



**PROGRESSIVE CONSERVATIVE  
PARTY OF NOVA SCOTIA**

**LEADERSHIP SELECTION RULES**

**2018**

**As adopted by the Executive Committee of the  
Progressive Conservative Association of Nova Scotia  
on February 7, 2018  
and as amended by the Leadership Selection Committee  
on October 24, 2018**

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## **PART I - APPLICATION AND INTERPRETATION**

1. These rules may be cited as the *Leadership Selection Rules*.
2. The new Leader of the Progressive Conservative Party of Nova Scotia shall be chosen in accordance with these rules.
3. The voting process, the operation of the Convention, and the conduct of candidates for selection as the new Leader of the Party, shall be governed by the Constitution and these rules.
4. These rules have been adopted by the Party Executive pursuant to Article 12 of the Constitution.
5. In the event that these rules are inconsistent with the Constitution, the Constitution is paramount.
6. In these rules, unless the context otherwise requires,
  - (a) "auditor" means an auditor appointed in accordance with these rules;
  - (b) "ballot" means a paper ballot in a form prescribed by the Chief Electoral Officer,
  - (c) "campaign account" means an account established in accordance with Rule 67;
  - (d) "Co-Chairs" means the Co-Chairs of the LS Committee;
  - (e) "constituency" means a provincial 'electoral district' as defined in the *Elections Act* (NS);
  - (f) "constituency association" means a PC 'electoral district association' as defined in the *Elections Act* (NS);
  - (g) "Constitution" means the Constitution and By-laws of the Progressive Conservative Association of Nova Scotia, as amended;
  - (h) "Convention" means the leadership convention of the Party to be held at Halifax on October 26 and 27, 2018;
  - (i) "convention site" means those facilities designated by the LS Committee for use for Convention events;
  - (j) "leadership candidate" means a leadership candidate who has been accredited in accordance with these rules;
  - (k) "LS Committee" means the Leadership Selection Committee created by the Party Executive on November 18, 2017;
  - (l) "nomination papers" are collectively those documents, papers and deposits that a person is required to file in accordance with Rule 40 to become a leadership candidate;
  - (m) "offices of the Party" means
    - (i) from 5 p.m. on October 25, 2018 until two hours after the election of the new Leader of the Party has been announced, the convention site, and
    - (ii) at any other time, the Principal Office of the Party, which is

Suite 1003, 1660 Hollis Street  
Halifax, Nova Scotia B3J 1V7  
Telephone – (902) 429-9470  
Facsimile – (902) 423-2465  
Electronic Mail – info@pcparty.ns.ca;

- (n) "official agent" means an official agent of a leadership candidate appointed in accordance with these rules;
  - (o) "Party" means the Progressive Conservative Party of Nova Scotia, and includes the Progressive Conservative Association of Nova Scotia;
  - (p) "Party Executive" means the Executive Committee of the Progressive Conservative Association of Nova Scotia;
  - (q) "President" means the President of the Party;
  - (r) "prospective candidate" means a person who has publicly announced an intention to seek the leadership of the Party but has not become a leadership candidate;
  - (s) "rules" includes the forms prescribed by or pursuant to these rules, any amendments to these rules, and any additional or supplementary forms, rules, procedures or regulations which may be adopted from time to time;
  - (t) "subcommittee" means a subcommittee of the LS Committee established by or in accordance with Rule 16, and includes the Chief Electoral Officer;
  - (u) "Voting Area" means that part of the convention site so designated by the Co-Chairs.
7. References to time in these rules shall be construed as the time reckoned in accordance with the *Time Definition Act* (NS) and subsection 19(l) of the *Interpretation Act* (NS).
8. Any authority granted by these rules to the LS Committee, the Co-Chairs, any member of the LS Committee, or a subcommittee, to make appointments or to delegate authority shall be construed, subject to these rules, as also granting authority to revoke appointments, to make substitute appointments, to revoke a delegation or to make a substitute delegation.

## **PART II - LEADERSHIP SELECTION COMMITTEE**

9. The LS Committee shall be responsible for all matters pertaining to the Convention.
10. Each person appointed to the LS Committee or a subcommittee thereof, or a person appointed by the Chief Electoral Officer as a polling official, shall sign an irrevocable agreement of neutrality and confidentiality, using Form A.

## CO-CHAIRS

11. The Co-Chairs shall have overall responsibility for the LS Committee.
12. If the Co-Chairs determine that it is necessary to engage legal counsel to provide advice and assistance to the LS Committee,
  - (a) the Co-Chairs may request that the President cause the Party to engage counsel;
  - (b) the President has the sole authority to grant or refuse the request, in whole, in part, or with such modifications he or she deems appropriate; and
  - (c) the President has the sole authority, when he or she has granted a request in accordance with clause (b), to identify, retain, instruct and terminate legal counsel.
13. The President may delegate the authority granted to him or her in accordance with Rule 12(c) to either or both of the Co-Chairs, or to one or more members of the LS Committee.
14. The LS Committee, on the advice of the Co-Chairs, may appoint a Honourary Convention Chair.

## MEMBERSHIP

15. The members of the LS Committee shall be:
  - (a) the Co-Chairs;
  - (b) the directors or co-directors, of all subcommittees;
  - (c) the Chief Electoral Officer;
  - (d) the President of the Party;
  - (e) the Provincial Director of the Party; and
  - (f) any other person appointed by the Co-Chairs.

## SUBCOMMITTEES

16. The LS Committee shall have the following subcommittees:
  - (a) Rules Committee;
  - (b) Credentials Committee;
  - (c) Financial Compliance Committee;
  - (d) Candidate Liaison Committee;
  - (e) Convention Committee;
  - (f) Debates and Policy Committee; and

(g) any other subcommittee appointed by the Co-Chairs.

17. Each subcommittee's director or co-directors, shall be appointed by the Co-Chairs.
18. The members of each subcommittee shall be appointed by the Co-Chairs in consultation with the director or co-directors of the subcommittee.

#### RULES COMMITTEE

19. The Rules Committee shall consist of two co-directors and not less than one and not more than three additional members.
20. Meetings of the Rules Committee shall be chaired by one of its co-directors.

