

# RULES FOR THE CONDUCT OF THE LEADERSHIP CONTEST 2016-2018



**LEADERSHIP**2018  
BuildingTogether

## **General Principles**

It is desirable to have a set of rules in place well in advance of a contest for the Leadership of the NDP so that potential candidates can have as much advance information as possible as to the guidelines under which the race will be conducted. Such candidates will want to know what is expected of them and what they can expect in return.

### **The objectives of these rules can be stated as follows:**

1. To open the contest to all candidates that meet the criteria.
2. To establish a limit on candidate expenses to promote a level playing field.
3. To generate enthusiasm for the New Democratic Party, its ideas and people.
4. To generate enthusiasm and renewal amongst the members and supporters of the New Democratic Party.
5. To provide for an orderly transition between Leaders.
6. To provide for a regulatory body, responsible to the Provincial Executive, for the interpretation and application of the rules and procedures of the contest.

### **This contest can be divided into three distinct periods as follows:**

**PRE-CAMPAIGN PERIOD:** The period of time commencing upon the adoption of these rules to the start of the Campaign Period.

**CAMPAIGN PERIOD:** The period of time commencing upon the date determined by the LCC to the Call to Order of the Leadership Convention.

**CONVENTION PERIOD:** The period of time from the Call to Order of the Leadership Convention and the adjournment of the Leadership Convention.

## **Fair and Equitable Process**

It is desirable to have a neutral body charged with overseeing these rules and any disputes or questions candidates or the general membership may have. Therefore there should be a neutral committee charged with overseeing the leadership contest.

### **The final arbiter of these rules will be the Leadership Contest Committee (LCC).**

# CAMPAIGN AND PRE-CAMPAIGN PERIOD RULES

During the course of the campaign, it is appropriate to have rules that make clear what the requirements are for a person to be a candidate for the leadership, what their obligations are and what they may expect from the Party. It is also desirable that there be guidelines for the conduct of potential candidates, their campaign organizers, and paid staff of the caucus and the Provincial Office.

1. The Campaign Period commences upon the date determined by the Leadership Contest Committee and ends with the Call to Order at the Leadership Convention established to select a new Leader.
2. During the Pre-Campaign Period, the Campaign Period and the Convention Period, potential and registered candidates are encouraged to refrain from attacking each other on a personal basis. Candidates are also encouraged to direct all complaints and concerns about the process to the Leadership Contest Committee (LCC.)
3. No member of the LCC or any staff working with the LCC may work on behalf of, or against, any candidate or potential candidate.
4. Any donations made to the individual Leadership Campaigns or Leadership Candidates are not tax deductible and these donations need not be revenue shared with any constituency or the provincial party other than what is specified in these rules.
5. Registration as a candidate shall take the following form:
  - a) The candidate shall be a member in good standing of the New Democratic Party, Saskatchewan Section, as defined by the party constitution.
  - b) The candidate shall provide the names, addresses, signatures and membership numbers of no less than 200 NDP members in good standing who support the candidate's nomination, and who represent a minimum of forty provincial constituencies. At least 100 of those signing must self-identify as women.
  - c) The candidate shall provide the name of one member in good standing who will be acting as their campaign manager, whose responsibility it will be to liaise with the LCC on all matters concerning the rules, procedures and conduct of the campaign.
  - d) The candidate shall provide the name of one member in good standing who will be acting as their official agent.
  - e) The candidate shall provide a non-refundable registration fee of \$4,000 to accompany other documents of registration at a time and date fixed by the LCC.
  - f) The candidate shall submit a completed Leadership Screening Questionnaire, in the form set out by the LCC.
  - g) The candidate shall submit a recent criminal records check from the relevant police force.

