

Clarington

Votes Matter!

Third Party Advertisers' Manual

Municipal Elections 2018

As of April 27, 2018

If this information is required in an alternate format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

If you have any questions regarding Clarington's 2018 Municipal Elections, contact the Municipal Clerk's Department at:

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Email: Election2018@Clarington.net

More information can be found at: www.Votesmatter.Clarington.net

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Change Date	Main Changes	Affected Sections
April 27, 2018	Removed “Acknowledgement & Declaration – Third Party Advertisers” from the TPA package listing.	Part A, Introduction
April 27, 2018	Removed section “4. Withdrawal as Third Party Advertiser and Running as a Candidate”.	Part C, Section 4

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Part A

Introduction

This manual has been prepared for the purpose of supplying information which will be of assistance to individuals, corporations and trade unions intending to register as a Third Party Advertiser. This manual is part of a Third Party Advertisers Information Package, which also contains:

- Third Party Registration Form (Form 7)
- Personal Information Release Form – Third Party Advertisers
- Financial Statement for Third Party Advertisers (Form 8)
- Financial Statement – Subsequent Expenses (Form 5)
- Notice of Extension of Campaign (Form 6)
- 2018 Ward Map
- Policy F110, Use of Corporate Resources during an Election
- Clarington Election Signs Summary
- External Resources:
 - Ministry of Municipal Affairs & Housing – Third Party Advertisers' Guide
 - Ministry of Municipal Affairs & Housing - Information Sessions
 - Region of Durham Election Signs Summary

It is most important to note the contents of this document are intended only as a guide to certain provisions of relevant legislation and do not purport to recite all applicable statutory references. **Prospective advertisers' must satisfy themselves through their own determination that they have complied with the election financing regulations and that they are qualified to register and not disqualified by law.**

1. Important Dates

Date	Details
April 13, 2018	Webinar for Third Party Advertisers offered by Ministry.
April 23, 2018	Webinar for Third Party Advertisers offered by Ministry.
April 24, 2018	Election Information Session for Candidates and Third Party Advertisers offered by Ministry.

**Third Party Advertisers' Manual
Clarington Municipal Elections 2018**

Date	Details
May 1, 2018 to October 19, 2018	Third Party Registrations may be filed from May 1, 2018 through to October 19, 2018 during regular business hours Monday to Friday (8:30 AM to 4:30 PM and 8:00 AM to 4:00 PM during July and August).
August 14, 2018	Campaign Finances Refresher Webinar offered by Ministry.
August 21, 2018	In-Person Campaign Finance Session offered by Ministry.
August 29, 2018 to October 24, 2018	Campaign Signs and Posters are permitted during this period.
September 6, 2018	Campaign Finances Refresher Webinar offered by Ministry.
September 12, 2018	Campaign Finances Refresher Webinar offered by Ministry.
September 17, 2018	Last regular Council meeting prior to the election.
September 25, 2018	Maximum Campaign Expenses Calculation.
October, 2018	Voter Notification Cards are mailed to eligible voters on the voters' list.
October 13, 14, 15, 16 & 17, 2018	Advance Voting Opportunities (All Wards).
October 19, 2018	Last day for registration of Third Party Advertisers
October 22, 2018	Voting Day Votes may be cast between 10:00 AM and 8:00 PM.
December 3, 2018	Inaugural Meeting of Council.
December 31, 2018	Last day of Regular Campaign Period Notification of Extension of Campaign due to Municipal Clerk.
March 29, 2019	Filing Date (before 2:00 PM) - for period from date Nomination was filed through to December 31, 2018.
June 30, 2019	End of Extension for Campaign to eliminate deficit.
September 27, 2019	1st Supplementary Filing Date before 2:00 PM – for 1st Supplementary Reporting Period from January 1, 2019 through to June 30, 2019.

