

VOTE LEADERSHIP 2024

Alberta NDP Leadership Rules



Adopted by Provincial Council

January 27, 2024

PREAMBLE

The Alberta New Democratic Party is the hope of Alberta.

Our guiding document is the Constitution of the Alberta New Democratic Party. We are governed by our members, who direct the party through democratic conventions, and select our leaders through transparent elections.

On January 16, 2024, Rachel Notley, Party Leader, announced that she had asked the party to conduct a leadership race, and that her intention is to step down once the party has selected a new leader. These rules intend to support fairness, compliance with the constitution of the Alberta New Democratic Party, transparency, the ability to deliver a contest that meets a high professional standard suitable for a party that aims to form the Alberta government in the next election. Article VI of the Constitution empowers the Provincial Council to set these timelines and particulars for the Leadership contest.

DEFINITIONS

A) The Table Officers

The administrative committee of the Party Executive, the Table Officers govern party business between Executive Meetings, and consists of the President, the 1st Vice-President, the 2nd Vice-President, the Secretary-Treasurer, the 1st Labour Vice-President, and the 2nd Labour Vice-President.

B) The Party Executive

The governing body of the Alberta New Democratic Party between Provincial Council meetings as described in Article VI of the Constitution

C) The Chief Returning Officer (CRO)

The Chief Returning Officer's role is defined in Section 1 of these rules and in Appendix A.

D) The Provincial Secretary

The Provincial Secretary is the Executive Director and Chief Financial Officer of the Alberta New Democratic Party, and their purview in the leadership race is to approve or reject applications for membership, and to oversee the party office and its staff.

E) Leadership Race Approvals Committee

This committee will be appointed by the President, consist of 2 Table Officers and 1 other member of the Party Executive, and it will approve or reject the applications of prospective leadership candidates.

F) Leadership Race Appeals Committee

This committee will be appointed by the President and consist of the remainder of the Table Officers and 1 other member of the Party Executive, and it will consider the appeals of a prospective leadership candidate whose application to contest the leadership has been rejected.

G) Provincial Council

Provincial Council is defined in Article VII of the Constitution, and it is the governing body of the party between Conventions.

H) The Legislative Caucus

Otherwise known as the Alberta NDP Caucus, the Legislative Caucus consists of Members of Legislative Assembly elected as Alberta NDP candidates.

I) The Party Office

Located at 201, 10544 114th St. NW in Edmonton, the Party Office will administer the day-to-day operations of the party, including the leadership race. The Party Office is under the purview of the Provincial Secretary, and they may designate staff to accept donations, process memberships, or other Party Office responsibilities at remote locations outside of the physical office.

J) Edmonton Constituencies

Constituencies that include the word 'Edmonton' in their name.

K) Northern Alberta constituencies

Grande Prairie-Wapiti, Grande Prairie, Central Peace-Notley, Peace River, Lesser Slave Lake, Fort McMurray-Wood Buffalo, Fort McMurray-Lac La Biche, Athabasca Barrhead-Westlock, Bonnyville-Cold Lake- St. Paul.

L) Central Alberta constituencies

West Yellowhead, Lac Ste. Anne -Parkland, Morinville- St. Albert, Fort Saskatchewan-Vegreville, Vermillion-Lloydminster-Wainwright, Camrose, Mawcatis-Wetaskiwin, Sherwood Park, Strathcona-Sherwood Park, Leduc-Beaumont, St. Albert, Spruce Grove-Stony Plain, Drayton Valley-Devon, Lacombe-Ponoka, Innisfail-Sylvan Lake, Red Deer North, Red Deer South, Rimbey-Rocky Mountain House- Sundre, Olds-Didsbury-Three Hills, Drumheller-Stettler.

M) Calgary constituencies

Constituencies that include the word 'Calgary' in their name.

N) Southern Alberta Constituencies

Banff-Kananaskis, Airdrie-Cochrane, Airdrie-East, Chestermere-Strathmore, Highwood, Livingstone-Macleod, Cardston-Siksika, Taber-Warner, Cypress-Medicine Hat, Brooks-Medicine Hat, Lethbridge East, Lethbridge West.

O) Alberta New Democratic Party

May also appear as the Alberta NDP or the Party.

P) The constitution of the Alberta New Democratic Party

May also appear as the Constitution or the party constitution. It is available at www.albertandp.ca/constitution

