



GUIDE FOR
**LOCAL NON-ELECTION
ASSENT VOTING
ADVERTISING SPONSORS IN B.C.**

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Elections BC

A non-partisan, independent Office of the Legislature, Elections BC is responsible for administering the provincial electoral process, including provincial general elections and by-elections, provincial referenda, recall and initiative petitions and initiative votes.

Elections BC is also responsible for administering the campaign financing and election advertising requirements in the *Local Elections Campaign Financing Act* (the Act). The responsibility includes managing campaign financing disclosure requirements, conducting investigations and enforcing campaign financing and third party election and non-election assent voting advertising provisions set out in the Act. The responsibility extends to by-elections and assent voting (referenda) held by local election authorities outside of the general local elections cycle.

Elections BC's responsibilities under the Act include:

- accepting, reviewing and publishing filed disclosure statements and supplementary reports
- assisting participants to comply with the Act
- registering third party advertising sponsors during elections
- registering non-election assent voting advertising sponsors
- undertaking investigations and audits
- applying for injunctions if needed
- referring matters to the Criminal Justice Branch of the Ministry of Justice for prosecution of offences under the Act

Elections BC: Local elections campaign financing guides

The Guide for Local Non-Election Assent Voting Advertising Sponsors in B.C. covers advertising rules for assent voting that is held separately from an election. It explains how the non-election assent voting advertising rules in the Act are applied. It includes a section that helps non-election assent voting advertising sponsors properly complete and file their disclosure statements with Elections BC following assent voting.

The Third Party Sponsor Guide to Local Elections in B.C. covers election advertising and explains how the third party advertising sponsor financing rules in the Act are applied.

The Guide to Local Elections Campaign Financing in B.C. explains how the campaign financing rules in the Act apply to candidates, elector organizations and their financial agents.

Elections BC also has completion guides for third party advertising sponsors, candidates and elector organizations to help them properly complete and file their disclosure statements. These completion guides should be used together with the relevant disclosure statement forms.

All of the guides are available online at elections.bc.ca/lecfa.

Disclaimer

Elections BC's guides are intended as aids to understanding the Act. How the Act applies to any particular case will depend on the individual circumstances of the case and may change in light of new legislation and judicial developments. If there is any inconsistency between this guide and the Act, the Act will prevail.

You may view the Act on the Elections BC website (elections.bc.ca/lecfa) or on the BC Laws website (bclaws.ca). It can also be purchased from Crown Publications (crownpub.bc.ca).

Local Elections Campaign Financing Act

The *Local Elections Campaign Financing Act* (the Act) addresses campaign financing rules and advertising requirements in local elections. The Act separates the rules that regulate election advertising and campaign financing from the more procedural rules that apply generally to local election administration.

Local elections: shared roles and responsibilities

General local elections are held every four years for mayors, councillors, electoral area directors, board of education trustees, park board members and commissioners, advisory council members, regional trustees and Islands Trust local trustees in British Columbia.

Local governments hold by-elections to fill vacancies that occur between general local elections. Local governments also conduct assent voting to obtain elector assent in order to carry out certain council and board decisions (e.g., borrowing to construct a new library or recreation centre).

The Ministry of Community, Sport and Cultural Development, the Local Government Management Association, the Union of British Columbia Municipalities, the Ministry of Education, the Ministry of Justice, the British Columbia School Trustees Association and Elections BC have educational materials related to local elections.

Local election officers appointed by local governments are responsible for local government elections administration, including receiving nomination documents, declaring candidates, administering voting opportunities, counting votes and declaring election results.

Local election officers work with Elections BC to monitor compliance with election advertising regulations and may assist Elections BC to address incidents of non-compliance with the Act.

A local election officer is the Chief Election Officer for a jurisdiction or the designated local authority officer.

Local authorities also provide Elections BC with information required by the Act. This information enables Elections BC to connect with local election participants to prepare them for their responsibilities under the Act. Elections BC has educational materials to aid with compliance and the enforcement of election advertising, campaign financing, third party sponsor and non-election assent voting advertising sponsor rules and regulations within the Act.