2. Becoming a Registered Third Party

Ontario residents, corporations, and trade unions that will incur expenses for advertisements related to the promotion, support or opposition of a candidate, or take a position on a “yes” or “no” question on the ballot, in any broadcast, print, electronic, or other medium must register as a third party advertiser. Filing a Notice of Registration begins on Tuesday, May 1, 2018, at 8:30 AM at the Municipal Clerk's Office. Registration is closed October 19, 2018 at 4:30 PM.

Part B

Qualifications

1. Who can register as a third party advertiser?

Only the following persons and entities are eligible to file a notice of registration:

- An individual who is normally a resident in Ontario.
- A corporation that carries on business in Ontario.
- A trade union that holds bargaining rights for employees in Ontario.

2. Who cannot register as a third party advertiser?

Persons and entities that are not eligible to file a notice of registration include:

- A candidate whose nomination has been filed under section 33.
- A federal political party registered under the *Canada Elections Act* (Canada) or any federal constituency association or registered candidate at a federal election endorsed by that party.
- A provincial political party, constituency association, registered candidate or leadership contestant registered under the *Election Finances Act*.
- The Crown in right of Canada or Ontario, a municipality or local board.

Note: It is the responsibility of the advertiser to ensure that they are qualified to register as a third party advertiser.

Part C

Registration Information

An individual, corporation or trade union may register as a third party advertiser by filing a Notice of Registration , in the prescribed form, with the Municipal Clerk any time during normal business hours (8:30 AM to 4:30 PM) starting on Tuesday, May 1, 2018.

Note: During the months of July and August, normal business hours are from 8:00 AM to 4:00 PM.

Registration allows a third party advertiser to promote or oppose any candidate running in the municipality (local council, school board, regional offices).

The Notice of Registration may not be faxed, mailed or emailed, as an original signature is required.

The individual filing the Notice of Registration will be required to present proof of identity as well as a declaration of qualification signed by the individual or by a representative of the corporation or trade union, as the case may be.

There is no registration fee for third party advertising, but the Clerk must examine the registration and then certify the notice of registration if deemed compliant, or reject the registration.

If third party advertisers want to advertise in more than one municipality, they will have to register in each municipality. This also means that each registration is a separate campaign with its own spending limits. Third party advertisers register in single or lower tier municipalities, not upper tier municipalities. For example, with respect to third party advertisers for Regional Chair, they will be required to register in each lower tier municipality in which they wish to advertise.

1. Things needed for registering

The individual filing the Notice of Registration will be required to provide:

- A completed copy of the Notice of Registration (Form 7);
- A declaration of qualification signed by the individual or by a representative of the corporation or trade union, as the case may be (Form 7); and
- Proof of identity.

Note: Notices of Registration forms are public documents and will be made available for inspection and posted on the Clarington election website.

2. Registration period

- Notices of Registration may be filed during regular office hours at the Municipal Clerk's Department as of Tuesday, May 1, 2018, at 8:30 AM.
- The deadline for an individual, corporation or trade union to submit a Notice of Registration is Friday, October 19, 2018, at 4:30 PM.

3. Public Information

The information contained on the Notice of Registration will be made public on Clarington's website, www.votematter.clarington.net.

Part D

Campaign Information

1. Duties of the registered third party

As outlined in subsection 88.26(1) of the MEA, the registered third party shall ensure that:

- (a) no contributions of money are accepted or expenses are incurred in relation to third party advertisements that appear during an election in a municipality unless one or more campaign accounts are first opened at a financial institution exclusively for the purposes of the election campaign;
- (b) all contributions of money are deposited into the campaign accounts;
- (c) all funds in the campaign accounts are used exclusively for the purposes of the election campaign;
- (d) all payments for expenses are made from the campaign accounts;
- (e) contributions of goods or services are valued;
- (f) receipts are issued for every contribution and obtained for every expense;
- (g) records are kept of,
 - (i) the receipts issued for every contribution,
 - (ii) the value of every contribution,
 - (iii) whether a contribution is in the form of money, goods or services, and
 - (iv) the contributor's name and address;
- (h) records are kept of every expense including the receipts obtained for each expense;
- (i) records are kept of any claim for payment of an expense that the registered third party disputes or refuses to pay;
- (j) records are kept of the gross income from a fund-raising function and the gross amount of money received at a fund-raising function by donations of \$25 or less or by the sale of goods or services for \$25 or less;
- (k) records are kept of any loan and its terms under section 88.17;