#### CREDENTIALS COMMITTEE

21. The Credentials Committee shall consist of a Director and not less than two and not more than four additional members.
22. Meetings of the Credentials Committee shall be chaired by its Director.
23. Subject to these rules, the Credentials Committee shall:
  - (a) resolve any disputes arising from membership applications; and
  - (b) accredit the candidates applying to run for Leader of the Party.

#### CHIEF ELECTORAL OFFICER

24. There shall be a Chief Electoral Officer who shall be responsible for the conduct and administration of balloting, both at the Convention and via postal ballot.
25. The Chief Electoral Officer shall have authority to appoint returning officers, deputy returning officers, poll clerks, security persons, and such other individuals as required to assist him or her in the discharge of his or her duties.

### **PART III - RECOGNITION OF CONSTITUENCY ASSOCIATIONS**

26. In this Part, "recognized constituency association" means a constituency association that, at 5:00 PM on September 11, 2018 meets the following criterion: the registration of the constituency association under the *Elections Act* (NS) is in good standing as evidenced by a written confirmation issued by an official of Elections Nova Scotia.
27. Not later than 5 p.m. on September 11, 2018 the Provincial Director shall provide to the Co-Chairs and the Director of the Credentials Committee copies of the confirmation referred to in Rule 26 and a list of the recognized constituency association's President, official agent and one other officer, including their contact information.

[Note: Rules 28, 29, 30: not used]

**PART IV - MEMBERSHIPS**

31. A person must have been a member of the Party at 5 p.m. on September 11, 2018 and continuously thereafter in order to vote in the Leadership Selection process.
32. Except as provided in Rule 34, each applicant for membership shall pay their own membership fee and membership payments must be accompanied by a prescribed membership form signed by each applicant, including a signed declaration that the member has paid for their own membership fee.
33. Membership payments must be accompanied by one of the following
  - (a) a copy of the applicant's cheque, money order or the entire credit card number, expiry date and cvd number of the applicant's credit card number used to purchase such membership, or
  - (b) if the payment is made by cash, a signed declaration that the member or a member of their immediate family, as defined in Rule 34, has provided the cash.
34. A person may pay the membership fee for members of their immediate family, ordinarily resident in the same household, including the person's spouse (as defined in the *Elections Act* (NS)) and dependent children between the ages of 14 and 18.
35. Where a constituency association or a person acting on behalf of an accredited leadership candidate has obtained a membership application, the association or such person shall deliver the application and the applicant's payment therefor to the Provincial Director:
  - (a) until August 1, 2018, within 15 days of receiving it, and
  - (b) on and after August 1, 2018, within 3 business days of receiving it.
36. If
  - (a) a membership application has been rejected by a constituency association, written reasons for the rejection, or
  - (b) the granting of a membership application is objected to by a member, a written statement of the reason for the objection, or
  - (c) a person alleges that his or her name wrongfully does not appear on the Provincial Membership Registry, a statutory declaration setting out the reasons why such omission is wrongful,shall be communicated to the Director of the Credentials Committee at the offices of the Party within five days of the rejection or objection and in any event, not later than 5 p.m. on September 13, 2018.
37. The Director of the Credentials Committee shall direct that the rejection or objection be considered by
  - (a) the Director of the Credentials Committee;

- (b) a member of the Credentials Committee designated by Director of the Credentials Committee;
- (c) a panel of members of the Credentials Committee designated by the Director of the Credentials Committee; or
- (d) the Credentials Committee,

who shall, for the purposes of Rule 38, be referred to as the "adjudicator".

38. Subject to the Constitution and these rules, the adjudicator shall have discretion to determine the procedure to be followed in considering a referral made in accordance with Rule 37, and without limiting the foregoing, the adjudicator:

- (a) shall consider the particulars of the membership application and the reasons given by the constituency association for its rejection or the objection and the reasons given therefor;
- (b) may consult with
  - (i) the constituency association through its president, the president's designate, or any other officer, director or member of the constituency association that the adjudicator deems appropriate,
  - (ii) the applicant, or
  - (iii) any other person that the adjudicator deems necessary;
- (c) shall, with all practical speed and, in any event, not later than five days after the referral, decide whether the application is approved or rejected, and immediately notify the applicant and constituency association of the decision;
- (d) a decision to approve an application is deemed to have been effective as of the date on which it was originally submitted to the constituency association or the offices of the Party, as the case may be; and
- (e) every decision made in accordance with this Rule is final and binding and there shall be no appeal or review on any ground whatsoever.



**PART V - LEADERSHIP CANDIDATE ACCREDITATION AND WITHDRAWAL**

## ACCREDITATION

39. Only leadership candidates who are accredited in accordance with these rules,
- (a) are entitled to have their names listed on the ballot for selection as Leader, subject to these rules;
  - (b) may exercise any rights and entitlements conferred on leadership candidates by these rules or the Constitution; and
  - (c) may hold themselves out, to members of the Party or the general public, as being accredited leadership candidates.
40. To apply to become a leadership candidate, a prospective candidate shall:
- (a) be a member in good standing of the Party;
  - (b) be eligible to stand for election as a Member of the House of Assembly;
  - (c) apply in writing, using a form (which shall be substantially analogous to the “Candidate Disclosure and Agreement package” and be approved under the “Candidate Nomination Rules and Procedures” approved by the Executive Committee in September 2015 and revised on May 10, 2016, or any further amended document) prescribed by the Chief Electoral Officer, to be accredited as a leadership candidate;
  - (d) file a nomination form, using a form prescribed by the Chief Electoral Officer, containing the
    - (i) legible signatures,
    - (ii) residential addresses,
    - (iii) telephone numbers, and
    - (iv) constituency associationsof 50 individuals who are members in good standing of the Party as of the date of filing the nomination form with the Chief Electoral Officer, provided that not more than five (5) of those members may be from the same constituency association;
  - (e) provide a deposit installment in the form of a certified cheque in the amount of \$5,000 payable to the Progressive Conservative Association of Nova Scotia;
  - (f) appoint, using a form prescribed by the Chief Electoral Officer, an official agent in accordance with Rules 58 to 63, who shall consent to the appointment; and
  - (g) appoint, using a form prescribed by the Chief Electoral Officer, an auditor in accordance with Rules 71 to 78, who shall consent to the appointment.