1. CHIEF RETURNING OFFICER

- 1.1 The Table Officers will appoint a Chief Returning Officer (CRO) who will ensure the fair and democratic administration of the leadership race.
- 1.2 The CRO will answer questions and provide information about the race to individuals interested in applying to be a contestant.
- 1.3 The CRO will ensure all rules, guidelines, and policies are provided to prospective contestants.
- 1.4 The CRO will accept applications from prospective contestants and act as a point of contact for individuals in the vetting and applications process. The CRO will have the discretion to investigate all complaints, accusations, and allegations involving the leadership race. If the CRO fails to investigate, the complainant will be provided with the reasons why.
- 1.5 The CRO will investigate, make rulings, and make recommendations for penalties in the case of non-compliance with Leadership Race Rules and the Leadership Race Code of Conduct. In the case that a registered Leadership Race Contestant or their representatives are found not to be compliant with the Rules or the Code of Conduct, the CRO will recommend a course of action:
- 1.6 Penalties may include one or more of the following:
 - i) Rejecting an application for membership.
 - ii) Levying a fine payable by the registered leadership contestant, their representative, or the leadership campaign to the party.
 - iii) Public notification of the infraction, the ruling by the party and any censure imposed by the party.
 - iv) Denying an application to run for leader of the party.
 - v) Requiring a contestant to withdraw as a registered leadership contestant.
- 1.7 Recommendations by the CRO for penalties pursuant to section 1.6 subsection i) shall be subject to the approval of the Provincial Secretary, with an appeal to the President, pursuant to Articles 2.02 and 2.03 of the Constitution.
- 1.8 Recommendations by the CRO for penalties pursuant to section subsection ii) or iii), the penalty shall be subject to the approval of the Table Officers of the party's Executive. In the event that the CRO has recommended a penalty pursuant to subsection ii), the Table Officers shall permit the affected person to respond to the rulings and recommendations of the CRO. Such opportunity to respond shall be in writing, in person, virtually, or otherwise, at the discretion of the Table Officers, and on a timetable to be set by the Table Officers that is reasonable with due regard to all circumstances. The Table Officers, upon being satisfied that a fine is warranted, have the discretion to levy a fine in any amount reasonably justified by the conduct in question.
- 1.9 Recommendations by the CRO for penalties pursuant to subsection iv), the penalty shall be subject to the approval of the Leadership Race Approvals Committee. The Leadership Race Approvals Committee shall permit the prospective Leadership Race Contestant to respond to the rulings and recommendations of the CRO. Such opportunity to respond shall be in writing, in person, virtually, or otherwise, at the discretion of the Leadership Race Approvals Committee, and on a timetable to be set by the Leadership Race Approvals Committee that is reasonable with due regard to all circumstances. If the Leadership Race Approvals Committee does not impose a penalty under subsection iv), the Leadership Race Approvals Committee has the discretion to recommend that the Table Officers consider imposing a fine in lieu, in which case the Table Officers will consider that recommendation pursuant to section 1.8 as if it were a recommendation of the CRO.

- 1.10 Recommendations by the CRO for penalties pursuant to subsection v), the penalty shall be subject to the approval of the Executive of the party. The Executive shall permit the prospective Leadership Race Contestant to respond to the rulings and recommendations of the CRO. Such opportunity to respond shall be in writing, in person, virtually, or otherwise, at the discretion of the Executive, and on a timetable to be set by the Executive that is reasonable with due regard to all circumstances. In the event that the Executive does not impose a penalty pursuant to subsection v), the Executive has the discretion to impose any other penalty instead, including levying a fine.

2. CONTEST DATES

- 2.1 The Alberta NDP Leadership Contest will commence on Monday, February 5, 2024, and end on Saturday June 22, 2024, the final day for voting.
- 2.2 An application and disclosure form will be provided to any prospective leadership contestant who declares their intention to run pursuant to section 3.2 of these guidelines. The party will make this application form available as of Monday, January 29, 2024.

3. LEADERSHIP RACE CONTESTANT APPLICATION

- 3.1 Eligible Leadership Race Contestant applicants will be members of the Alberta NDP since at least August 5, 2023, allowing for memberships that may have lapsed at the end of the 2023 membership year. Leadership Race Contestant applicants who do not meet membership eligibility will make special application subject to the adjudication of the Leadership Race Approvals Committee. They must intend, at all times during their participation in the leadership contest, to seek the leadership of the Alberta NDP in good faith with the goal of leading the party in a manner consistent with the values and principles of the Alberta NDP.
- 3.2 Prospective Leadership Contestants will declare their intention to run to be leader of the Alberta NDP in writing to the President and CRO, providing the name and phone and email contact information for the person they intend to register as their chief financial officer. They will be provided with a leadership application and disclosure form without delay.
- i. Upon receipt of a leadership application and disclosure form and all required materials, the Leadership Race Approvals Committee will consider approval without delay. Applications will be reviewed, and a recommendation made to the Leadership Race Approvals Committee in the order that applications are received.
 - ii. If a prospective contestant is approved to seek the leadership while other contestant applications are under review, the party will provide each reviewed contestant with daily updates on the expected review time remaining for their own application. Every effort will be made for contestants who apply at the same time to be approved at the same time.
 - iii. Review times may vary due to the amount of material submitted by the contestant, but if any contestant is approved, all applicants will receive daily updates on their own review timelines.
 - iv. Social media content previously reviewed in order to approve a contestant to run in a general election will be considered reviewed and not require additional review.
 - v. All materials must be submitted at the time of application, except for a criminal record check, which can be provided to the party at any time in the application process, but not after the nomination deadline.
- 3.3 Prospective Leadership Contestants must be approved by the Leadership Race Approvals Committee before publicly disclosing their bid to run for leader. If the confidentiality of the leadership application process is compromised, the party may require the timeline for approval to be extended. No contestant will register as a

Leadership Race Contestant with Elections Alberta until their candidacy is approved by the Alberta NDP.