Key local elections contacts

<p>Ministry of Community, Sport and Cultural Development</p> <p>For information about local government elections in British Columbia.</p>	<p>Internet: cscd.gov.bc.ca/lgd/elections_home.htm</p> <p>Phone: Governance and Structure Branch, Advisory Services 250-387-4020</p> <p>Address: PO Box 9839 Stn Prov Govt Victoria, BC V8W 9T1</p>
<p>Ministry of Education</p> <p>For information about school trustee elections and the <i>School Act</i>.</p>	<p>Internet: bcd.gov.bc.ca/legislation/trustee_election</p> <p>Phone: Knowledge Management and Accountability Division, Governance and Legislation 250-356-1404</p> <p>Email: EDUC.Governance.Legislation@gov.bc.ca</p>
<p>Enquiry BC</p> <p>For information about provincial government programs and services.</p>	<p>Internet: extranet.gov.bc.ca/forms/gov/contact/index.html</p> <p>Phone: Victoria: 250-387-6121 Vancouver: 604-660-2421 Elsewhere in B.C.: 1-800-663-7867 Outside B.C.: 604-660-2421</p> <p>Email: EnquiryBC@gov.bc.ca</p>
<p>CivicInfoBC</p> <p>For local government election statistics and results as well as local government mailing addresses, telephone numbers, email addresses and websites.</p>	<p>Internet: civicinfo.bc.ca/11.asp</p> <p>Phone: 250-383-4898</p> <p>Email: info@civicinfo.bc.ca</p>

Assent voting

Assent voting is voting on a bylaw or other matter for which a local government is required to obtain the assent of the electors. Assent voting may also be referred to as a “referendum,” but not all referenda are assent voting.

Assent voting can take place at the same time as a local election or at a different time (**non-election assent voting**). This guide addresses non-election assent voting advertising rules. For information about advertising rules for assent voting **held in conjunction with an election**, see the Third Party Sponsor Guide to Local Elections in B.C.

Non-election assent voting proceedings period

The non-election assent voting proceedings period begins on the 30th day before General Voting Day (GVD) for the non-election assent voting and ends at the close of general voting. During this period, non-election assent voting advertising sponsors are required to:

- register with Elections BC before sponsoring advertising
- include sponsorship information on all advertising

Please see [page 20](#) for more information about sponsorship information.

Non-election assent voting advertising

Non-election assent voting advertising is any transmission of a communication to the public during a non-election assent voting proceedings period that promotes or opposes, directly or indirectly, a particular result in the assent voting.

The disclosure statement filing deadline is 90 days after GVD, and the late filing deadline is 120 days after GVD.

Non-election assent voting advertising does not include the following:

- the publication, without charge, in a bona fide periodical publication or a radio or television program, of news, an editorial, an interview, a column, a letter, a debate, a speech or a commentary
- the distribution of a publication, or the promotion of the sale of a publication for no less than its market value, if the publication was planned to be sold whether or not there was to be non-election assent voting
- the transmission of a communication directly by an individual or an organization to the employees, members or shareholders of the individual or organization
- the transmission of an expression by an individual, on a non-commercial basis on the Internet, by telephone or by text messaging, of their personal views

The definition of non-election assent voting advertising is broad. For more information on how this definition is applied, refer to the [Review process and evaluation criteria on page 9](#) of this guide.

Important note: Election messages that are transmitted over the Internet that do not or would not normally have a placement cost are **not** non-election assent voting advertising. A placement cost is the cost of purchasing advertising space on the Internet, such as placing ads or paying for promoted posts on social media. Communications transmitted for free on the Internet, such as Facebook, Twitter, YouTube, emails and websites, are not non-election assent voting advertising.

What is and what is not non-election assent voting advertising

The table below provides examples of what is, and what is not, non-election assent voting advertising.