41. Each leadership candidate shall pay a second installment of the candidate deposit in the amount of \$10,000 on August 15, 2018 and a final installment of \$15,000 on September 7, 2018.
42. Nomination papers shall be filed, in complete and good order, with the Chief Electoral Officer, at the offices of the Party, not later than 5 p.m. on August 13, 2018.
43. The Chief Electoral Officer shall, upon receiving nomination papers, transmit the nomination papers forthwith to the Director of the Credentials Committee.
44. The Credentials Committee shall proceed, with all practical speed, to determine whether a person satisfies the requirements set out in Rule 40 to become a leadership candidate, including without limitation satisfactory responses to the matters raised by the form described in Rule 40(c); if any deficiencies are identified in the material provided as required by Rule 40, the prospective candidate shall have until 5 p.m. on August 16, 2018 to correct such deficiencies.
45. If the Credentials Committee determines that the requirements set out in Rule 40 have been met, the Director of the Credentials Committee shall certify to the Chief Electoral Officer that the person has been accredited as a leadership candidate.
46. The Director of the Credentials Committee shall return the nomination papers and his or her certificate to the Chief Electoral Officer once the leadership candidate has been accredited.
47. If the Credentials Committee determines that the requirements set out in Rule 40 have not been met, the Director of the Credentials Committee shall inform the Chief Electoral Officer, in writing, of that fact and the reasons for that determination.
48. The Chief Electoral Officer shall, with all practical speed, inform the prospective candidate, or the prospective candidate's official agent, that the application to be accredited as a leadership candidate does not meet the requirements set out in Rule 40.
49. As soon as practical after the close of nominations, the LS Committee shall publish the names of the accredited leadership candidates.
50. An accredited leadership candidate is entitled to
  - (a) a copy of the document commonly known as the Party Directory;
  - (b) access to the list of members of the Party, subject to these rules, which shall be provided at times and on conditions to be prescribed by the LS Committee;
  - (c) a list of members attending the convention, which shall be provided at times and on conditions to be prescribed by the LS Committee;
  - (d) be represented at appropriate meetings of a subcommittee when representatives of leadership candidates have been requested to attend; and
  - (e) be provided with the authority to use the Convention logo on all materials and advertising for and during the Convention.

## WITHDRAWAL

51. A leadership candidate may withdraw from the leadership selection process at any time prior to 5 p.m. on August 15, 2018 in writing, using a form prescribed by the Chief Electoral Officer, provided that the withdrawal is
- (a) signed by the leadership candidate;
  - (b) countersigned by the leadership candidate's official agent; and
  - (c) filed with the Chief Electoral Officer at the offices of the Party.
52. A leadership candidate who withdraws on or before August 15, 2018 shall not be obliged to pay the second installment of the deposit, but the Party shall be entitled to retain his or her initial deposit.
53. A withdrawal filed in accordance with Rule 51 is irrevocable and shall be published in a manner consistent with the publication made in accordance with Rule 49.

**PART VI - MEMBERS ATTENDING THE CONVENTION**

## GENERAL

54. In order to be a member attending the convention, a person shall
- (a) have been a member of in good standing of the Party since September 11, 2018; and
  - (b) pay the registration fees prescribed by the LS Committee.
55. The Party will issue to a member attending the Convention a tax receipt for the amount of his or her registration fee; accordingly no part of the convention registration fee shall be paid or reimbursed by a campaign for an accredited leadership candidate (although such payment or reimbursement of other expenses incurred by a member attending the convention are permitted).
56. A member attending the convention who has cast a postal ballot is not entitled to vote in person at the Convention.
57. The status of a member attending the convention shall not be transferred to any other person.

**PART VII - LEADERSHIP CANDIDATES' FINANCES**

## OFFICIAL AGENTS

58. Each prospective candidate, upon publicly announcing an intention to seek the leadership of the Party, shall appoint an Official Agent and give notice of the appointment to the Provincial Director of the Party.
59. An Official Agent shall be a member of the Party.
60. The obligations of an Official Agent commence when the prospective candidate publicly announces an intention to seek the leadership of the Party.

61. The appointment and consent of an Official Agent shall constitute part of the leadership candidate's nomination papers.
62. An Official Agent shall provide an email address and mailing address where communications to the leadership candidate may be transmitted and thereby deemed to be received by the leadership candidate personally.
63. An Official Agent shall be responsible for supplying, from time to time, to the Leadership Selection Committee, or any of its subcommittees, any reports or other communications that may be required by these rules, including, but not limited to, reports concerning the compliance of the leadership candidate with the financial provisions set out in these rules.

#### FINANCIAL REPORTING

64. An Official Agent shall provide to the Provincial Director of the Party at the offices of the Party a report outlining the detailed accounting of the expenses of the candidate in accordance with the Rules.
65. The report required to be provided by an Official Agent in accordance with the Rules shall cover the reporting period set out in Column A of the following table, and shall be provided not later than 5 p.m. on the date set out in Column B of the following table:

COLUMN A REPORTING PERIOD	COLUMN B REPORTING DATE
Expenses prior to April 30, 2018	June 1, 2018
From May 1, 2018 to June 30, 2018	August 1, 2018
From July 1, 2018 to September 30, 2018	October 15, 2018
All expenses after October 1, 2018	With Final Audited Financial Report, January 10, 2019

66. Each report required to be provided in accordance with the Rules shall be in a form prescribed by the Director of Financial Compliance.

#### CAMPAIGN ACCOUNT

67. An Official Agent shall open an account at a chartered bank or credit union, at a branch located in the province, on behalf of the leadership candidate into which all revenues shall be deposited and from which all payments shall be made.

68. The Official Agent shall provide the Director of Financial Compliance, with respect to the campaign account:
- (a) the name under which it has been opened,
  - (b) the name of the financial institution where it has been opened,
  - (c) the transit number of the branch of the financial institution where it has been opened, and
  - (d) the account number,
- none of which may thereafter be changed without first notifying the Director of Financial Compliance.
69. A campaign account shall be used only for transactions relating to the conduct or management of the campaign of a prospective candidate, and once that prospective candidate has been accredited in accordance with these rules, a leadership candidate.
70. No money shall be used for any purpose in any way related to the conduct or management of the prospective candidate or leadership candidate's campaign unless it has first been deposited into the campaign account.