6. Once all of the above conditions have been met, and if items 5(f) and 5(g) satisfy the LCC that a candidate should be allowed in the race, then the LCC will declare that the candidate is official and that their name will appear on the ballot. Any public announcements authorized by the LCC about officially registered candidates will only be made during the Campaign Period, i.e. after the official campaign start date.
7. Each person who becomes a registered candidate shall be required:
  - a) To cause their official agent to keep a record of all contributions of money, goods and services and record all expenditures in accordance with the guidelines set out, both before and after becoming an officially registered candidate. Unless otherwise specified, the rules relating to contributions apply to the Pre-Campaign, Campaign and Convention Periods, and the rules related to expenditures apply to the Campaign and Convention Periods.
  - b) To refrain from accepting contributions (in the form of cash, goods, services or staff) in excess of \$5,000 from any individual, corporation, union or organization (including the candidate).
  - c) To cause their official agent to provide full disclosure of expenditures made and contributions received. Financial reports will be submitted to the LCC in the form and on the dates specified by the LCC at the start of the leadership contest (including a final report following the completion of the leadership contest), will be made available to the Provincial Council by the LCC in a format and time frame of its choosing, and will include the following information:
    - i. the total amount of donations received
    - ii. the names and donation amounts of all contributors with total donations of more than \$250
    - iii. the number of contributors with total donations of \$250 or less, and the total amount received from these contributors
    - iv. information about fair market value of donated goods and services, incorporated into the categories above
    - v. net proceeds from fundraising events, including ticket sales, auctions, raffles, etc.
    - vi. net proceeds from the sale of buttons, t-shirts and other merchandise
    - vii. collections made at fundraising or any other events
    - viii. total expenditures as outlined in #8

The LCC will determine a format and schedule to release items (i) to (iv) publicly during the campaign.

- d) To include with financial statements submitted to the LCC the details of any loans received by the candidate or campaign, including name of the lender, amount loaned, interest rate and repayment terms. This includes loans from an individual candidate to their campaign. Interest rates must be at commercial market rates. However, interest incurred may be treated (and reported as) an in-kind contribution/expenditure; in any case, interest payments must be reported on the financial reports outlined in 7(c).
- e) To limit campaign expenditures as outlined in Item #8 below, to a maximum of \$200,000.

- f) To accept no contribution from federal or provincial constituency associations or organizations comprised of federal or provincial constituency associations, or from wings or other official entities of the provincial or federal NDP.
- g) To not use public funds for leadership campaign purposes. This includes the tax credit system. No tax credit will be issued for any donations to candidate or their campaigns.
- h) To provide the New Democratic Party, Saskatchewan Section, 25% of all direct donations (and 25% of the fair market value of all goods and services) raised during the course of the leadership campaign. This includes donations to the campaign and to the candidate.
- i) To cause their official agent to formally endorse all public materials promoting or opposing candidates.
- j) To cause their official agent to provide any surplus of funds (surplus is an excess of what is raised in monetary contributions over what is spent) to the New Democratic Party, Saskatchewan Section.
- k) To cause their official agent to notify Provincial Office of any donations made after the final financial statement has been filed.
- l) To refrain from using the Federal or Saskatchewan NDP logo or other defining elements of the party's visual identity on any public materials. This includes using signs or printed materials that were generated for the purpose of provincial or federal election campaigns.
- m) All donations to Leadership Campaigns must follow the rules of the POLITICAL CONTRIBUTIONS TAX CREDIT ACT and the ELECTIONS ACT, 1996.
- n) At the option of the LCC, to cause the candidate's official agent to provide statements from all accounts at financial institutions in which campaign donations have been received or campaign expenditures have been paid, or any other supporting documentation as deemed appropriate by the LCC.
- o) To report the net proceeds of fundraising events, merchandise sales and collections as contributions, where it is practical to identify and track individual payments.
- p) To provide, and to cause their official agent and any other persons operating under their leadership campaign's direction to provide, prompt and accurate responses to any questions or requests for information from the LCC or any person acting on its behalf.