- 3.4 The Prospective Leadership Contestant and the chief financial officer will attest to their understanding and agreement of the party's leadership rules, the rules governing leadership races in the Election Finances and Contributions Disclosure Act and declare that they will uphold the principles and values of the Alberta NDP constitution.
- 3.5 The content and format of the application form will remain confidential between the Prospective Leadership Contestant, their representatives and/or designate, the Chief Financial Officer, and all officers of the Alberta NDP.
- 3.6 The President of the party will appoint a Leadership Approvals Committee, consisting of two table officers and one executive member, to decide the approval of prospective Leadership Race Contestants. The President of the party will strike a Leadership Race Appeals Committee, consisting of the remaining table officers and one executive member, to decide appeals of denied prospective Leadership Race Contestants.
- 3.7 Prospective Leadership Race Contestants whose applications are denied must be provided with the reasons why and may appeal the decision in writing within 14 days of being notified of their application's denial. Appeals will consist of the written appeal, and the right to one meeting with the Leadership Race Appeals Committee to present their case. The meeting will be scheduled within 7 days of it being requested by the prospective contestant. The Leadership Race Appeals Committee will decide the appeal and their decision will be final.
- 3.8 The Leadership Approvals Committee will delegate to independent contractors, who will be neutral and not regular party staff members, the necessary background research required to protect the reputation of the party, all prospective and registered Leadership Race Contestants, and the applicant. Approval will only be denied in such cases that an applicant does not meet membership eligibility criteria or through the vetting and interview process the applicant is found not to be applying in good faith, or the applicant is found to be applying for a reason other than furthering the values, mission, and constitution of the Alberta NDP.
- 3.9 The prospective contestant will disclose all background information relevant to being leader of the Alberta NDP including, but not limited to:
 - personal financial information, property, and business interests
 - political background
 - support for other parties and voting record
 - membership and contributions to other parties
 - involvement in any labour disputes
 - involvement in any legal disputes
 - anything about the contestant that may risk the reputation of the Alberta NDP should it become public
 - any reason to consider that the contestant is not applying in good faith
 - complete record of published social media
 - complete record and copies of public writings, statements, interviews, media coverage
 - criminal record check
- 3.10 The Alberta NDP will be bound by a confidentiality agreement with the contestant regarding the content of their application unless the contestant or their representative breaches the agreement.
- 3.11 Upon submission of a completed application form, a \$1,500 research fee paid by the Leadership Race Contestant or their CFO, and all social media content, the Leadership Race Approvals Committee and the Provincial Secretary will meet with the Prospective Leadership Race Contestant as soon as possible within 14 days for a final interview.

- 3.12 All Leadership Race Contestants must at all times comply with these Leadership Rules and the Leadership Race Code of Conduct. All necessary steps must be taken to ensure that persons acting on behalf of their campaign, including volunteers, employees, and contractors, conduct themselves in a manner that is consistent with all relevant Leadership Rules and provisions of the Leadership Race Code of Conduct include the vision, mission and constitution of the Alberta NDP.
- 3.13 Chief Financial Officer (CFO) duties include ensuring:
- proper records are kept of all revenue and expenses,
 - contributions are placed in an account on record with Elections Alberta,
 - official contribution receipts are issued in accordance with the EFCDA (Election Finances and Contributions Disclosure Act),
 - every payment of more than \$25 is supported by:
 - a document from the supplier that states the particulars of the expense, or
 - a receipt or other proof of payment acceptable to the Chief Electoral Officer of Elections Alberta,
 - campaign returns and reports required under the Election Finances and Contributions Disclosure Act are filed with the Chief Electoral Officer of Elections Alberta, and a copy provided to the Alberta NDP.
 - non-monetary contributions are properly valued and recorded

4. NOMINATION

- 4.1 Once approved, the contestant will be provided with a nomination form.
- 4.2 Approved Leadership Race Contestants will receive a membership list including lapsed members since the 2021 membership year upon registering with Elections Alberta as registered Leadership Race Contestants. All Leadership Race Contestants must hold the membership list, and all information on the list, in strict confidence, and may use or disclose the information on the membership list only for purposes related to the leadership contest. All Leadership Race Contestants must ensure that persons involved in their campaign who may gain access to information on the membership list must similarly agree to hold the information on the membership list in strict confidence in accordance with the leadership race Code of Conduct.
- 4.3 Approved contestants and their CFOs (Chief Financial Officers) will register as Leadership Race Contestants with Elections Alberta upon approval. A copy of all correspondence and information provided to Elections Alberta, including financial institution information, will be provided to the CRO.
- 4.4 Registered Leadership Race Contestants will submit the signatures of a minimum of 50 nominators who are members in good standing upon submission of the nomination form: 10 residents of Edmonton Constituencies, at least one of whom must self-identify as a woman and at least one of whom must self-identify as equity seeking, 10 residents of Northern Alberta constituencies, at least one of whom must self-identify as a woman and at least one of whom must self-identify as equity seeking, 10 residents of Central Alberta constituencies, at least one of whom must self-identify as a woman and at least one of whom must self-identify as equity seeking, 10 residents of Calgary Constituencies, at least one of whom must self-identify as a woman and at least one of whom must self-identify as equity seeking, 10 residents of Southern Alberta Constituencies, at least one of whom must self-identify as a woman and at least one of whom must self-identify as equity seeking. At least 25 nominators shall identify as women and willingly disclose this information, and at least 20 nominators shall identify as Members belonging to Equity Seeking Groups which include Persons of Colour, Indigenous, living with a disability, youth, and 2SLGBTQ+ and willingly disclose this information.
- 4.5 The Nomination deadline will be the end of day, March 15, 2024.
- 4.6 Registered Leadership Race Contestants will submit a nomination fee of \$18,500 by the Nomination deadline.