- (l) the records described in clauses (g), (h), (i), (j) and (k) are retained by the registered third party for the term of office of the members of the council or local board and until their successors are elected and the newly elected council or local board is organized;
- (m) financial filings are made in accordance with sections 88.29 and 88.32;
- (n) proper direction is given to the persons who are authorized to incur expenses and accept or solicit contributions under the direction of the registered third party;
- (o) a contribution of money made or received in contravention of this Act or a by-law passed under this Act is returned to the contributor as soon as possible after the registered third party becomes aware of the contravention;
- (p) a contribution not returned to the contributor under clause (o) is paid to the clerk of the municipality in which the registered third party is registered;
- (q) an anonymous contribution is paid to the clerk of the municipality in which the registered third party is registered; and
- (r) each contributor is informed that a contributor shall not make contributions exceeding,
 - (i) a total of \$1,200 to any one registered third party in relation to third party advertisements, and
 - (ii) a total of \$5,000 to two or more registered third parties registered in the same municipality in relation to third party advertisements.

For your information, Municipal World sells pre-printed, duplicate, Third Party Advertisers' "Campaign Contribution Receipts" in books of 25 for \$14.95 available at www.municipalworld.com or by phone at 1-888-368-6125. [Item 1429/2]

An individual, corporation, or trade union cannot raise or spend any money on third party advertisements that will appear during an election in the Municipality of Clarington until they have registered as a third party and opened a bank account exclusively for the purposes of the election campaign.

Registered third parties are responsible for keeping records of the financial activities related to their campaign and are required to keep these records until November 15, 2022, when the next council or school board takes office.

2. What is the Campaign period?

Starts: The campaign period begins on the day on which the individual, corporation or trade union is registered as a third party in relation to the election in the Municipality.

Ends: December 31, 2018.

Extension: If the registered third party has a deficit at the time the campaign period would otherwise end the period may continue to June 30, 2019, provided the registered third party notifies the Municipal Clerk in writing on or before December 31, 2018 of his/her intention to extend the period.

End of Extension: The extension period ends the earliest of:

- i) June 30, 2019,
- ii) the end of the six-month period following the 45th day after voting day, in the case of a by-election,
- iii) the day the registered third party notifies the clerk in writing that he, she or it will not accept further contributions, and
- iv) the day that further contributions = [expenses incurred during the extension campaign period] + [the amount of deficit at start of extension campaign period].

3. Election Contributions

Pursuant to Section 88.15 (3) of the MEA, money, goods and services given to registered third party's for use in their campaign are contributions, including money, goods and services that the registered third party gives themselves. Contributions include:

- An amount charged for admission to a fund-raising function.
- If goods and services are sold for more than their market value at a fund-raising function, the difference between the amount paid and the market value. However, if the amount received for the goods or services is \$25 or less, the amount is not a contribution.
- If goods and services used in the person's election campaign or in relation to third party advertisements are purchased for less than their market value, the difference between the market value and the amount paid.
- Any unpaid but guaranteed balance in respect of a loan under section 88.17.

Goods & Services Donated and Deemed not to be Contributions

As per subsection 88.15(4) of the MEA, the following are deemed **not** to be contributions:

- The value of services provided by voluntary unpaid labour.
- The value of services provided voluntarily, under the direction of the person or the individual, corporation or trade union, by an employee whose compensation from all sources for providing the services does not exceed the compensation the employee would normally receive for the period the services are provided.
- An amount of \$25 or less that is donated at a fund-raising function.
- The amount received for goods and services sold at a fund-raising function, if the amount is \$25 or less.
- The amount of a loan under section 88.17.
- For a person referred to in subsection (1), the value of political advertising provided without charge on a broadcasting undertaking as defined in section 2 of the Broadcasting Act (Canada), if,
 - it is provided in accordance with that Act and the regulations and guidelines made under it, and
 - it is provided equally to all candidates for office on the particular council or local board.