8. Campaign expenditures are considered to be all those expenses incurred by, or on behalf of the candidate from the time these rules are adopted until the declaration of a new Leader, including but not limited to:
  - a) the cost of the transportation, accommodation, and food of the candidate.
  - b) any publicity document, object or material;
  - c) any paid promotion;
  - d) any space, material, furniture, equipment or utilities rented, purchased or contracted for campaign purposes;
  - e) all mailing, faxes, e-mails and website expenses including stamps, envelopes, printed matter and associated costs as well as the value of all mailings made by or on behalf of the candidate by any other person or organization;
  - f) all telephone costs and long distance telephone charges;
  - g) all costs of any press releases or press conferences;
  - h) any salary, travel expenses or expenses paid to any person working on behalf of a candidate;
  - i) the cost of meetings;
  - j) the costs of all organized hospitality provided on behalf of a candidate or by the candidate;
  - k) interest costs, bank charges, etc.;
  - l) the registration fee;
  - m) any items acquired or paid for prior to the adoption of these rules but used by the candidate during the Campaign Period or Convention Period.
  
9. The following shall be exempt from campaign expenditure limits:
  - a) Any sums paid as replacement salary for the candidate or any expenditures made toward the child care costs of the candidate.
  - b) All expenses incurred by the LCC or the Provincial Office that are provided on a free and equal basis to all registered candidates.
  - c) The costs of fundraising events and merchandise sales (note that the net proceeds must be reported as revenue; see 7(c)).
  
10. Subject to any order made by the LCC to remedy a violation of these rules, registered candidates shall be entitled to the following:
  - a) A fixed and equal amount of free space in the Commonwealth as arranged by the LCC.
  - b) Enclosures from candidates as specified by the LCC to constituency presidents, officers and members.
  - c) During the Campaign Period, i.e. after the official campaign start date, one (1) copy of the list of all Constituency Executive Members, Provincial Council members and bodies entitled to delegates at the convention. Once the Campaign Period has started, the candidate will also be allowed one (1) copy of the Membership List after being approved as a candidate and one final copy of the membership list no later than one (1) week after the deadline for new memberships. Any other requests for lists of any kind must be approved by the LCC and will be provided to all candidates (there may be a fee charged per list at

- the discretion of the LCC). All candidates must sign an agreement regarding confidentiality and appropriate usage of lists, in the form and shape set out by the LCC, in order to receive lists. Candidates are not permitted to use lists obtained through other means (e.g. by virtue of other roles in the party) for the purpose of the leadership contest.
- d) Equal access to any free media time that may be arranged by the LCC.
  - e) Equal participation in any tours or public meetings that may be arranged from time to time by the LCC.
  - f) Equal access and participation in any other events or activities that the LCC may deem appropriate.
  - g) To be assured that all information provided to the candidates is equitably distributed by the New Democratic Party and approved by the LCC.

11. Deadlines for activities during the campaign are as follows. All deadlines are assumed to be as of the close of business (5:00 p.m.) at Provincial Office on the day specified. All forms, documents, memberships and materials must be physically at 1122 Saskatchewan Drive to qualify as having met the deadline.

- a) Nomination papers for candidates must be filed seven (7) weeks prior to the start of convention in order to have their names appear on the ballot for the advance voting.
- b) All memberships must be at Provincial Office no later than six (6) weeks prior to the start of the Leadership Convention.
- c) Campaigns will have access to the final membership list no later than five (5) weeks prior to the start of the Leadership Convention.
- d) The periods for advance voting may be specified by the LCC.
- e) The campaigns will be responsible for providing the LCC with regular updates on donations, donor lists, expenditures and other documentation as well as regular payments of the 25% share of donations to Provincial Office. A schedule for this will be determined by the LCC and communicated to all campaigns.
- f) The last interim financial statement and list of donors must be at Provincial Office no later than one (1) week prior to the date of the Leadership Convention.
- g) The final financial statement and list of donors must be at Provincial Office no later than thirty (30) days after the date of the Leadership Convention.
- h) The last interim expenditure statement must be at Provincial Office no later than one (1) week prior to the date of the Leadership Convention.
- i) The final expenditure statement must be at Provincial Office no later than thirty (30) days after the date of the Leadership Convention.