5. APPLICATIONS FOR MEMBERSHIP

- 5.1 Pursuant to Article 2 of the Alberta NDP Constitution, every resident of Alberta who is 14 years of age or older and agrees to abide by the Constitution and principles of the Party, and who is not a member or supporter of another political party, shall be eligible to apply for membership in the Party.
- 5.2 Application for membership with the required membership fee must be sent to the Provincial Secretary, who shall accept or reject the application. If the Provincial secretary rejects an application, they will provide the applicant with rationale for their decision in writing. The onus of proof for rejecting a membership is on the Provincial Secretary.
- 5.3 Should an application be rejected by the Provincial Secretary; the applicant shall be entitled to appeal the decision to the President. Such an appeal shall be filed by the applicant in writing no later than fourteen days following notification of the Provincial Secretary's rejection. The decision of the President shall be final.
- 5.4 The Provincial Secretary will monitor membership sales and, in the case where a membership application is found not to be in good faith or is found not to be compliant with the Alberta NDP constitution, the Chief Returning Officer will investigate.
- 5.5 In the case where a membership application is made on behalf of anyone without their consent, the membership will be rejected, and the Chief Returning Officer will investigate.
- 5.6 In the case where a membership application is paid for by anyone other than the member-applicant, the Chief Returning Officer will investigate.
- 5.7 No Leadership Race Contestant shall sell or seek to sell memberships under circumstances where they know, or ought reasonably to know, that those purchasing said memberships:
- A) are not eligible to become members of the Alberta NDP;
 - B) are supporters or members of other parties;
 - C) hold principles fundamentally at odds with the principles of the Alberta NDP; or
 - D) are otherwise purchasing the memberships in bad faith.
- 5.8 If a Leadership Race Contestant campaign is found to be selling memberships in such a way that contravenes these rules or the Constitution, the Chief Returning Officer will recommend penalties up to and including disqualification from the contest pursuant to Rule 1.6 v.

6. MEMBERSHIP SALES

- 6.1 The Party Office will issue to all nominated contestants an updated membership list including lapsed members since the 2021 membership year upon their registration with Elections Alberta as registered Leadership Race Contestant, and their attendance at a privacy briefing, which will be held as soon as reasonably possible.
- 6.2 Members may purchase or renew their membership online or by submitting a printed membership form in person or via mail. The party will appoint a representative to accept membership forms in person on a weekly basis in Calgary, and by appointment in other cities as requested by any Leadership Race Contestant.

- 6.3 Cash payments, debit transactions, and e-transfers for membership are allowed if a member-applicant signs an attestation form and/ or membership form submitted to a registered representative of a Leadership Race Contestant Campaign or party office staff on a form provided by the CRO.
- 6.4 Any individual submitting 10 or more memberships must be a registered representative of a leadership campaign on the form provided by the CRO.
- 6.5 The common use of a credit card by individuals in more than one household will be investigated.
 - i.) If any registered leadership race contestant or their representative is found to have paid for an individual's membership or to have completed a membership form without a member-applicant's express consent, the registered leadership race contestant will be disqualified.
- 6.6 Members will renew or purchase membership in the Alberta NDP directly with the party. No electronic transaction with a registered Leadership Race Contestant or their representatives online will represent a membership renewal or purchase.
- 6.7 Campaigns collecting memberships and submitting them on behalf of the member must do so through a designated individual registered as a representative of the campaign.
- 6.8 An individual who is not a registered representative of a registered Leadership Race Contestant may submit membership forms and payment on behalf of their immediate household only. All membership forms must be signed by the member-applicant and the associated fee will be provided by the member-applicant.
- 6.9 No third party will be involved in any leadership race or in any campaign, in accordance with the Elections Finance and Contributions Disclosure Act Section 41.41(1). Any campaign that colludes with a third party to sell memberships to the party will be disqualified.
- 6.10 The end of April 22, 2024, will be the deadline for membership sales for members to be eligible to vote in the leadership race.
- 6.11 Nominees will pay an entrance fee of \$20,000 by the membership sales deadline.
- 6.12 The Party will issue a Voters list with all eligible voters to Leadership Race Contestants on May 1, 2024.
- 6.13 Nominees may contest the list to have names added or removed from the list by writing to the CRO. The Chief Returning Officer will determine if individuals not on the list should be added because they were 2024 members in good standing by the membership deadline, or if they should be removed because they were not 2024 members in good standing by the membership deadline. The Chief Returning Officer will advise Leadership Race Contestants, and this decision will be final. The deadline for contesting the list will be May 12, 2024.
- 6.14 May 12, 2024, will be the balloting deadline and nominees will pay a fee of \$20,000 by the balloting deadline.
- 6.15 The party will provide a final voters list to Leadership Race Contestants as soon as possible following the balloting deadline.
- 6.16 The party will provide weekly updates to leadership race contestants of all memberships sold.
- 6.17 Leadership Race Contestant Campaigns shall, to the best of their ability, submit membership applications within 7 days.