Timing of Contributions

Contributions can be solicited by or accepted on behalf of a registered third party, if the registered third party has registered with the municipality where they intend to publish advertisements. During the restricted period, contributions may only be accepted during a registered third party's campaign period (the time at which the registration is filed up until December 31, 2018, barring any applications to extend to the campaign period by the registered third party). Any contributions received outside the campaign period during the restricted period that cannot be returned to the contributor (including any anonymous contributions) must be turned over to the Municipal Clerk. Contributions received by individuals, corporations or trade unions outside of the restricted period are not subject to the provisions of the MEA. A registered third party must make reasonable efforts to satisfy themselves that a contributor is entitled to make contributions.

Eligible Contributions

Campaign contributions are any money, goods or services that are given to a registered third party for use in their campaign, including money and goods that a third party contributes to their own campaign. Registered third parties must issue a receipt for every contribution they receive. The receipt should show who made the contribution, the date, and the value of the contribution.

The following persons and entities may make a contribution to a registered third party:

- Any person who is a resident of Ontario.
- A corporation that carries on business in Ontario.
- A trade union that holds bargaining rights for employees in Ontario.
- The registered third party and, in the case of an individual, his or her spouse.

The following persons and entities **shall not** make a contribution to a registered third party:

- A federal political party registered under the Canada Elections Act (Canada) or any federal constituency association or registered candidate at a federal election endorsed by that party.
- A provincial political party, constituency association, registered candidate or leadership contestant registered under the Election Finances Act.
- The Crown in right of Canada or Ontario, a municipality or a local board.

Contribution Limits

Individuals may contribute a total of \$1,200 to a registered third party in relation to third party advertisements that appear during an election in the Municipality of Clarington. Individuals may not contribute more than \$5,000 in total to two or more registered third parties registered in the Municipality of Clarington.

Contributions greater than \$25 may not be made in cash. All contributions above \$25 must be made by cheque, money order, or by a method that clearly shows where the funds come from.

Registered third parties are required to inform each of their contributors of these contribution limits.

Contribution Refunds

Where a registered third party learns that a contribution has been made or accepted in contravention to any provision of the MEA, the registered third party must immediately return the contribution. If this is not possible, any such contribution should be remitted to the Municipal Clerk. The following are examples of a contribution which must be returned or paid to the Municipal Clerk:

- any contribution of money made or received in contravention of the MEA which has not been returned to the contributor as soon as possible after the registered third party became aware of the contribution
- Issued/received from anonymous sources (except for cash donations less than \$25)

Contribution Disclosure

Notice of all contributions received by the registered third party must be submitted to the Municipal Clerk upon completion of their campaign period, in the prescribed form (Form 8) and manner, as a part of their financial statement.

Fundraising

Fundraising activities may be held for a registered third party and are subject to rules established in the MEA if occurring during the restricted period. The MEA defines a fund-raising function as “an event or activity held by a registered third party or under its direction for the purpose of raising funds in relation to third party advertisements”. An account of all revenues and expenses generated from each fundraising function must be included in a registered third party’s financial statement. The price of admission to a fundraising function and/or any amount paid for a good or service (offered for sale in excess of fair market value) is to be considered and treated as a campaign contribution. Section 88.19 (4) provides that a fundraising function does not include costs related to:

- Events or activities that are organized for the purpose of promoting public awareness of a candidate and at which the soliciting of contributions is incidental
- Promotional materials in which the soliciting of contributions is incidental

4. Expenses

Any costs incurred for goods or services by or on behalf of a registered third party are considered expenses. (Sections 88.19 of the MEA can be referenced for further information). Most expenses are subject to a maximum campaign expense limit, however under Section 88.21 (8) of the MEA the following expenses are exempt from counting towards a registered third party's expense limit:

- Audit and accounting fees
- The cost of holding fund-raising functions
- The cost of holding parties and making other expressions of appreciation after the close of voting
- Expenses relating to a compliance audit
- Expenses that are incurred by a registered third party with a disability directly related to the disability and that would not have been incurred but for the election to which the expenses relate.

