

**NEW BRUNSWICK LIBERAL ASSOCIATION**

**RULES FOR NOMINATING CONVENTIONS**

**Approved by the**

**NBLA Executive**

**November 21, 2016**

## **1. PROVINCIAL RETURNING OFFICER**

- 1.1 The New Brunswick Liberal Association Executive shall appoint a Provincial Returning Officer who shall monitor candidate nominations.
- 1.2 As soon as a Nominating Convention is called in any riding association, the Provincial Returning Officer shall appoint a Deputy Provincial Returning Officer for that riding who shall:
  - 1.2.1 Attend organizational meetings prior to the Nominating Convention;
  - 1.2.2 Monitor the distribution of credentials and ballots;
  - 1.2.3 Monitor voting at the convention;
  - 1.2.4 Monitor the counting of ballots; and,
  - 1.2.5 Report to the Provincial Returning Officer following each Nominating Convention.
- 1.3 The New Brunswick Liberal Association President may appoint a person to chair a Nominating Convention if recommended by the Provincial Returning Officer.

## **2. NOMINATING CONVENTION RULES AND APPEALS COMMITTEE**

- 2.1 The New Brunswick Liberal Association Executive shall appoint a Nominating Convention Rules and Appeals Committee composed of:
  - 2.1.1 The President of the New Brunswick Liberal Association or his or her designate;
  - 2.1.2 The Vice-President (Provincial) of the New Brunswick Liberal Association;
  - 2.1.3 The Leader of the New Brunswick Liberal Association or his or her designate;
  - 2.1.4 A designate of the Leader of the New Brunswick Liberal Association, with the intent that such designate provide greater gender balance to the Nominating Convention Rules and Appeals Committee; and
  - 2.1.5 The New Brunswick Liberal Association Executive Director.
- 2.2 The Nominating Convention Rules and Appeals Committee shall sit as the final authority to deal with disputes regarding Nominating Conventions, to interpret

the rules, to issue directives when the rules are silent on a specific point or to issue interpretation bulletins as it deems necessary. The members of the Nominating Convention Rules and Appeals Committee shall elect, by majority vote, one of the members of the committee to serve as the chair. Three (3) members of the Nominating Convention Rules and Appeals Committee shall constitute a quorum. Questions arising at any meeting of the Nominating Convention Rules and Appeals Committee shall be decided by a majority of votes cast. In the case of an equality of votes, the chair shall, in addition to his or her original vote, have a second or casting vote.

- 2.3 Any appeal of the result of a Nominating Convention shall be filed in writing with the Nominating Convention Rules and Appeals Committee, at the New Brunswick Liberal Association headquarters, within 48 hours of the Nominating Convention from which the dispute arises.
- 2.4 The Nominating Convention Rules and Appeals Committee will determine its process and rule on the appeal in an expeditious manner. Its decision will be binding, final and not subject to appeal. By filing nomination papers, all candidates are deemed to agree with the foregoing.
- 2.5 The Nominating Convention Rules and Appeals Committee shall appoint a “Green Light Committee” consisting of not less than three (3) members of the New Brunswick Liberal Association for the purpose of receiving and reviewing nomination papers and such other documents as the Green Light Committee considers necessary in order to thoroughly vet prospective candidates. The Green Light Committee may determine its own procedure. Decisions of the Green Light Committee may be appealed to the Nominating Convention Rules and Appeals Committee.

### **3. GENERAL RULES FOR NOMINATING CONVENTIONS**

#### **Timing and notice**

- 3.1 In due time prior to a provincial general election or by-election, the executive of each riding association shall, with the consent of the Leader and the President of the New Brunswick Liberal Association, convene a convention for the purpose of choosing a Liberal candidate.
- 3.2 Notice of the Nominating Convention is to be given to members of the riding association, either by letter, electronic mail or public advertising at least fourteen (14) days prior to the day of the convention. The Nominating Convention Rules and Appeals Committee may adopt, from time to time, a standard form of

newspaper advertisement. The riding association shall use the form of newspaper advertisement adopted, if any. For clarity, these fourteen (14) days are to be counted by including the date the notice is given but not including the day of the convention.