7. VOTING

- 7.1 The CRO will oversee the production and distribution of ballots.
- 7.2 Ballots will be mailed to each member by June 3, 2024, within 20 days of the balloting deadline and include a mail-in ballot, a Personal Identification Number to facilitate online voting, and an option for telephone voting.
- 7.3 The count will be administered by a reputable, independent voting company, and Leadership Race Contestant campaigns will have the opportunity to review the voting data collected by the company to ensure the integrity of the vote.
- 7.4 Votes must be received via online or telephone systems by noon on June 22, 2024; all votes will be tallied, and the party will announce the results of the race.
- 7.5 The CRO will be responsible for the security and safe storage of ballots received via mail. Votes submitted by mail must be received by June 22, 2024, at 8:00 am.
- 7.6 Ballots cast by individual members will be weighted to 100% of the votes counted in the leadership election. Affiliate organizations will be allocated 0% of the votes.
- 7.7 A ranked preferential ballot will be used. Voters will cast their choice by clearly marking the order of their preference among the contestants. Their first choice will be marked as a 1, their second choice will be marked as a 2, their third choice will be marked as a 3, etc.
- 7.8 In the first round of vote counting, the first choice indicated on each ballot will be counted as a vote for that contestant.
- 7.9 In the event of no contestant receiving 50% plus 1 of the votes cast, during the first round of counting, then the contestant who receives the fewest votes is eliminated.
- 7.10 Ballots cast for the eliminated contestant will then be re-counted for their next highest preference for a contestant who has not been eliminated. Ballots that indicate their first choice for a contestant that has not been eliminated will continue to be counted for their first-choice contestant in subsequent voting rounds unless that contestant is eliminated because they receive the fewest votes in that round.
- 7.11 Voting rounds will continue in this manner until one contestant receives votes from 50% plus 1 of the eligible ballots cast. The most preferred eligible contestant indicated on the ballot will be determined to be the vote for that ballot.
- 7.12 In the event a ballot does not indicate a next preference or all contestants who receive an indication of preference on a ballot are eliminated, that ballot will not be counted in subsequent voting rounds. Thus, the total ballots cast each round may reduce in number.
- 7.13 The selected new leader must receive at least 50% plus 1 of the ballots with eligible votes cast in the current round of voting.
- 7.14 In the event that after all votes are counted there remains 2 contestants with exactly 50% of the ballots cast in that round, the party will schedule a run-off election.

7.15 The CRO will negotiate a policy to provide strike offs to campaigns, consulting with the leadership contestant campaigns.

8. FINANCES – DONATIONS

8.1 Leadership campaigns shall not accept anonymous donations of any amount.

8.2 Leadership race contestants shall require donors to affirm that they understand contributions to a political party, candidate, constituency association, and registered leadership contestant are limited to \$5,000 as per the Election Finance and Contributions Disclosure Act Alberta. Contributions over the limit are the responsibility of the donor. In the case that a donor contributes over the limit because they have donated to the Alberta NDP and a registered leadership contestant, and Elections Alberta requires one entity to provide a refund to the donor, the registered Leadership Race Contestant will provide the refund.

8.3 Leadership Race contestants campaigns may not accept funds transferred from constituency associations, registered candidates for a general election or by-election in Alberta or registered political parties.

8.4 Leadership contestant campaigns shall provide a monthly contribution report to the Chief Returning Officer on the last day of the month, including the contributor's name, address, phone number, email address and contribution amounts.

8.5 Leadership Race Contestants shall publicly disclose their contributors and contribution amounts above \$250 on June 3, 2024. This disclosure will be updated after the leadership race has concluded to include all contributions above \$250.

9. FINANCES – SPENDING LIMIT

9.1 Leadership Race Contestants will spend no more than \$500,000 on contestant campaign expenses.

9.2 Fees or deposits paid to the party are not subject to the spending limit.

9.3 Expenses not subject to the limit include expenses for contestant travel, expenses incurred to provide volunteers with food during such time that they are volunteering for a leadership contestant campaign, expenses incurred for the purpose of fundraising, in the case where a contestant lives with a disability, expenses incurred related to the disability, and expenses related to an audit.

9.4 The CRO may, in their discretion, require an audit of the expenses of a Leadership Race Contestant's campaign during the course of the campaign, and request copies of any and all financial records in respect of the campaign, and the Leadership Race Contestant and their CFO shall fully cooperate with the CRO and provide any requested records. The CRO shall endeavour to ensure that the audit process does not unduly interfere with ongoing campaign activities.