IS non-election assent voting advertising	Is NOT non-election assent voting advertising
Television, radio, newspaper or magazine advertisements	Personal or private communication between individuals
Signs, billboards, posters, mailing inserts, bumper stickers, branded clothing, branded objects, displays, exhibitions and public address announcements	The publication without charge of news, an editorial, an interview, a column, a letter, a debate, a speech or a commentary in a bona fide periodical publication or a radio or television program, including publication without charge in a bona fide Internet publication or program (e.g., candidate debate on a local news channel)
Newsletters, brochures or other advertising media which are sent to the public	The distribution of a publication, or the promotion of the sale of a publication, for no less than its market value if the publication was planned to be sold regardless of whether there was to be an election or assent voting (this exception extends to e-books, documentaries, movies, plays and other similar works or performances)
Ads placed on the Internet with a placement cost (such as pay-per-click ads, Facebook ads, promoted posts, banner ads, pop-up ads, etc.)	Any communication on the Internet that does not or would not normally have a placement cost (such as Facebook, Twitter, Instagram, Snapchat, YouTube, etc.)
Telephone calls, text messages and voice mail messages sent on a commercial basis or sent using an automated system (e.g., robocalls)	A communication by an individual, on a non-commercial basis, on the Internet, by telephone, text messaging, or email messaging of their personal views
	Websites or blogs

IS non-election assent voting advertising	Is NOT non-election assent voting advertising
	The transmission of a document or other communication directly by a person or a group to their members, employees or shareholders (e.g., a union sends out a flyer to its members)

Review process and evaluation criteria

Elections BC reviews and responds to questions about non-election assent voting advertising on a case-by-case basis when those cases are brought to the attention of Elections BC.

The following questions are asked when determining if something is non-election assent voting advertising:

- Was the message transmitted to the public?
- Was it transmitted during the non-election assent voting proceedings period?
- Did it directly or indirectly promote or oppose a particular result in the non-election assent voting?
- If the message was transmitted over the Internet, was there, or would there normally be, a placement cost?

If the answer is “yes” for all of the above questions, the message is non-election assent voting advertising.

Indicators that advertising and activities may be non-election assent voting advertising include:

- advertising that sets out pros and/or cons of voting yes or no
- advertising that sets out or compares the positions of elected officials, elector organizations or others on the assent voting question
- advertising that references the non-election assent voting and/or the date of General Voting Day for the non-election assent voting
- advertising which uses language like “Your choice” or “Make your voice heard”
- advertising specifically planned to coincide with the non-election assent voting proceedings period
- a substantial increase in the normal volume of advertising
- a substantial increase in the number and size of public events

Indicators that advertising and activities may **not** be non-election assent voting advertising include:

- advertising that does not take a position on an issue related to a non-election assent voting question
- advertising that has occurred historically during that particular time of year
- advertising that is consistent with previous advertising conducted by the sponsor
- factual information on how to contact or locate the non-election assent voting advertising sponsor

Requesting an opinion

On request, Elections BC will review a message and provide an opinion on whether it could be non-election assent voting advertising. To request an opinion, contact Elections BC toll-free by phone at 1-855-952-0280 or by email at electoral.finance@elections.bc.ca.

Obtaining an opinion from Elections BC is not the same as obtaining a legal opinion. For greater certainty, obtain independent legal advice.

Registering as a non-election assent voting advertising sponsor

An individual or organization that wants to transmit non-election assent voting advertising must register with Elections BC **before** conducting the advertising.

Any individual or organization can apply to register as a non-election assent voting advertising sponsor and is subject to the registration and financing disclosure requirements under the *Local Elections Campaign Financing Act* (the Act).

It is an offence to sponsor non-election assent voting advertising before registering with Elections BC.

When and how to register

An individual or organization may apply to register as a non-election assent voting advertising sponsor at any time after a non-election assent voting event has been announced but must be registered **before** sponsoring any advertising.

Registration as a non-election assent voting advertising sponsor is only valid for one assent voting event. Sponsors will need to re-register with Elections BC if they wish to sponsor advertising for future assent voting events. Similarly, a third party sponsor that was registered in relation to a local election must re-register as a non-election assent voting advertising sponsor if they wish to sponsor non-election assent voting advertising.