#### AUDITOR

71. Each prospective candidate, upon publicly announcing an intention to seek the leadership of the Party, shall appoint an Auditor and give notice of the appointment to the Provincial Director of the Party.
72. The obligations of an Auditor commence when the prospective candidate announces an intention to seek the leadership of the Party.
73. The appointment and consent of an Auditor shall constitute part of the leadership candidate's nomination papers.
74. An Auditor shall be a public accountant licensed in accordance with the *Public Accountants Act*.
75. An Auditor shall complete a report to the Official Agent stating whether, in the Auditor's opinion, each of the reports provided in accordance with the Rules present fairly the financial transactions required to be detailed in accordance with these rules.
76. A report of an Auditor completed in accordance with the Rules shall be attached to, and filed with, the final report of the Official Agent made in accordance with the Rules.
77. The Director of Financial Compliance may, in circumstances he/she deems appropriate, authorize an Official Agent to file a report made by an Auditor that is supplementary to a report completed and filed in accordance with the Rules.
78. An Auditor shall examine the books, records, invoices, bank statements, and negotiated cheques of the leadership candidate or prospective candidate and perform such tests and verifications that the Auditor deems necessary to enable the completion of the report required by the Rules.

## CAMPAIGN EXPENSES

79. A leadership candidate shall not incur campaign expenses which total more than \$325,000.00, including the value of donated goods and services, on or after the date of the leadership event, including the period before a leadership candidate was a prospective candidate or a leadership candidate.
80. Subject to the Rules, all payments for any purposes related to the conduct or management of the prospective candidate or leadership candidate's campaign shall be made by the Official Agent with payments drawn on the campaign account.
81. Payments may be made with petty cash which have been authorized by the Official Agent and are less than \$50.00 on each occasion, and which shall be documented with receipts indicating the items purchased.
82. Each prospective candidate shall, upon publicly declaring an intention to seek the leadership of the Party, provide to the Official Agent a list of expenses relating to the conduct and management of the prospective candidate's campaign incurred from November 1, 2017. All contributions received in such period shall be paid over to the Official Agent.
83. In these rules, "Campaign Expenses" means, subject to the Rules, those expenses paid, liabilities incurred, the fair market value of those goods and services donated, and the difference between amounts paid or liabilities incurred, whether billed or unbilled, and the fair market value thereof for the purpose of promoting a leadership candidate's selection as Leader of the Party, provided that such amounts are paid, liabilities are incurred, whether billed or unbilled, or goods or services donated at any time on and from November 1, 2017 until and on the date the new leader is elected.
84. The value of goods and services provided is to be recorded at the fair market value of those goods and services, when discounts are not available to other customers in the ordinary course of trade.
85. The value of any discount on goods and services shall be recorded as a contribution and as a campaign expense.
86. The value of goods and services provided, without charge, by a person who normally provides them in the ordinary course of business shall be recorded as a contribution and as a campaign expense, subject to the Rules.
87. Campaign Expenses do not include
  - (a) the deposit required to be paid by a leadership candidate in accordance with the Rules;
  - (b) volunteer labour, being services provided free of charge by
    - (i) persons who are not self-employed, outside of their normal working hours, and
    - (ii) services provided free of charge by self-employed persons, provided that they do not normally sell or otherwise charge for those services;
  - (c) auditing, accounting and legal fees reasonably incurred for the purposes of complying with these rules; interest paid on loans, lines of credit, or advances of money; and

- (d) any amounts assessed by the Leadership Selection Committee in accordance with these rules for a breach of these rules.

#### CONTRIBUTIONS

88. An Official Agent shall only accept contributions from individuals who are resident in Nova Scotia. An Official Agent shall not accept contributions from:
- (a) a non-resident individual;
  - (b) an anonymous contribution;
  - (c) a corporation;
  - (d) an association (including a provincial or federal electoral district association);
  - (e) a charity; or
  - (f) a trade union.
- in any amount.
89. An Official Agent is permitted to accept contributions from the Progressive Conservative Women's Caucus.
90. If an Official Agent receives a contribution from an unauthorized contributor as outlined in Rule 88, that contribution must be forthwith returned to the contributor. If the contribution cannot be returned to the contributor, the Official Agent shall forthwith:
- (a) remit the contribution to the Nova Scotia Minister of Finance; and
  - (b) notify the Director of Financial Compliance of the remittance.
91. Constituency associations shall not make, and Official Agents shall not receive, any payment to a prospective candidate or leadership candidate.
92. Subject to the proviso below, no individual shall contribute directly or indirectly to a prospective candidate or leadership candidate's campaign:
- (a) more than \$5,000.00 (to all PC entities namely the Party, other candidates and constituency EDAs in the aggregate annually); or
  - (b) funds not beneficially belonging to the individual or funds that have been given or furnished to that individual by another individual for the purpose of contributing those funds unless the individual to whom the funds beneficially belong is identified as the contributor or unless the individual contributing the funds is the spouse of the person to whom the funds beneficially belong;

provided that on or after the conclusion of the Leadership Convention, no contribution in any amount shall be received by an Official Agent.

93. Where a trust or fund is established to further the goals of a prospective candidate or leadership candidate's campaign, the names of contributors to the trust or fund shall be disclosed as of the date of the transfer, regardless of when the contributors paid money into the trust or fund.
94. Where a contribution or gift of goods or services is made to a prospective candidate or leadership candidate's campaign for the purpose of sale or auction, the value of the contribution for the purpose of these rules is the dollar value at which those goods or services are sold or auctioned.
95. Every prospective candidate shall, upon publicly declaring an intention to seek the leadership of the Party, provide to the Official Agent a list of contributions provided directly or indirectly to the prospective candidate after November 1, 2017.
96. In these rules, "contributions" means services, money or other property donated to a prospective candidate or leadership candidate's campaign, but does not include personal services or the use of a vehicle volunteered by a person and not provided as part of that person's work in the service of an employer.
97. An Official Agent shall record the full name and residential mailing address (a post office box is not acceptable) of each contributor together with the amount of the contribution.
98. A list of contributions received by an Official Agent shall form part of the reports required to be provided by an Official Agent in accordance with the Rules.
99. Each list required in accordance with the Rules shall include, in respect of each contribution that was received after November 1, 2017,
  - (a) the name of each contributor who contributed more than \$200;
  - (b) the information required to be recorded in accordance with the Rules that relates to that contributor; and
  - (c) the amount of the total contributions by that contributor.