- I) failure to cooperate with the requests of the CRO regarding financial compliance will result in a penalty up to and including disqualification from the contest.

10. FINANCES - CAMPAIGN RETURN

- 10.1 Pursuant to the Election Finances and Contributions Disclosure Act, within 4 months after the date fixed for the leadership vote, the chief financial officer of a registered Leadership Race Contestant shall file with the Chief Electoral Officer of Elections Alberta a Leadership Race Contestant campaign return, which must include:
- a) A financial statement
 - b) The contribution report referred to in Section 32(4.3) of the Election Finances and Contributions Disclosure Act (Alberta)
 - c) A campaign expense report setting out the campaign expenses incurred by the registered leadership contestant, and
 - d) Any supporting information and documents relating to the leadership campaign return.
 - e) Any other documentation required by Elections Alberta.
- 10.2 An audited financial statement and a copy of the auditor's report shall accompany each financial statement of a registered Leadership Race Contestant required to be filed under Section 10 if the campaign expenses exceed \$25,000.
- 10.3 This section also applies to any registered leadership contestant who withdraws from the leadership contest.
- 10.4 Leadership Race Contestants and their chief financial officers shall read and attest to their understanding to Elections Alberta's Guidelines to the Election Finances and Contribution Disclosure Act for Leadership Contestants.
- 10.5 Leadership Race Contestants and their chief financial officer will provide a copy of the campaign return to the Alberta NDP within 1 month of submitting it to Elections Alberta.
- 10.6 Leadership Race Contestants and their chief financial officer will provide a detailed contributions report to the Alberta NDP including the total amount contributed, together with each contributor's name, address, phone number, and email address.

11. FINANCES - CAMPAIGN SURPLUS

- 11.1 In the case where a leadership contestant campaign receives more donations than money spent on campaign expenses, expenses not subject to limit, and fees issued by the party, any surplus money will be transferred to the party at the end of the campaign period.
- 11.2 Contestants will agree to transferring any surplus money to the party in the Leadership Race Contestant application.
- 11.3 This section applies to any registered contestant who withdraws from the leadership contest.

12. FINANCES - CAMPAIGN DEFICIT

- 12.1 Pursuant to Section 43.1(3) of the Elections Finances and Contributions Disclosure Act, where a registered Leadership Race Contestant has a campaign deficit, the contestant shall eliminate the deficit within 3-months of when the financial statement is required to be filed, unless an extension is obtained from the Chief Electoral Officer.
- 12.2 This section applies to any registered contestant who withdraws from the leadership contest.

13. ADVERTISING

- 13.1 Advertising is any communication for which there is or normally would be a charge with the purpose of promoting or opposing any registered political party or the selection of a registered leadership contestant. This includes any broadcast, print, electronic or other media, including telephone, post-cards, and flyers, paid social media, fax, internet, email, and text messaging,
- 13.2 A contestant must ensure that advertisements sponsored by the contestant comply with the following:
- A) The advertisement must include the contestant's name and contact information and must include a statement that the contestant authorizes the advertisement.
 - B) Subject to clause C), in the case of an advertisement that is broadcast or is made through electronic media, the information referred to in clause A) must be stated at the beginning of the advertisement.
 - C) In the case of an advertisement transmitted to a telephone whether in the form of an automated pre-recorded call or other telephone messages for which there is or normally would be a charge
 - a. The advertisement must be compliant with CRTC regulations regarding unsolicited telecommunications: <https://crtc.gc.ca/eng/phone/telemarketing/politi.htm>
 - b. The telephone number of the sponsor must be capable of being displayed on the call display of called parties who subscribe to call display and must not be blocked from being displayed.
 - c. The name of the contestant must be stated at the beginning of the advertisement;
 - d. The advertisement must state whether the contestant authorizes the advertisement.
 - D) Advertising must adhere to the Leadership Race Contestant Code of Conduct.

14. THIRD PARTIES

- 14.1 Leadership Race Contestants shall not engage with a third party to sell memberships, solicit donations, or to campaign on behalf of a contestant in such a manner that contravenes the rules or the code of conduct for the leadership race.
- 14.2 Leadership Race Contestants shall not permit any third party to sell memberships, solicit donations, or campaign on behalf of a contestant in such a manner that contravenes the rules or the code of conduct.
- 14.3 Leadership Race Contestants shall not permit, accept, or condone any contributions of advertising, by third parties, to the leadership contestant.
- 14.4 Leadership Race Contestants shall not circumvent or attempt to circumvent, an expense limit set out in these rules or under the Election Finances Contributions Disclosure Act by colluding with a third party, pursuant to Section 41.42 of the Act.