To register, an application must be completed and submitted to Elections BC. The application form can be obtained by contacting Elections BC or can be downloaded from elections.bc.ca/lecfa.

An application must be fully completed and include the following:

Individual	Organization
Name and contact information.	Names and contact information of the organization and its responsible principal officials (one of whom must be an authorized principal official) as well as signed consents of at least two responsible principal officials to act as such for the organization.
A solemn declaration that the non-election assent voting advertising sponsor understands and intends to comply with the Act, that the information provided is complete and accurate and that the individual is not prohibited from sponsoring non-election assent voting advertising or third party election advertising.	A solemn declaration by the authorized principal official that the organization understands and intends to comply with the Act, that the information provided is complete and accurate and that the organization is not prohibited from sponsoring non-election assent voting advertising or third party election advertising.

Solemn declarations must be authorized by a Commissioner for Taking Affidavits for British Columbia. This can be done free of charge by:

- Elections BC staff in Victoria
- local election officers
- Service BC Centre staff (servicebc.gov.bc.ca/locations)

Registering as a non-election assent voting advertising sponsor:

1. Complete the relevant application form (available at elections.bc.ca/lecfa)
 - 4209 - Registration Application – Individual
 - 4210 - Registration Application – Organization
 - 4210B - Registration Application – Responsible Principal Officials
2. Submit the form(s) to Elections BC by email, mail or fax. Use the contact information found on [page 56](#) of this guide.
3. If the application is approved, Elections BC will send a letter confirming registration.
4. If the application is not approved, or if more information is required, Elections BC will contact the applicant, explain the reasons for refusal and provide an opportunity to supply the additional information for a reconsideration of the decision.

Requirement to file registration information updates

Registered non-election assent voting advertising sponsors must keep their registration information current by advising Elections BC if any of the information changes (for example, if there is a change in contact information or principal officials).

The full name of the sponsor, the sponsorship information and the name of the authorized principal official will be posted on the Elections BC website (elections.bc.ca/lecfa).

Updating non-election assent voting advertising sponsor registration information:

1. Complete the applicable update form (available at elections.bc.ca/lecfa)
 - 4211 - Registration Update – Individual
 - 4212 - Registration Update – Organization
 - 4212B - Registration Update – Responsible Principal Officials
2. Submit the form(s) to Elections BC by email, mail or fax. Use the contact information found on [page 56](#) of this guide.
3. If the update form is complete, Elections BC will update the information without contacting the sponsor.
4. If more information is required to process the registration update, Elections BC will make contact and explain what is required.

Determining who is sponsoring the non-election assent voting advertising

Generally, the sponsor of non-election assent voting advertising is the individual or organization that pays for the advertising or is liable to pay for the advertising. However, other circumstances may apply as follows:

- If the advertising is provided without charge, the sponsor is the individual or organization that receives the free advertising.
- If an individual or organization is acting on behalf of another individual or organization, the sponsor is the other individual or organization.
- In any other case, the sponsor is the individual or organization that transmits the advertising.

Valuing non-election assent voting advertising

Non-election assent voting advertising sponsors need to value the advertising they conduct and report that value in their disclosure statement.

The value of property and services used in non-election assent voting advertising is:

- the price paid for property and services used in preparing and transmitting the advertising, or
- the market value of the property and services used in preparing and transmitting the advertising if no price is paid or if the price paid is lower than the market value

Property and services used in preparing and transmitting the non-election assent voting advertising include the materials used, transmission fees, outside design services and Internet hosting.

Individuals who are sponsors do not have to value their own services used to prepare or transmit the advertising. They do need to include the value of goods – such as paper, wood and paint – that they use to prepare the advertising, but the use of their own computers does not need to be included.

The following are examples of valuing non-election assent voting advertising.

EXAMPLE 1

A registered non-election assent voting advertising sponsor pays an agency \$500 to produce a radio advertisement and pays a radio station \$150 per play to broadcast the advertisement. The commercial is played 20 times during the non-election assent voting proceedings period.

What is the value of this advertising?