5. Campaign Spending Limits

At the time of filing a Notice of Registration, the Municipal Clerk, or designate, shall provide the individual, corporation or trade union with a statement of maximum campaign expenses. See the "Certificate of Maximum Campaign Expenses" on Appendix 1.

6. Financial Statements

Registered third parties are responsible for filing a complete and accurate financial statement (Form 8) by Friday, March 29, 2019, at 2 PM. The statement covers the period from the day the registered third party filed their Notice of Registration until December 31, 2018.

A registered third party must notify the Municipal Clerk, in writing, of any Court extension by 2 PM on Friday, March 29, 2019.

The prescribed form (Form 8) for use in the submission of a registered third party's financial statement will be made available to all registered third parties by the Municipal Clerk. An auditor's report shall accompany a registered third party's financial statement and be prepared by an auditor licensed under the Public Accounting Act, 2004, if required. No auditor's report is required if the total contributions received and total expenses incurred in a registered third party's campaign, up to the end of the relevant period, are each equal to or less than \$10,000.

At least 30 days prior to the filing date, the Municipal Clerk will give notice to every registered third party of the date in which they are required to file as well as with respect to any penalties (see Appendix 2) that may be associated with non-compliance.

Registered third party's financial statements (and auditor's report, if applicable) are deemed to be public documents and will be posted to Clarington's Municipal Election Website in their entirety. The documents will be available to the public until the new council takes office following the next regular election.

7. Supplementary Financial Statements

The final date for registered third parties, who extended their campaign, to file their supplementary financial statement is Friday, September 27, 2019, at 2:00 PM. The statement covers the period from the day the registered third parties filed their Notice of Registration until June 30, 2019.

A registered third party must notify the Municipal Clerk, in writing, of any Court extension by 2 PM on Friday, September 27, 2019.

If an extension to a filing deadline is required, it must be sought from the court prior to the regular or supplementary filing deadline (whichever is applicable). The court cannot extend the filing deadline by more than 90 days. If the financial statement is not filed by the deadline and no extension through the courts has been sought and obtained, the penalties (i.e. not entitled to register as a third party advertiser in the next election) are to take effect immediately (Section 88.27 of the MEA can be referenced for further information related to penalties associated with failure to meet financial filing requirements). See Appendix 2.

If a registered third party notifies the Clerk of an extension to their campaign, they are still required to submit a financial statement by March 29, 2019 to account for all expenses related to their campaign period up to December 31, 2018. Additionally, they must also file a supplementary financial statement by September 27, 2019 accounting for all expenses related to their campaign period up to June 30, 2019. The supplementary statement is to cover the entire campaign period, updated to reflect changes to the registered third party's election campaign finances during the extended campaign period.

8. Campaign Surplus and Deficits

Pursuant to Section 88.31 of the MEA, a registered third party has a surplus if total credits exceed the total debits, and a deficit if the reverse is true. If a registered third party's financial statement or supplementary financial statement shows a surplus and the campaign period has ended at the time the statement is filed, they shall pay the surplus to the Municipal Clerk in trust (reduced by the amount of any refund owed – see below).

A registered third party who has a surplus and has made a contribution to their campaign and/or their spouse has made a contribution may, after the campaign period ends but before filing the financial statement or supplementary financial statement, refund to themselves or their spouse an amount that does not exceed the lesser of the relevant contribution(s) and the surplus.

