

Implementation Fact Sheet

Third Party Advertising Amendments

*Local Authorities Election Act, 2018 & 2020**

Third Party Advertising

Legislation: *Local Authorities Election Act (LAEA)*

Section Numbers: Part 8

Previous Requirement

Prior to 2018, third party advertising in municipal and school board elections was not addressed in the LAEA.

What has changed?

Rules have been added governing the finances and accountability of third parties that advertise to promote or oppose the election of a candidate during the election period (May 1 – close of voting stations on Election Day in the year of an election).

The rules for contributions, receipting, handling of funds and disclosure for third party advertisers will generally parallel the rules that apply to municipal and school board candidates, as well as requirements set out for provincial campaigns, where possible.

Like the rules for provincial campaigns, certain prohibited corporations, non-residents and registered charities will be unable to make contributions to third party advertisers; however, Alberta corporations and trade unions will generally be able to make contributions for such advertising.

What does the public need to know?

Third parties interested in advertising during a municipal or school board election to oppose or promote a candidate will be required to register with the municipality or school board in which they intend to advertise.

Third party advertisers will be required to file disclosure statements detailing advertisements, expenses, and contributions received.

Third party advertisers will be required to know who is eligible to make a contribution, registration requirements and all reporting requirements to the municipality.

Third party advertisers who undertake advertising to promote or oppose a candidate in more than ten local jurisdictions may register directly with a Minister-appointed provincial registrar. If a third party is registered with the provincial registrar, they are not required to register with the local jurisdiction.

What do municipalities or school boards need to know?

Municipalities and school boards will be responsible for maintaining a register of all third parties that have incurred (or plan to incur) advertising expenses or accepted (or plan to accept) advertising contributions of at least \$1,000. They will also be responsible for collecting the required disclosure statements from the third parties per the relevant sections in Part 8 of the LAEA.

Local jurisdictions that make the register and disclosure statements available to the public may wish to consider developing a policy that addresses how the documents will be disclosed.

When do these changes take place?

The amendments to the LAEA came into force December 11, 2018 and September 1, 2020.

*Amendments passed in July 2020 under Bill 29: *The Local Authorities Election Amendment Act*