$\$500 \text{ production cost} + (\$150 \times 20 \text{ plays}) = \$3,500.$

EXAMPLE 2

An individual registered as a non-election assent voting advertising sponsor prepares a brochure on their own computer and makes 500 copies at a local print shop for \$0.25 per copy. The brochures are mailed to 500 different homes within the sponsor's community at a postage rate of \$1 per brochure.

What is the value of this advertising?

500 brochures x (\$0.25 printing + \$1 postage per brochure) = \$625. The value of using the computer is not included in the value of the advertising.

Valuing staff, volunteer and outside services

If an individual who is a non-election assent voting advertising sponsor prepares and transmits their advertising on their own, their services have a nil (or zero) value and do not need to be included in the cost of the advertising.

In addition, services that are performed by a **volunteer** also have a nil (or zero) value and do not need to be included in the cost of the advertising.

However, the value of services used to prepare and transmit non-election assent voting advertising **must be included** in the value of the advertising **if**:

- the services are purchased or received from an outside vendor, or
- the services are performed by employees of an advertising sponsor that is an organization

EXAMPLE

A registered sponsor has a paid staff member that regularly prepares messages intended for the general public on issues related to public policy. The paid staff member prepares and transmits an advertising message that meets the definition of non-election assent voting advertising.

Does the sponsor include the value of the staff member's services in the value of the non-election assent voting advertising?

Yes. The staff member's services are included in the value of the advertising. Since the staff member is paid to perform these services, the cost related to the services (wages, benefits, overtime) are included in the value of the advertising.

Prorating and apportioning non-election assent voting advertising

The value of non-election assent voting advertising can be prorated or apportioned according to the following principles:

1. The full production cost of the advertising must be included in the value. This applies to all non-election assent voting advertising even if the advertising is used for other purposes **before** the proceedings period or will continue to be used **after** the non-election assent voting.
2. For transmission costs, include only the portion related to transmission during the non-election assent voting proceedings period.
3. For non-election assent voting advertising that is co-sponsored by two or more registered sponsors, each sponsor must report the full value of the advertising.

EXAMPLE

Two registered sponsors jointly rent a billboard for one year at a rate of \$1,000 per month (\$12,000 total). The cost of producing the billboard advertisement is \$2,000. The billboard meets the definition of non-election assent voting advertising and remains on display through the non-election assent voting proceedings period.

What is the value of the non-election assent voting advertising?

Since the non-election assent voting proceedings period is 30 days, including General Voting Day, 30 days' worth of transmission costs must be included along with the full production value of the billboard advertisement. The total value of the non-election assent voting advertising must be fully reported by both sponsors:

$\$2,000 + [\$12,000 \div 365 \text{ days} \times 30 \text{ days}] = \$2,986.30$ each.

Requirement for sponsorship information on non-election assent voting advertising

Generally, non-election assent voting advertising must include the following sponsorship information:

- the sponsor's name
- a B.C. phone number or B.C. mailing address or email address where the sponsor can be contacted
- that the advertising is authorized by the sponsor
- that the sponsor is registered under the *Local Elections Campaign Financing Act* (LECFA)

The sponsorship information must be in English or be understandable to readers of English. If the advertising is in another language, the sponsorship information must also be in that language or be understandable to readers of that language.

If the non-election assent voting advertising is co-sponsored by two or more sponsors, the sponsorship information for each sponsor must be included on the advertising.

EXAMPLE 1

Individual

Authorized by John Smith, registered sponsor under LECFA, 604-123-4567

EXAMPLE 2

Organization

Authorized by XYZ Company, registered sponsor under LECFA, xyz@company.ca

EXAMPLE 3

Individual – different language

जॉन स्मिथ LECFA तहत पंजीकृत प्रायोजक द्वारा अधिकृत 604-123-4567

Authorized by John Smith, registered sponsor under LECFA, 604-123-4567

EXAMPLE 4

Multiple sponsors

Authorized by XYZ Company, registered sponsor under LECFA, 604-123-4567, and XYZ Trade Union, registered sponsor under LECFA, 604-123-8910