12. Purchasing of memberships.

- a) No one shall purchase a membership for any person other than themselves, or a member of their immediate family.
- b) If a member is purchasing a membership for other members of their immediate family, only the signature of the individual purchasing the memberships is required on the form.

13. **Staff Participation**
  - a) Staff in the offices of elected officials may only work on leadership campaigns in off hours and away from caucus or constituency offices. They may not use any facilities or services afforded by public bodies whether it be federal, provincial or municipal.
  - b) NDP provincial office staff who are involved in administering any aspect of the leadership race are prohibited from working on leadership campaigns.
  
14. **Method of Voting**
  - a) Members eligible to vote in the leadership contest shall be able to do so by a variety of methods, including but not limited to internet and by mail.

# CONVENTION PERIOD RULES

The Convention Period shall be that time between the Call to Order of the Leadership Convention and the adjournment of the Leadership Convention.

1. The LCC in co-operation with the Convention Planning Committee shall provide as much time and space to nominated candidates for such things as information tables, posters, offices, communications, meetings and demonstrations as can be reasonably provided. Allocation of these resources shall be determined in as fair and impartial a manner as possible as determined by the LCC.
2. There will be equal time provided for all candidates to address the Leadership Convention. The speaking order will be determined randomly. The LCC will determine the length of the speeches.
3. If there is advance voting then that will be done by preferential ballot. These votes will be added to the votes cast on each ballot.
4. Balloting will take place according to the following guidelines:
  - a) All official candidates as determined by the LCC will appear on the first ballot.
  - b) Any candidate receiving less than five percent (5%) of the vote (or the bottom candidate if all candidates receive more than 5%) will be dropped after the first ballot.
  - c) For all subsequent ballots the candidate who receives the fewest votes will be dropped.
  - d) After a candidate has been dropped, they will be allowed a brief period to address the convention.
  - e) Balloting will cease once a single candidate has received fifty percent plus one (50% +1) of the votes cast on that ballot. That candidate will be declared the winner.



# A. The Leadership Contest Committee

The Provincial Council shall elect a Leadership Contest Committee. All members of the LCC will remain studiously neutral throughout the process and should neither assist nor hinder (or appear to assist or hinder) any of the candidates for Leader or their campaign, but shall conduct themselves in a completely impartial manner.

1. The LCC will have the following powers and authority:
  - a) The LCC may:
    - i. second staff from Provincial Office; and
    - ii. Delegate any of its powers and functions on such terms and conditions as the LCC considers appropriate.
  - b) The LCC shall interpret rules and procedures, and adopt by not less than two-thirds majority any amendments and additions to these rules
  - c) The LCC shall liaise with candidates during the Campaign and Convention Periods.
  - d) The LCC shall establish public events and such other activities which will enhance the opportunities of all candidates to present their candidacy in a fair and equal environment.
  - e) The LCC is responsible to examine, investigate, hear and determine all matters and questions arising out of these rules and any associated procedures.
2. If the LCC finds that one or more of these rules has been violated then they can mandate any or all of the following:
  - a) A letter of warning be sent to all leadership campaigns informing them of a decision by the LCC that a rule was violated (without stating which campaign was in violation), with instructions on how not to violate that rule in the future.
  - b) A written warning to a campaign that if they do not comply with the rules then further action will be taken.
  - c) A fine (the amount to be determined by the LCC) against a campaign.
  - d) Removal of a candidate from the ballot.
  - e) Any other remedy that the LCC determines is appropriate for the purpose of remedying the violation of these rules.
  - f) The LCC may report any violation of these rules, and the remedy or remedies that were ordered:
    - i. to the Leadership Convention; and/or
    - ii. to such other persons and in such manner as the LCC determines is appropriate.
3. The LCC will determine a schedule for regular reporting from the campaigns. The LCC will determine what information is being asked for, in what format, and any other details of the reporting mechanism.