If a registered third party's campaign reconvenes due to reasons provided for by various sections in the MEA (i.e. recount, compliance audit, controverted election), the amount held in trust by the Municipal Clerk shall be paid to the registered third party with interest. However, when a campaign has ended and it is no longer possible to recommence the campaign period due to a recount, compliance audit or controverted election, the surplus becomes the property of the Municipality.

9. Compliance Audits

As per Section 88.37 of the MEA, a Compliance Audit Committee will be constituted for the purpose of addressing applications requesting an audit of a registered third party's financial statement, and to review a report prepared by the Municipal Clerk identifying any suspected instances of over-contributions by campaign contributors. The Committee's term will be equal to that of the elected Council. The central role of the Committee will be to review applications and grant or reject audit requests, and to receive and review the aforementioned Clerk's report on over-contributions. Where an audit request is approved by the Committee, the Committee will appoint an auditor to review the matter, and the Committee will decide whether legal proceedings shall be commenced after reviewing the findings of the auditor.

This information is provided in respect to the Municipality's Compliance Audit Committee for offices on Municipal Council and campaign activities of registered third parties. School Boards are also required to establish a Compliance Audit Committee in regard to Trustee candidates, which are subject to some but not all of the provisions outlined above. Please refer to applicable legislation for more information.

Part E

Third party advertisements

A third party advertisement is an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing a candidate, or a “yes” or “no” question on the ballot. This does not include:

- advertisements by, or under, the direction of a candidate;
- where no expenses are incurred by the person/entity in relation to the advertisement;
- when given or transmitted by an individual to employees, by a corporation to its shareholders, directors, members or employees or by a trade union to its members or employees.

All individuals, corporations and trade unions must register before incurring any expense related to third party advertisements appearing between Tuesday, May 1, 2018, and Monday, October 22, 2018.

1. Mandatory information in third party advertisements

All third party advertisements (broadcast, print, electronic or other medium) must contain:

- The name of the registered third party.
- The municipality where the registered third party is registered.
- A telephone number, mailing address or email address at which the registered third party may be contacted regarding the advertisement.

2. Mandatory information for broadcasters and publishers

A registered third party is not permitted to allow a third party advertisement to appear during the restricted period unless the broadcaster/publisher has been provided the following in writing:

- The name of the registered third party.
- The municipality where the registered third party is registered.
- The name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the registered third party.

3. Election Signs

Candidates must follow the election sign requirements set out in Clarington's Municipal Election Sign By-law 2016-004, as amended.

Additional election sign information is available within the Third Party Advertiser's Information Package and Clarington's Municipal Election Website.

4. Campaign material around a voting place

When a voting place is located within public premises, the entire property of the voting place and all the boundaries associated with it are considered part of that voting place.

When a voting place is located on private premises, such as apartment or condominium buildings, all of the common elements of those buildings are considered part of the voting place. Individual units, however, are not considered common elements and their doors, windows, balconies, etc., do not fall under the jurisdiction of the Municipality of Clarington.

On both public and private premises, "premises" includes the parking lot, adjoining fences, and adjacent road allowances. The Municipality of Clarington utilizes only a specific area for a voting place and has no jurisdiction over adjacent properties, for example, over passing cars advertising a candidate.

5. Web & Social Media Advertising

An advertisement in relation to an election is not considered a third party advertisement if there is no expense incurred for its production and publication. This is generally applicable to free web and social media advertising (e.g. posts on Facebook, Twitter, or other web and social media platforms are not considered third party advertisements, unless the content posted to these platforms incurred expenses for their production or publication). Registration as a third party advertiser is therefore not necessary if the only means of advertising to be engaged is communication through social media platforms (assuming no expenses are incurred to do so).

Web and social media advertising that does incur costs will require registration as a third party advertiser.