#### LOANS

100. No leadership candidate or the Official Agent of a leadership candidate shall borrow any amount for the purposes of the leadership campaign for a term of more than two (2) years, including any renewal or refinancing.
101. A loan to a leadership candidate or the Official Agent of a leadership candidate is not a contribution.
102. Where a loan is made to a leadership candidate or the Official Agent of a leadership candidate at a rate of interest less than the prime rate (being the average of the rates designated as such by Royal Bank of Canada and The Bank of Nova Scotia on the date on which the loan was advanced), the difference between the prime rate and the interest payable in respect of the loan is a contribution.
103. Where a person other than a leadership candidate or the Official Agent of a leadership candidate makes a payment in reduction of the principal amount of, or interest on, a loan to a leadership candidate or the Official Agent of a leadership candidate, the payment is a contribution by such person.



104. A leadership candidate or the Official Agent of a leadership candidate shall not accept a loan unless there is a loan agreement in writing setting out (i) the amount of the loan, (ii) the term to maturity of the loan, (iii) the rate of interest, (iv) the name and address of the lender, and (v) the name and address of every guarantor or endorser of the loan or any promissory note evidencing it.
105. If a loan to a leadership candidate or the Official Agent of a leadership candidate is not repaid in full ninety (90) days following the date that the new Party leader is chosen, the Official Agent shall attach a copy of the loan agreement (and any promissory note evidencing it) to the financial report which must be filed by such Official Agent ninety (90) days following the date that the new Party leader is chosen and shall set out in such report the amount that is unpaid in respect of such loan.
106. Any contributions put through the PC Nova Scotia Fund by an Official Agent for purpose of being recorded for the issuance of a tax receipt shall be subject to a 25% levy assessed by the PC Nova Scotia Fund on behalf of the Party.

#### POST-CAMPAIGN PROVISIONS

107. The PC Party shall not be responsible for any debts incurred by leadership candidates.
108. All surplus funds remaining in a campaign account, after all campaign expenses have been paid, shall be paid to a registered charity in Nova Scotia not later than December 31, 2019 and the receipt therefor shall be filed with Director of Financial Compliance as soon as possible thereafter.
109. A leadership candidate shall be entitled, subject to any deductions assessed in accordance with these rules, to a refund of \$5,000 of the deposit required in accordance with the Rules upon the conclusion of the leadership selection process if the leadership candidate obtained at least 250 points after the first ballot at the Convention.
110. Any person may examine a disclosure statement respecting contributions to a prospective candidate or leadership candidate's campaign or respecting a payment to a prospective candidate's or leadership candidate's spouse or dependent children.
111. Disclosure statements shall be available for examination at the offices of the Party at times to be prescribed by the Leadership Selection Committee.
112. A person who examines a disclosure statement pursuant to Rules may obtain a copy of that statement upon payment of a fee of one dollar per page copied.

#### GENERAL

113. The Leadership Selection Committee may make rules respecting:
  - (a) additional duties of Official Agents;
  - (b) how contributions of money can be made;
  - (c) the maintenance of records of money accepted as contributions;
  - (d) the maintenance and use of campaign accounts;

- (e) the manner in which disclosure statements are made available;
- (f) audits of records of contributions to a prospective candidate or leadership candidate's campaign, spouses and dependent children; and
- (g) any other matters related to Leadership Selection.

Any Rule made pursuant to this Rule 113 shall be communicated in writing simultaneously to all accredited leadership candidates.

### **PART VIII - ALL-CANDIDATES FORA**

- 114. The Policy and Debates Committee may organize one or more all-candidates fora, in consultation with the Candidate Liaison Committee.
- 115. Only candidates approved by the Policy and Debates Committee may participate in all-candidates fora.
- 116. Each all-candidates forum shall be presided over by the Director of the Policy and Debates Committee or the Director's designate.
- 117. The LS Committee shall, on the advice of the Debates and Policy Committee, make such rules as are necessary to govern all-candidates fora including, but not limited to,
  - (a) the order of proceedings at and format of an all-candidates forum;
  - (b) the order of speaking at an all-candidates forum;
  - (c) the participation of audience members at an all-candidates forum;
  - (d) displays of support for a leadership candidate at an all-candidates forum;
  - (e) events on behalf of a leadership candidate in connection with an all-candidates forum; and
  - (f) any other arrangements necessary for the holding of an all-candidates forum.

Any Rule made pursuant to this Rule 117 shall be communicated in writing simultaneously to all accredited leadership candidates.

### **PART IX - MEMBER REGISTRATION AT THE CONVENTION**

#### REGISTRATION

- 118. Either in advance or upon registering at the Convention, members shall pay the appropriate registration fee prescribed by the LS Committee.
- 119. Payment of the registration fee shall be made in such form and at such times as prescribed by the LS Committee, on the advice of the Credentials Committee.

120. Members may register in person at the convention site during the hours prescribed by the LS Committee, on the advice of the Credentials Committee. In order to vote, members must be registered no later than 9:30 a.m. on Saturday, October 27.

## **PART X - CONVENTION PROCEEDINGS**

### PROGRAMME OF EVENTS

121. Subject to Rule 123, the LS Committee shall prescribe a programme of events for the Convention including the times and places at which those events shall occur.

### LEADERSHIP CANDIDATES' PRESENTATIONS

122. The LS Committee shall provide an opportunity for each leadership candidate to make a presentation to the Convention.
123. The order of the presentations by leadership candidates shall be determined by lot at a public event, to be organized by the Co-Chairs, before or at the Convention.
124. Each leadership candidate shall have an equal amount of presentation time, and the time may be used in any manner that the leadership candidate may choose, subject to these rules and any additional rules and procedures prescribed in accordance with Rule 125.
125. The detailed rules and procedures for demonstrations of support for leadership candidates shall be prescribed by the Candidate Liaison Committee after consultation with the leadership candidates or their representatives.