- 3.3 Voting at Nominating Conventions shall be open only to those persons who have been registered members of the New Brunswick Liberal Association for at least five (5) days prior to the day of the convention and who reside within the boundaries of the relevant provincial riding. For better clarity, these five (5) days are to be counted not including the day of the Nominating Convention.
- 3.4 The President of the New Brunswick Liberal Association, at the request of the Leader, may adjust the notice period for any riding. Any decision to alter the notice period will be communicated to the riding executive, along with the reasons therefore.
- 3.5 Contestants for nomination must submit nomination papers and receive a “green light” from the Green Light Committee in order for their name to appear on the ballot at the Nominating Convention.
- 3.6 The deadline for filing nomination papers is ten (10) days before the date of the Nominating Convention. For better clarity, these ten (10) days are to be counted not including the date of the Nominating Convention. If nomination papers are validly submitted after a Nominating Convention has been called, the Green Light Committee will provide its recommendation at least seventy-two (72) hours prior to the Nominating Convention. In the event that further background checks are considered necessary in the sole discretion of the Green Light Committee, the Green Light Committee will not give a “green light” to the contestant for the nomination.

### **Organization**

- 3.7 Riding associations will assume full responsibility for organizing and financing nominating conventions in their respective ridings. The Nominating Convention Rules and Appeals Committee can, from time to time, adopt a form of agenda and script to be used at nominating conventions. The riding association shall use the form of agenda and script adopted, if any. Immediately after the close of nominations for a given riding, the Deputy Provincial Returning Officer shall convene a meeting of all contestants for nomination for such riding to provide a briefing on the rules for the Nominating Convention and to discuss such other matters as the Deputy Provincial Returning Officer deems necessary.

## **Integrity**

- 3.8 The Deputy Provincial Returning Officer shall be the authority on questions of membership and voting eligibility at a Nominating Convention.
- 3.9 The Deputy Provincial Returning Officer shall ensure that:
- 3.9.1 Each voting station is under the responsibility of a Riding Deputy Returning Officer (Riding DRO) plus one poll clerk appointed by the Riding Chief Returning Officer;
  - 3.9.2 Through the Riding DROs and the poll clerks, that only one ballot is cast per voter;
  - 3.9.3 Only authorized persons are allowed into the counting area, as well as ensuring that unless so authorized by the Deputy Provincial Returning Officer, no persons shall be allowed to leave the counting room until the results of the vote have been announced to the convention; and
  - 3.9.4 Each contestant for nomination is allowed one scrutineer per ballot box when ballots are counted. It shall be the contestant's responsibility to appoint such scrutineers as may be required. Each contestant, from amongst the scrutineers he/she has appointed, shall name a chief scrutineer to be present when the final tally is compiled by the Deputy Provincial Returning Officer. The names of all scrutineers should be submitted to the Deputy Provincial Returning Officer in advance of the Nominating Convention.

## **Procedure**

- 3.10 Preferential balloting shall be used at Nominating Conventions. In order for a candidate to become the nominee, he/she must receive 50% plus one of the valid ballots cast.
- 3.11 The Riding DRO and poll clerks shall count the ballots. Should a question arise in regard to a ballot, the Deputy Provincial Returning Officer shall be the sole arbitrator as to whether a ballot is spoiled or valid. Wide discretion should be exercised as long as determination can be made of the intention of the voter. Improper spelling shall not constitute a spoiled ballot.
- 3.12 Once each ballot box has been counted by the Riding DRO and poll clerk, the results will be given to the Deputy Provincial Returning Officer who shall compile the final tally and bring the results to the convention chairperson.

- 3.13 The vote count results will be announced unless the Deputy Provincial Returning Officer is otherwise directed by the Provincial Returning Officer.
- 3.14 The Deputy Provincial Returning Officer shall take physical possession of the ballots.
- 3.15 In the event two contestants for nomination receive an equal number of votes after giving effect to the preferential system of voting, the winner will be decided by a random draw made in the presence of the contestants or their chief scrutineers.
- 3.16 Unless an appeal has been filed with the Nominating Convention Rules and Appeals Committee within 48 hours of the Nominating Convention, the Deputy Provincial Returning Officer shall destroy the ballots.

#### **4. ELECTORAL URGENCY RULES**

- 4.1 In the event that the Leader of the New Brunswick Liberal Association declares that a state of electoral urgency exists, the Leader may:
  - 4.1.1 Appoint any candidates in his or her sole discretion and dispense with nominating conventions for the relevant ridings;
  - 4.1.2 Reduce the minimum notice of meeting period for nominating conventions to one (1) day before the Nominating Convention; and
  - 4.1.3 Reduce the minimum time period for receiving Nomination Papers to one (1) day before the Nominating Convention.