- 14.5 In the event that a third party expresses support for a leadership contestant, in circumstances where the support or endorsement may reasonably lead to an inference of collusion between the Leadership Race Contestant and the third party, or that may reasonably raise doubts about the good faith of the leadership contestant's commitment to the values and principles of the NDP, the Leadership Race Contestant must take all necessary steps to dispel such inferences and/or doubts.
- 14.6 For the purposes of these Rules, a "third party" includes any corporation, society, unincorporated association, partnership, or individual who may engage in advertising or political speech on their own account, but for greater clarity does not include:
- A) volunteers who assist with the campaign without remuneration, and who do not incur expenses in their personal capacity or on behalf of any entity other than the leadership contestant's campaign;
 - B) individuals who are employed by the campaign acting in the scope of their employment, and who do not incur expenses in their personal capacity or on behalf of any entity other than the leadership contestant's campaign; or
 - C) contractors who are retained at arm's length by the campaign to provide campaign-related services, including advertising and polling, in accordance with these Rules and the Code of Conduct, and who are paid by the campaign at fair market value.
- 14.7 These rules do not apply to simple endorsements from organizations.

15. STAFF, COMMITTEE AND TABLE OFFICER NEUTRALITY

- 15.1 All party staff, leadership race committee members and Table Officers shall remain neutral in the administration of the leadership race, and no party resources will be used to support any registered Leadership Race Contestant or their campaign.
- 15.2 Party staff will make every effort to reduce the risk of a perception of bias in carrying out their duties, including adjusting protocols and procedures regarding the normal provision of services to members and their constituency associations, recusing themselves to avoid the perception of conflict and other measures.
- 15.3 Registered Leadership Race Contestants shall not engage party staff, leadership race committee members or Table Officers as volunteers or staff.
- 15.4 In the case where a party staff member, leadership race committee member or Table Officer, in the course of their duties, enables an unfair advantage to a registered leadership contestant, the individual and the registered Leadership Race Contestant will be subject to investigation by the CRO who will recommend penalties to the Table Officers who are not in conflict, and, in the case of improper behaviour by staff members, to their employer.
- 15.5 In addition to these rules, neutrality and fairness measures are enumerated in the Leadership Race Code of Conduct.
- 15.6 The ANDP shall indemnify and hold harmless all party staff members, contractors, the Table Officers, the Party Executive and the CRO against any liability incurred by reason of action taken by them, in good faith, within the scope of their duties regarding these rules and the leadership race.

16. CONFLICT RESOLUTION

- 16.1 Where conflict exists between campaigns, one or more parties shall submit a written request for mediation to the CRO.
- 16.2 The CRO shall consider the request and accept or reject it. Requests will be accepted when the democratic integrity of the Leadership Race is at risk.
- 16.3 When accepted, the CRO will chair and mediate a meeting with a representative of each affected campaigns with the intention of resolving the issue. To preserve procedural fairness, the CRO may invite a representative of each campaign.
- b) If a mediated resolution is not possible, the CRO will make a recommendation for resolution to the Table Officers. The Table officers will accept, reject, or amend the resolution and cause it to be enacted.
 - c) if the affected party(ies) wishes to appeal, they may do so in writing within 7 days to the President. This President will make a final and binding decision.
 - d) a report of the outcome of the resolution will be made available to Party Executive.
- 16.4 When rejected, the CRO will respond to the requesting party(ies) within 5 days, along with the reasons for the rejection. The CRO shall carbon copy the Table Officers.
- a) the affected party(ies) may appeal the rejection in writing within 2 days to the President.
- 16.5 This process shall apply only to conflicts between leadership race campaigns and contestants and shall not be applicable to conflict internal to each leadership race campaign.

17. INTERPRETATION OF THESE RULES

- 17.1 The Table Officers will interpret these rules and their intent. Where these rules are silent, the Table Officers will, in consultation with the Chief Returning Officer, ensure that the leadership contest is conducted following the principles of fairness, transparency, and the values of the Alberta NDP Constitution.

CALENDAR

January 27, 2024, rules finalized at provincial council

January 29, 2024: Application and Disclosure form available from party office. Background research fee \$1500.

February 5, 2024: Campaign Period begins.

March 15, 2024: Nomination signature deadline and \$18,500 entrance fee

April 22, 2024 – Membership deadline – Entrance fee \$20,000

May 1 2024: – Voters List issued to campaigns

May 12, 2024: Contest voters list deadline

May 12, 2024: Balloting deadline balloting fee \$20,000

June 3, 2024: – Ballots mailed by the party deadline.