### VOTING AREA

126. Only members entitled to vote at the Convention, leadership candidates, and members of the LS Committee, shall be granted access to the Voting Area, which shall be defined by the LS Committee, during Convention events.
127. The LS Committee shall prescribe rules for access to the Convention and the Voting Area by any other persons accredited to the Convention, including, but not limited to, agents of leadership candidates and representatives of the media.
128. No person accredited to the Convention shall use any concealed recording devices at the Convention.

### CONVENTION SITE FACILITIES

129. Where choices for common facilities at the convention site are available, the selection of those facilities shall be determined by lot in a process supervised by the Director of the Candidate Liaison Committee.
130. The Director of the Candidate Liaison Committee shall endeavour, through meeting with representatives of the leadership candidates, to achieve a consensus regarding the shared use of facilities at the convention site.

131. Where a consensus cannot be achieved, decisions regarding the shared use of facilities at the convention site shall be decided by the Director of the Candidate Liaison Committee.
132. The choice of leadership candidate locations on or near the Voting Area shall be determined by lot in a process supervised by the Director of the Candidate Liaison Committee.
133. The space allocated to a leadership candidate in accordance with Rule 132, and the airspace above it, shall be available for the exclusive use of the leadership candidate.
134. Space available for signage at the convention site shall be apportioned among the leadership candidates following discussions between the leadership candidates and the Candidate Liaison Committee.
135. If the discussions referred to in Rule 134 do not produce a consensus, the Director of the Candidate Liaison Committee shall allocate the space among the leadership candidates in a manner that is fair and equitable.
136. The decoration of hotels and other venues outside of the convention site shall not be allocated, and are subject always to any restrictions and rules applied by the owners and operators of the hotels and venues.
137. Despite Rule 136, the Director of the Candidate Liaison Committee shall hear any complaints which may be made by leadership candidates respecting activities in any locations outside of the convention site during the Convention, and make any decision that is reasonable in the circumstances.

#### HOSPITALITY SUITES

138. Hospitality suites shall be operated by each of the candidates on Friday, October 26, 2018 at the convention site between the hours of 10:00 pm and until at least 12:00 am. The candidate shall be in attendance at the candidate's hospitality suite or general hospitality suite area between the hours of 10:00 pm and 12:00 am. Hospitality suites shall not be operated at hotels or other sites during this time. Hospitality suites shall not be operated during any Convention events hosted by the LS Committee, which are open to all members attending the Convention, and in particular, during the reception of Friday, October 26 from 5:30 to 6:45 pm.
139. Detailed rules for the operation of hospitality suites shall be prescribed by the LS Committee, on the advice of the Convention Committee.
140. The Convention Committee shall have the authority to enforce these rules and the rules prescribed in accordance with Rule 138, and may order, in appropriate circumstances, the closure of any hospitality suite that is operating in a manner that is inconsistent with these rules or the rules prescribed in accordance with Rule 138.
141. The LS Committee may arrange events, on behalf of the Party, at the Convention for members attending the Convention, and other persons accredited to the Convention.

**PART XI - BALLOTING**

142. Balloting both at the Convention and by postal ballot shall be administered in accordance with these Rules under the supervision of the Chief Electoral Officer.
143. The leadership selection shall be determined by the votes of members in accordance with these rules.
144. For the purposes of the Leadership Selection process, a member is a member of the constituency association for the constituency in which he or she is resident.
145. Votes may be cast by members either:
  - (a) by postal ballot received by the Chief Electoral Officer on or before 5:00 PM on October 24, 2018, or
  - (b) in person, at the polling facilities provided by the Chief Electoral Officer at the Convention, during the time period set by the Chief Electoral Officer.
146. The ballot shall be:
  - (a) in the case of the postal ballot, a paper ballot that permits the voter to rank the leadership candidates in order of preference, and
  - (b) in the case of the ballot to be cast at the Convention, an electronic ballot that lists the Candidates for whom the ballot may be cast.
147. All ballots cast either by post or in person shall be counted at the same time in accordance with Rule 177 below.
148. The Election Process shall be conducted on a One-Member, One-Vote Point System where:
  - (a) Each recognized constituency association is allocated 100 points.
  - (b) Candidates are assigned a point total based on his or her percentage of the vote in each recognized constituency association and the aggregate point results will be calculated to the nearest 0.01. Individual constituency point allocations will be calculated without reference to rounding.
  - (c) To win, a Candidate must obtain a majority of points from across the Province.
  - (d) Postal balloting shall be conducted by preferential ballot.
  - (e) Each ballot at the Convention shall require the voter to indicate only the one candidate chosen by the voter.
149. The total points received by each Candidate for each recognized constituency shall be determined based upon the percentage vote that each Candidate receives from the valid ballots cast for that recognized constituency (spoiled ballots are not valid ballots for the purposes of calculating the percentage received).

150. The total points received by each Candidate for the fifty-one (51) recognized constituency associations shall be calculated and verified by the Chief Electoral Officer, verified by a volunteer independent auditor and reported to the Co-Chairs of the Convention after the close of voting. If one Candidate receives more than fifty (50%) of the points available, that Candidate will be declared the Leader.
151. If no Candidate receives more than fifty percent (50%) the points available after the initial round of voting at the Convention, a second round of voting at the Convention shall be held.
152. The Candidate who received the fewest points provincially in the initial round of voting at the Convention will be dropped from the ballot.
153. Successive rounds of voting at the Convention will continue in the same manner until one Candidate receives more than fifty percent (50%) of the points available, with the Candidate receiving the lowest number of points being dropped off the ballot each such round of voting.
154. The vote, organized by the Chief Electoral Officer and verified by the volunteer independent auditor (of valid ballots and points received) is final and binding.

#### POSTAL BALLOT

155. No later than September 1, 2018, the Chief Electoral Officer shall appoint a Postal Ballot DRO who shall establish a Postal Ballot deposit boxes in the office of the Chief Electoral Officer by showing it to such representatives of the leadership candidates as are present and then sealing the empty box, to be opened at the count.
156. After his or her appointment, the Postal Ballot DRO shall cause each Party member whose name appears on the Membership Register as at September 15 to be sent a postal ballot kit and instructions as to its completion and return both in form prescribed by the Chief Electoral Officer.
157. It is the member's responsibility to deliver the ballot in the two envelopes to the Chief Electoral Officer at Intellivote on or before 5:00 PM on October 22, 2018, by hand delivery or by 5:00 PM on October 24, 2018 for mail delivery.
158. The Postal Ballots shall be processed and tabulated in accordance with the directions of the Chief Electoral Officer as communicated to the candidates.
159. A ballot that is not contained in an inner envelope must not be rejected if it is found in in a sealed outer envelope but, after being taken from the outer envelope, the ballot must be placed and sealed in an inner envelope without being unfolded and that envelope must be mixed together with the other inner envelopes.
160. An inner envelope that is received other than within an outer envelope must be so marked and set aside and is deemed to be a rejected ballot.
161. A ballot received other than in a sealed outer envelope must be so marked and set aside and is deemed to be a rejected ballot.

