament, at least twenty-four (24) months before the next fixed federal election date pursuant to the *Canada Elections Act*; and in a minority parliament, within twelve (12) months after the previous general election, except that National Council may pass a motion to delay the beginning of a national nomination process for a maximum of four (4) months after the conclusion of

- a leadership review vote pursuant to Article 10.7,
- a leadership election pursuant to Article 10.10 or
- the federal riding redistribution.

v. National Council shall have the ability to change dates in the published nomination schedule at any time, but (a) it shall do so only rarely, and (b) only after consultation with the local electoral district association concerned, and (c) only after a motion endorsing the changes has received a majority vote of National Council. In all cases the rationale for the changes, and the updated scheduled dates resulting from them, shall be distributed to all party members in the impacted ridings, and also posted publicly on the website of the party within eight (8) days of National Council's vote.

vi. If an incumbent MP or nominated candidate announces after publication of the nomination schedule that they are not running in the next federal election, or an incumbent fails to meet the criteria set forth in the Constitution's or National Council's rules and procedures for exempting incumbent MP's from a nomination, National Council shall add the impacted electoral district(s) to the nomination schedule within four (4) months. The updated schedule shall be distributed to all party members in the impacted ridings and posted publicly on the website of the party within eight (8) days of National Council's motion to make the addition.

Close of the Nominations

(h) The Close of Nominations shall be at 5:00pm ET fourteen (14) days after the Closing Notice is given.

Application Process for Application submitted prior to the Closing Notice

Consequent to the changes in 3g above, changes to wording are required throughout the document (e.g., "Closing Notice" needs to be replaced with "close of nominations"), but the main proposal at this point concerns the deletion of 3k and some edits to 3l:

(k) ~~If an Application which is deemed by the Executive Director or their designate to be complete is received by the Executive Director or their designate prior to the Closing Notice where the Applicant requests that their Application be reviewed in confidence for professional or personal reasons that the NCSC deems reasonable, the NCSC shall review the Application, conduct the Applicant interview process and render a decision. Once Closing Notice is given, the Applicant will be asked to meet with the CNC to give the CNC an opportunity to meet and become familiar with the Applicant.~~

(l) ~~Within a reasonable time of the conclusion of the above process, the NCSC shall decide whether to invite the Applicant to contest the Nomination or decline the Applicant's application to contest the Nomination. When the NCSC intends to exercise its right to disallow a candidate recommended after interview by the CNC, the CNC Chair (i) shall first be fully briefed and consulted about the case by the NCSC Chair and (ii) shall have the right of appeal to National Council. Only after any appeal has been heard shall the final NCSC This decision shall be communicated to the CNC, if applicable, and the Applicant by the Executive Director or their designate without reasons.~~

Application Process for Application submitted subsequent to the Closing Notice

Consequential changes to 3p:

(p) ~~Within a reasonable time of the conclusion of the above process, the NCSC shall decide whether to invite the Applicant to contest the Nomination or decline the Applicant's application to contest the Nomination. When the NCSC intends to exercise its right to disallow a candidate recommended after interview by the CNC, the CNC Chair (i) shall first be fully briefed and consulted about the case by the NCSC Chair and (ii) shall have the right of appeal to National Council. Only after any appeal has been heard shall the final NCSC This decision shall be communicated to the CNC, if applicable, and the Applicant by the Executive Director or their designate without reasons.~~

5) CLOSING NOTICE

Delete all of the following along with heading just above ("Closing Notice"):

a) ~~The Executive Director or their designate in consultation with the Chair of the NCSC and the National Councillor(s) for the respective jurisdiction may close nominations at any time they see fit in any Electoral District by causing the Closing Notice to be sent to current members of the Electoral District.~~

b) The Closing Notice shall be sent by Conservative Party Headquarters, shall include notice that nominations close in fourteen (14) days and shall be given by any one (1) or combination of the following methods:

- i. Regular mail sent to the member's address of record;
- ii. E-mail sent to the member's e-mail address of record; or

Phone call to the member's phone number of record.

8) MEMBERSHIP LISTS

Change proposed as follows:

- a) All EDAs shall retain access to an updated membership list throughout any nomination process.
- b) Within 48 hours of the final If an Applicant is being approved to contest the Nomination, the Executive Director or their designate must shall provide a copy of the list of current members to all the approved Applicants current as of the date of the Closing Notice close of nominations. A copy of the list of current members will shall not be provided to any approved Applicant before it is provided to ALL approved Applicants. prior to the Closing Notice. Any new applicant to the race will be given the same list; subsequent lists will be given to all Nomination Contestants at the same time.

9) CANDIDATE NOMINATION MEETING

Changes proposed as follows (9d consequential upon the new timetabling above):

Where there is more than one Nomination Contestant

- d) The Executive Director or their designate will shall consult with the National Councillor(s) for the respective jurisdiction and the CNC, if a CNC has been constituted, to select the time, location and medium of the Nomination Meeting(s). The Nomination Meeting(s) must occur no later than six (6) weeks after close of nominations forty-seven (47) days from the Closing Notice.
- e) The Executive Director or their designate shall appoint an impartial RO who is not a party staff member. The name and contact information of the proposed RO shall be provided to the Executive Director or their designate via the CNC Chair. The RO shall supervise the voting and vote count. A margin of victory of fewer than fifteen (15) votes shall automatically re-trigger a recount, up to a maximum of two recounts. The RO shall then declare the nomination of the Party candidate ... [remainder unchanged]