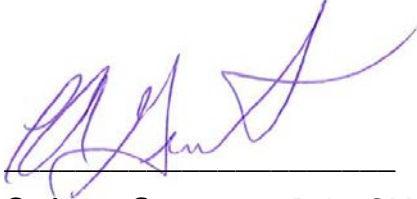
Appendix 1

Certificate of Maximum Campaign Expenses (As of Filing Date)

In accordance with Section 88.21(15) of the *Municipal Elections Act, 1996, as amended*, (the Act), the following is a calculation of the applicable estimated maximum amount of expenses for each office, based on the number of electors on the list on Nomination Day in 2014. The calculation is based upon the prescribed formula as detailed in Sections 7-8 of Regulation 101/97.

The estimated maximum amount of campaign expenses that a registered third party is permitted to incur during the restricted period (May 1, 2018 to October 22, 2018) is \$8,120.55.

Please note that, in accordance with subsections 88.21(16) of the Act, a further calculation regarding the Maximum Campaign Expenses will be provided following Nomination Day (July 27, 2018).



C. Anne Greentree, B.A., CMO
Municipal Clerk

Appendix 2

Notice of Filing Requirements and Penalties

In accordance with Section 88.29 (7) of the *Municipal Elections Act, 1996*, as amended, you are hereby notified of the following election campaign filing requirements and penalties:

88.29 (1) On or before 2 p.m. on the filing date, a registered third party shall file with the clerk of the municipality in which he, she or it registered a financial statement and auditor's report, each in the prescribed form, reflecting the registered third party's campaign finances in relation to third party advertisements,

(a) in the case of a regular election, as of December 31 in the year of the election; and

(b) in the case of a by-election, as of the 45th day after voting day. 2016, c. 15, s. 61.

(2) If an error is identified in a filed financial statement, the registered third party may withdraw the statement and, at the same time, file a corrected financial statement and auditor's report on or before the applicable filing date under section 88.30.

(3) If the campaign period for the registered third party in relation to an election in the municipality continues during all or part of the supplementary reporting period, the registered third party shall, before 2 p.m. on the supplementary filing date, file a supplementary financial statement and auditor's report for the supplementary reporting period.

(4) A supplementary financial statement or auditor's report shall include all the information contained in the initial statement or report filed under subsection (1), updated to reflect the changes to the registered third party's campaign finances during the supplementary reporting period.

(5) An auditor's report shall be prepared by an auditor licensed under the Public Accounting Act, 2004.

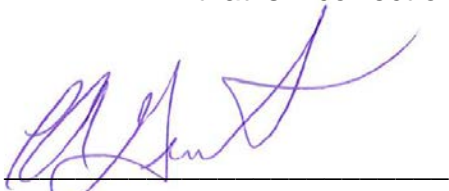
(6) No auditor's report is required if the total contributions received and total expenses incurred in the registered third party's campaign in relation to third party advertisements during an election in the municipality up to the end of the relevant period are each equal to or less than \$10,000.

88.27 (1) Subject to subsection (6) and in addition to any other penalty that may be imposed under this Act, an individual, corporation or trade union that is registered as a registered third party in relation to an election in a municipality is not entitled to register in relation to a subsequent election in the municipality until after the next regular election has taken place,

- (a) if the registered third party fails to file a document as required under section 88.29 or 88.32 by the relevant date;
- (b) if a document filed under section 88.29 shows on its face a surplus, as described in section 88.31, and the registered third party fails to pay the amount required by subsection 88.31 (4) to the clerk by the relevant date;
- (c) if a document filed under section 88.29 shows on its face that the registered third party has incurred expenses exceeding what is permitted under section 88.21; or
- (d) if a document filed under section 88.32 shows on its face a surplus and the registered third party fails to pay the amount required by that section by the relevant date.

92.(4) A registered third party is guilty of an offence and, on conviction, in addition to any other penalty that may be imposed under this Act, is subject to the penalty described in subsection 88.27 (1),

- (a) if the registered third party incurs expenses that exceed the amount determined under section 88.21; or
- (b) if the registered third party files a document under section 88.29 or 88.32 that is incorrect or otherwise does not comply with that section.



C. Anne Greentree, B.A., CMO

Municipal Clerk