**PART XII - BALLOTING AT THE CONVENTION**

162. Balloting at the Convention shall be administered in accordance with this Part under the supervision of the Chief Electoral Officer.

PLATFORM PROCEEDINGS

163. Prior to the first ballot, the Co-Chairs and/or the Chief Electoral Officer shall address the Convention for the purposes of explaining the balloting procedure.
164. After voting on the first ballot has commenced, no person other than the Co-Chairs, the Chief Electoral Officer, or a person authorized by the Co-Chairs, shall address the Convention until the new Leader of the Party has been selected.
165. Prior to each ballot, the Co-Chairs shall announce to the Convention the names of the leadership candidates who will appear on that ballot.
166. The Co-Chairs or designate shall address the convention ten minutes prior to the end of voting on each ballot to remind delegates that the polls will be closed in thirty (30) minutes.
167. No leadership candidate shall be entitled to make a withdrawal speech.
168. After the votes cast on each ballot have been tabulated, and aggregated with the result of the appropriate preferential postal ballot counting round, the Chief Electoral Officer or the Co-Chairs shall declare to the Convention
- (a) the total number of votes cast on that ballot, both at the Convention and via postal ballot;
  - (b) the number of points required by a leadership candidate to obtain more than 50% of the available points;
  - (c) the number of rejected votes on that ballot;
  - (d) the number of points garnered by each leadership candidate on that ballot in the order the leadership candidates' names appear on the ballot; and
  - (e) that
    - (i) a subsequent ballot is necessary, in the event that no leadership candidate obtained a majority of all valid votes cast on that ballot, or
    - (ii) a new Leader of the Progressive Conservative Party of Nova Scotia has been selected, if one of the leadership candidates has obtained a majority of all valid votes cast on that ballot.

## VOTING

169. As provided in these Rules, only members shall be eligible to vote.
170. There shall be no proxy voting, and a member shall cast only one vote on each ballot at the Convention.
171. Voting on each ballot shall be conducted by secret ballot.
172. The use of any telephones, cellular telephones, communications devices, recording devices, and like devices and instruments, except by the Chief Electoral Officer and anyone expressly authorized by him or her, shall be strictly prohibited in the voting area.
173. There shall be no campaigning by, on behalf of, or in relation to any leadership candidate in the voting area.
174. The Chief Electoral Officer may remove from the voting area any person he or she deems to be in violation of this Part or for any other cause he or she deems necessary to the fair conduct of the vote.
175. The Convention Committee, on the advice of the Chief Electoral Officer, may prescribe rules relating
  - (a) to the voting at the Convention, including, but not limited to, any matter not prescribed
  - (b) by these rules and the appointment of scrutineers to represent the leadership candidates.
176. The polls shall be open for such time the Chief Electoral Officer deems necessary for the fair conduct of the vote, after which the polls shall be closed.

## COUNTING OF THE VOTES

177. When the polls have closed, the Chief Electoral Officer shall
  - (a) secure the voting area and ensure that only those authorized by the rules prescribed in accordance with Rule 178 may be present;
  - (b) collect and secure all lists of voters and unused voting papers;
  - (c) confirm the transmission of results the purpose of tallying the votes.
178. Only the Chief Electoral Officer, the Co-Chairs, officials appointed by the Chief Electoral Officer and the leadership candidates' scrutineers may be present in the counting room at the counting of the votes.
179. Once the voting process has begun, only the Chief Electoral Officer, the Co-Chairs, and any person authorized by the Chief Electoral Officer, may leave the scrutineer room before the Chief Electoral Officer or the Co-Chairs declares the results of the ballot.
180. The use of any telephones, cellular telephones, communications devices, recording devices, and like devices and instruments, except by the Chief Electoral Officer, shall be strictly prohibited in the counting room during the counting of the votes. The Chief Electoral Officer may permit viewing of



the Party's broadcast of the announcement of each ballot's results on a monitor or computer maintained by the Party and not by any individual scrutineer.

181. Once the Convention voting has concluded and the results have been transmitted, the officials appointed by the Chief Electoral Officer shall proceed to tally the ballots.
182. Any disputed ballots shall be set aside for a determination by the Chief Electoral Officer.
183. A ballot shall be rejected if
  - (a) it was not supplied by the Chief Electoral Officer;
  - (b) it was not marked for a leadership candidate;
  - (c) it was marked for more than one leadership candidate;
  - (d) it was marked in a manner that renders uncertain the delegate's intention; or
  - (e) it was marked in such a manner by which the delegate can be identified.
184. The Chief Electoral Officer shall receive the results from the officials who tallied the ballots from the Convention and from the postal ballots and tabulate the totals.
185. Any recounts, including the method and extent thereof, shall be conducted at the sole discretion of the Chief Electoral Officer.

#### ELIMINATION OF LEADERSHIP CANDIDATES

186. If no leadership candidate has a majority of points after the first ballot and the first counting round of postal ballots, the leadership candidate receiving the fewest points shall be eliminated from the second and subsequent ballots and counting rounds.
187. If no leadership candidate has a majority of points on the second or subsequent ballot and related counting round of postal ballots, the leadership candidate having the fewest points on each ballot shall be eliminated from subsequent ballots.
188. If there is an equality of points between two or more leadership candidates with the fewest points on a ballot none of the leadership candidates shall be eliminated from the immediately subsequent ballot.
189. If no leadership candidate has a majority of points where only two leadership candidates remain, there shall be a subsequent ballot and counting round.
190. There shall be a period of at least 45 minutes between the declaration of the results of a ballot and the opening of the polls of the immediately subsequent ballot.