Non-election assent voting advertising exempt from sponsorship information requirement

Sponsorship information is not required for non-election assent voting advertising on the following items:

- clothing (e.g., shirts, sweaters, vests, jackets, hats)
- novelty items, including wearable novelty items (e.g., buttons, badges, pins, stickers, wristbands, necklaces)
- small items of nominal value that are intended for personal use (e.g., pens, mugs, magnets, key chains, notepads, business cards)

Sponsorship information for advertising on the Internet

For Internet advertising that has or would normally have a placement cost, the sponsorship information does not need to be on the ad if there is a link that takes the viewer to a website, landing page or profile page containing the sponsorship information.

For posts on social media, the sponsorship information is not required unless there is a placement cost.

Advertising restrictions

Where and when signs may be placed

Elections BC does not regulate where and when signs may be placed. However, local governments have the authority to regulate the size, placement, maintenance and removal of signs and other forms of public advertising. The rules may be quite different between local governments.

The Ministry of Transportation and Infrastructure regulates sign placement along provincial highways, medians, bridges and major roadways. Contact the local government or local Ministry of Transportation and Infrastructure office before placing signs on medians or bridges or along major roads.

Authority to remove unauthorized and restricted advertising

If non-election assent voting advertising does not include the required sponsorship information or is conducted by an unregistered sponsor, Elections BC may require that the advertising be:

- corrected
- discontinued
- covered
- obscured
- removed
- destroyed

Non-election assent voting advertising restrictions on General Voting Day

An individual or organization must not transmit non-election assent voting advertising to the public on General Voting Day. Exceptions to this rule include:

- advertising on the Internet, as long as the advertising was transmitted to the public before General Voting Day and was not changed before the close of voting on General Voting Day
- advertising by means of signs, posters or banners
- distributing pamphlets

Activities such as person-to-person phone calls, door-to-door canvassing and sign waving are allowed on General Voting Day.

Non-election assent voting advertising is **not** permitted under any circumstances within 100 metres of a voting place on General Voting Day.

The following table provides some examples of what is and what is not permitted for campaigning on GVD.

Permitted	Not permitted
Using free social media	Automated voice calls (robocalls) and automated text messages
Person-to-person interactions, such as phone calls, emails, text messages, etc.	Placing signs or distributing brochures within 100 metres of a voting place
Placing signs or distributing brochures outside of 100 metres of a voting place	Placing new paid ads or paid social media posts on the Internet on GVD
Non-election assent voting advertising on the Internet as long as the advertising was not changed on GVD	Television, radio or newspaper ads
Campaign meetings or rallies outside of 100 metres of a voting place	

Sponsorship contributions

A sponsorship contribution is the amount of any money, or the value of any non-monetary property or services, provided without compensation to an individual or organization to be used to sponsor non-election assent voting advertising.

Valuing sponsorship contributions

If property or services are given to a sponsor for less than market value, the difference between the market value of the property or services and the amount charged is a sponsorship contribution.

EXAMPLE

A non-election assent voting advertising sponsor purchases 5,000 printed copies of a brochure to distribute to the public. The sponsor pays \$400, but the printer would normally charge \$750.

Is this an acceptable sponsorship contribution?

Yes.

How much?

The printer has made a sponsorship contribution of \$350 ($\$750 - \400) by providing the service at less than market value.

Money includes cash, a negotiable instrument (cheque, money order or traveller's cheque) and a payment by means of a credit card.

If a non-election assent voting advertising sponsor sells property or services for more than market value, the difference between market value and the price paid is a sponsorship contribution from the purchaser of the property or services.

See the example on the next page.

EXAMPLE

Joe has an extra concert ticket that costs \$125. He gives it to XYZ Sponsor for them to sell to earn some money for non-election assent voting advertising. XYZ Sponsor sells the ticket to Adam for \$200.

Is Joe making a sponsorship contribution?

Yes, with a value of \$125.

Is Adam making a sponsorship contribution?

Yes, with a value of \$75 (\$200 - \$125).