June 22, 2024: – Voting Deadline, Counting and Announcement

LEADERSHIP RACE CONTESTANT CODE OF CONDUCT

- 1) Registered Leadership Race Contestants and their representatives will understand and comply with the applicable Office of the Information and Privacy Commissioner guidance documents and will attend a privacy briefing before having access to member lists.
- 2) Registered Leadership Race Contestants and their representatives will understand and comply with the applicable Elections Alberta guidance documents regarding campaign finances.
- 3) Registered Leadership Race Contestants and their representatives will obtain meaningful consent for the collection, use, retention, and disclosure of personal information from individuals. This includes plain language notification and simple mechanisms to opt out.
- 4) No personal information shall be collected, used, retained, or disclosed by or on behalf of a registered leadership contestant, except as is reasonable for the purposes of the leadership contest and authorized by the consent of the affected individuals.
- 5) Other than personal information provided by the Alberta NDP or Elections Alberta, registered Leadership Race Contestants and their representatives will collect personal information directly from individuals whenever practicable, while limiting indirect collection to prescribed public sources and where otherwise authorized by law.
- 6) Registered Leadership Race Contestants shall ensure that all persons acting on behalf of their campaign, including volunteers, employees, and contractors, are aware of and comply with all relevant requirements of the Leadership Rules and this Code of Conduct.
- 7) Registered Leadership Race Contestants and their representatives shall never misrepresent an artificial intelligence system as a human being.
- 8) Registered Leadership Race Contestants will never knowingly engage in misleading practices, such as producing or sharing inaccurate content or statements, impersonating election officials, political actors or news media, or other forms of disinformation or misinformation.
- 9) Registered Leadership Race Contestants will never sponsor or publish hateful content or statements, including advertising or promotional material containing language or images that promote hatred toward any individual or group.
- 10) Registered Leadership Race Contestants and their representatives will never obstruct another contestant's campaigning, including by defacing, destroying, or obstructing materials of others and will never encourage, condone, or permit such conduct.
- 11) No public resources, including paid staff time of employees of the legislative caucus or any constituency offices, will be used to benefit the campaign of a registered leadership contestant.
- 12) Registered Leadership Race Contestants who are members of the Legislative Assembly shall resign their critic roles and any position they hold within the caucus such as Whip, Deputy Whip, Assistant Deputy Whip, Leader, Deputy Leader, Chair, Deputy Chair and so on. Contestants will continue to serve their constituents in the regular conduct of their duties in the Legislature, and in their constituencies, while preserving the integrity of the race and avoiding any unfair advantages or conflicts of interest that may be perceived due to positions or roles to which they have been appointed.
- 13) Leadership Race Contestants shall not engage members of the staff of the NDP Caucus office of the Legislature as volunteers or staff, or influence them directly, unless they are on an approved leave of absence.
- 14) In addition to these rules and the Leadership Race Contestant Code of Conduct, Alberta NDP Human Rights and Accommodation Policy, the Alberta NDP Code of Conduct, and the Alberta NDP Anti-Harassment Policy all apply to registered Leadership Race Contestants and representatives, volunteers, staff, and members of their campaign.

Appendix A

Chief Returning Officer ANDP Leadership Race Roles and Responsibilities

Reporting to the Table Officers of the Alberta NDP, the Chief Returning Officer (CRO) of the Alberta NDP Leadership race is a neutral, independent officer dedicated to ensuring a fair and democratic administration of the leadership race. The CRO is responsible for ensuring the administration, communication, and management of the Leadership Race is compliant with the Leadership Rules, the Leadership Race Contestant Code of Conduct, and the Alberta NDP Constitution. The CRO will be required to liaise with Contestants and their agents, the ANDP Staff and Executive, and may be required to report to the media.

Key Duties and Responsibilities:

Ensure individuals interested in applying to be a contestant receive timely answers to questions and inquiries about the race.

Accept applications for prospective contestants and act as a point of contact for them and their named representatives. Ensure all rules, guidelines and policies are followed by prospective contestants.

Investigate, make rulings, and recommendations for penalties, if necessary, in cases of alleged or suspected non-compliance with Leadership Race Rules and Leadership Race Code of Conduct.

Adjudicate and make rulings and recommendations in cases of dispute or conflict between leadership campaigns, which are not direct contraventions of the Leadership Race Rules and Leadership Race Code of Conduct.

Receive and administer copies of all correspondence to Elections Alberta on behalf of Leadership Race Contestants.

Examine and approve leadership nomination documents and ensure nominators meet leadership race requirements.

Confirm receipt of leadership race fees

Investigate instances of membership sales that may not be compliant with the Constitution of the Alberta NDP and ensure the validity of all memberships.

Ensure that campaigns receive and use data appropriately as provided by the Leadership Rules.

Oversee the production, distribution, and receipt of ballots and ensure their security.

Ensure that members requiring accommodation to vote are supported.

Oversee the ballot count and reporting of the ballot results in accordance with the Leadership Race Rules.

Require financial reporting and auditing, if necessary, in accordance with the Leadership Race Rules.

Liaise with contestants or their agents, as required.

Report and liaise with media as required.

Require and ensure that all party staff remain neutral and that party resources do not support any contestant.

Remain neutral at all times, ensuring no perception of bias for one contestant or another exists, and report any conflict of interest to the table officers and the Leadership Race Contestants.

Keep confidential any and all information shared by Leadership Race Contestants, except where required by law or indicated by the Leadership Race Rules.

Rights and Responsibilities

The CRO shall have access to any and all records of Leadership Race Campaigns. They shall have the right to view originals and receive copies of any and all documents.

The CRO shall have investigative power and be permitted access to all campaign correspondence, records, documents, or other items as required.

The CRO shall be permitted to interview, question, and/or receive statements from any member, volunteer, contractor, staff, or other individual involved in the campaign.

The CRO shall hold information in strictest confidence unless otherwise required by the Leadership Race Rules or law.

Appendix B

Contacts	
Chief Returning Officer	CRO@albertandp.ca
Party President and Executive	President@albertandp.ca
Provincial Secretary	gspelliscy@albertandp.ca
Party Office	info@albertandp.ca
Chief Electoral Officer of Elections Alberta	info@elections.ab.ca