## WITHDRAWAL OF LEADERSHIP CANDIDATES

191. After each ballot, leadership candidates shall have an opportunity to withdraw from all subsequent ballots.
192. A leadership candidate's withdrawal shall be
  - (a) in writing, using a form prescribed by the Chief Electoral Officer;
  - (b) signed by the leadership candidate;
  - (c) countersigned by the leadership candidate's official agent or designate;
  - (d) hand-delivered by the leadership candidate or the leadership candidate's official agent to the Chief Electoral Officer within 30 minutes of the declaration of the results of the preceding ballot; and
  - (e) irrevocable.
193. A withdrawal received by the Chief Electoral Officer in accordance with Rule 192 shall be communicated with all practical speed to the Co-Chairs, who shall inform the Convention of the withdrawal.

## APPEALS

194. Any complaints or grievances arising with respect to balloting at the Convention shall be determined by the Chief Electoral Officer.
195. A determination made by the Chief Electoral Officer shall be final and binding and there shall be no appeal or review on any ground whatsoever.

## RECORDS RETENTION

196. Ballots, outer envelopes, and related material, and the tally sheets and other materials used in the count shall be retained by the Chief Electoral Officer until their destruction is authorized by a resolution of the Executive Committee of the PC Association of Nova Scotia.

**PART XIII - APPEALS AND COMPLIANCE**

## APPEALS

197. Subject to, and except where otherwise stated in, these rules, an appeal of a decision of a subcommittee, other than the Rules Committee, lies to the Rules Committee.
198. No appeal lies from a decision of the LS Committee.
199. The Rules Committee may make any order, upon an appeal or application, necessary to give full effect to these rules and to conduct an open, fair and equitable leadership selection process.
200. Subject to these rules, an appeal of a decision of the Rules Committee, including a decision made on an appeal to that subcommittee, lies to the Co-Chairs.
201. The Co-Chairs shall be unanimous in their decision, otherwise the appeal shall fail and the decision of the Rules Committee shall be upheld.
202. No appeal lies from a decision of the Co-Chairs.
203. Subject to these rules, an appeal or complaint alleging a breach of these rules that is submitted on behalf of a leadership candidate or a leadership candidate's campaign shall be signed by the leadership candidate or the leadership candidate's official agent.
204. Subject to these rules, an appeal or a complaint alleging a breach of these rules shall be filed with the Director of Candidate Liaison.
205. Decisions of the Rules Committee or the Co-Chairs on any appeal made in accordance with these rules shall be given in, or subsequently reduced to, writing, with discretion as to whether reasons for a decision are also provided.
206. Decisions of the Rules Committee or the Co-Chairs on any appeal shall be communicated in writing simultaneously to all accredited leadership candidates.

## COMPLIANCE

207. The LS Committee may, on the advice of a subcommittee or on its own motion, upon finding that a leadership candidate, a leadership candidate's official agent, or a leadership candidate's campaign has breached these rules,
  - (a) issue a letter of caution to the leadership candidate;
  - (b) publish particulars of the breach;
  - (c) assess an amount of money to be paid by the leadership candidate;
  - (d) disqualify the leadership candidate from further participation in the leadership selection process or any aspect thereof;

- (e) if the leadership candidate has been selected as Leader of the Party, declare the leadership candidate's selection and the results of the Convention to be null and void; or
  - (f) make such other decision deemed appropriate in the circumstances.
208. During the Convention, the Co-Chairs shall exercise the authority of the LS Committee prescribed by Rule 201, and no appeal lies from a decision of the Co-Chairs made in accordance with this Rule.
209. An amount of money assessed by the LS Committee in accordance with clause 207(c) shall be
- (a) deducted from the amount of the deposit that would otherwise be refunded to the leadership candidate in accordance with Rule 109; or
  - (b) where the deposit that would have been refunded to the leadership candidate in accordance with Rule 109 has been exhausted to satisfy deductions assessed in accordance with clause 207(c), invoiced to the leadership candidate for payment within five days, a failure to do so constituting a further breach of these rules.
210. The PC Nova Scotia Fund, where directed by the Rules Committee, may withhold, in addition to the levy prescribed by Rule 106, such amounts of money from such contributions put through the PC Nova Scotia Fund in satisfaction of an invoice issued in accordance with clause 211(b).
211. Should a leadership candidate have an outstanding invoice issued in accordance with clause 211(b) at the time that voting closes on any ballot at the Convention,
- (a) the leadership candidate shall be deemed disqualified from further participation in the leadership selection process; and
  - (b) any votes cast for a leadership candidate who has been disqualified in accordance with clause (a) shall be deemed rejected.
212. Any leadership candidate who withdraws from the leadership selection process in accordance with these rules shall fulfill any obligation that the leadership candidate or the leadership candidate's official agent would otherwise have been required to fulfill but for the leadership candidate's withdrawal.

#### **PART XIV - GENERAL**

213. Subject to clause 50(e), a leadership candidate shall not use any logo or symbol of the Party unless authorized by the LS Committee to do so.
214. A leadership candidate shall not use any website address which could be reasonably confused with a website operated by the Party.
215. Any discretionary authority conferred by these rules shall be exercised reasonably and in the best interests of the Party.
216. The LS Committee may prescribe such amendments to these rules and the forms and such further and other rules, forms, regulations and procedures, from time to time, including the abridgement and extension of timeframes, as may be deemed necessary to provide full effect to these rules and to conduct an open, fair and equitable leadership selection process.

217. The following are acceptable forms of identification for the purposes of these Rules, provided that they are legible and have not expired:
- (a) driver's license;
  - (b) property tax bill;
  - (c) lease of residential premises;
  - (d) utility bill;
  - (e) automobile insurance pink card;
  - (f) passport;
  - (g) social insurance card;
  - (h) birth certificate;
  - (i) Certificate of Citizenship;
  - (j) student registration card;
  - (k) health insurance card;
  - (l) any other form of identification which may be prescribed by the Chief Electoral Officer;
  - (m) other photo identification issued by the Government of Nova Scotia or the Government of Canada; and
  - (n) any other manner of identification which may be deemed acceptable by the returning officer.
218. In the event of an error in cross-referencing of Rules, reference shall be made to the February 7, 2018 Version of Rules circulated for the purposes of interpretation.