If a non-election assent voting advertising sponsor owes money for non-election assent voting advertising and the debt is not fully paid within six months of being due, the unpaid amount becomes a sponsorship contribution unless the creditor has started legal proceedings to recover the debt.

Rules for accepting sponsorship contributions

The following rules apply to all sponsorship contributions:

- When accepting sponsorship contributions, the non-election assent voting advertising sponsor must record and keep the following information for every contribution:
 - the value of the contribution
 - the date of the contribution
 - the full name and mailing address of the contributor (unless it is an anonymous contribution)
 - the contributor class (see next section)
 - and, **if the contributor is an organization**, the full names and mailing addresses of at least two directors or principal officials
- Contributors must provide required information to non-election assent voting advertising sponsors so that the sponsor can meet legal recording and disclosure requirements.

If an organization has no directors or principal officials, the full name of two principal members must be recorded and disclosed.

- Donated sponsorship contributions of property or services (i.e., in-kind contributions) must be recorded and disclosed at their current market value in the same way as contributions of money.
- Anonymous sponsorship contributions to non-election assent voting advertising sponsors are limited to \$50 per contributor.
- Anonymous sponsorship contributions over \$50 must not be made or accepted.

Classes of contributors

Contributors can be individuals or organizations and, for disclosure purposes, are categorized into the following classes:

- Class 1: Individuals
- Class 2: Corporations
- Class 3: Unincorporated business/commercial organizations
- Class 4: Trade unions
- Class 5: Non-profit organizations
- Class 6: Other identifiable contributors
- Class 7: Anonymous

Significant contributors

Significant contributors are individuals or organizations that make a sponsorship contribution of \$100 or more to the same sponsor. The total contribution could either be a single donation of \$100 or more, or multiple donations of less than \$100 each that total \$100 or more. This includes a contribution of goods or services if it has a market value of \$100 or more.

Information about significant contributors must be disclosed in the non-election assent voting advertising sponsor's disclosure statement filed after General Voting Day. This information includes:

- the name of the contributor
- the value of the contribution
- the date the contribution was made
- the class of the contributor
- and, **if the contributor is an organization**, the mailing address of the organization and the full names of at least two directors or principal officials

Anonymous sponsorship contributions

An anonymous sponsorship contribution is a contribution made by an individual or organization whose identity is unknown to the sponsor. An individual cannot request that a contribution be accepted and disclosed as an anonymous contribution if they are known to the sponsor.

Truly anonymous sponsorship contributions of **\$50 or less** may be accepted by the non-election assent voting advertising sponsor. The sponsor must record and disclose the value and date of the contribution and the circumstances in which it was received.

An anonymous sponsorship contribution of **more than \$50** received by a non-election assent voting advertising sponsor is **prohibited** and must be remitted **in total** to Elections BC. The date and value must also be recorded and disclosed.

EXAMPLE

If a non-election assent voting advertising sponsor receives an anonymous sponsorship contribution of \$75, **all of the \$75** must be remitted to Elections BC. The sponsor **cannot keep \$50 and give Elections BC \$25**. Elections BC will forward the amount to the government's Consolidated Revenue Fund.

Indirect contributions

Indirect sponsorship contributions are not allowed. This means that someone cannot give money or other property or services to a person for that person to make a contribution.

Making a sponsorship contribution with someone else's money, property or services is also prohibited.

Dealing with prohibited sponsorship contributions

Non-election assent voting advertising sponsors who become aware that a sponsorship contribution was made or accepted in contravention of the *Local Elections Campaign Financing Act* must return the contribution, or an amount equal to its value, to the contributor within 30 days after becoming aware that the contribution is prohibited.

If the sponsor cannot return the contribution (e.g., it was an anonymous contribution over \$50), they must pay its value to Elections BC for remittance to the Consolidated Revenue Fund.

Even if a prohibited contribution has been identified and dealt with, a non-election assent voting advertising sponsor must still **record** and **disclose** the following information:

- the circumstances in which the contribution was received, including a description of why the contribution was prohibited
- as much as possible of the required information for sponsorship contributions (e.g., value and date the contribution was made)
- the date the contribution was returned to the contributor or remitted to Elections BC

Non-election assent voting advertising sponsor disclosure statements

Non-election assent voting advertising sponsors must file disclosure statements with Elections BC.

A disclosure statement includes information on sponsorship contributions and the value of non-election assent voting advertising that was sponsored. All disclosure statements must be prepared according to the rules in the *Local Elections Campaign Financing Act* and related regulations. Elections BC provides the forms required to complete the disclosure statement package.

Who must file

Every individual or organization that sponsored non-election assent voting advertising, or registered as a non-election assent voting advertising sponsor, must file a disclosure statement with Elections BC.

If a sponsor advertised in relation to multiple non-election assent voting events held at the same time, a separate disclosure statement must be filed in relation to each jurisdiction in which non-election assent voting was held.

A non-election assent voting advertising sponsor must ensure the disclosure statement is filed. If the sponsor is an organization, the responsible principal officials of the organization must ensure that the disclosure statement is filed as required.

Disclosure statements can be filed by:

- email
- mail
- courier
- fax
- hand to a Service BC Centre (servicebc.gov.bc.ca/locations)
- hand to the Elections BC office in Victoria (see contact information on [page 56](#) of this guide)

Filing deadline

The filing deadline for disclosure statements is 4:30 p.m. (Pacific time), 90 days after General Voting Day for the non-election assent voting.

Disclosure statements filed by the deadline are considered filed on time if the disclosure statement meets all of the requirements. If the statement requires additional information, Elections BC will contact the non-election assent voting advertising sponsor to give them an opportunity to amend the disclosure statement. If the sponsor is unable to file an acceptable disclosure statement before the 90 day filing deadline, they may file the statement late under the late filing provisions discussed below.

The B.C. Chief Electoral Officer may grant extensions to the filing deadline if there are documented extenuating circumstances. Requests for extensions must be made in writing to the B.C. Chief Electoral Officer before the 90 day filing deadline.

The filing deadline cannot be extended beyond 120 days after General Voting Day for the non-election assent voting.

A postmark is not acceptable as proof of delivery by the deadline. The disclosure statement must be received and accepted by Elections BC by the filing deadline.

Late filing deadline

The late filing deadline is 4:30 p.m. (Pacific time), 120 days after General Voting Day for the non-election assent voting. Disclosure statements submitted between 91 to 120 days after General Voting Day for the non-election assent voting are late and must include a **\$500 late filing fee**.

It is an offence to not file a disclosure statement by the late filing deadline. There are significant penalties for committing offences.

Please see [page 48](#) for more information about a court order for relief, offences and penalties.

Required content

If the total value of all non-election assent voting advertising sponsored by an individual or organization was **less than \$500**, including the full value of any advertising shared with other sponsors, only the cover page of the disclosure statement must be filed. No additional forms are required.

A significant contributor is one that makes a sponsorship contribution with a value of \$100 or more or makes multiple contributions to the same sponsor that total \$100 or more.

If the total value of all non-election assent voting advertising sponsored by an individual or organization was **\$500 or more**, including the full value of any advertising shared with other sponsors, the disclosure statement must include the following:

- the total value of sponsored non-election assent voting advertising by class
- the total value of the sponsor's own funds used to pay for non-election assent voting advertising
- information about sponsorship contributions received, including the name of **significant contributors** (individuals and organizations that provided sponsorship contributions of \$100 or more)
- information in relation to prohibited sponsorship contributions

Classes of non-election assent voting advertising:

- brochures, pamphlets, flyers and similar forms of advertising
- newspaper, magazine, journal and similar forms of advertising
- radio
- signs such as lawn signs, billboards and similar forms of advertising
- television
- Internet advertising
- other

In addition, if non-election assent voting advertising was sponsored in combination with other sponsors, the following information must be disclosed by each sponsor:

- total value of the non-election assent voting advertising
- the names of the other sponsors as they appear in the required sponsorship information

Supplementary reports

A supplementary report must be filed with Elections BC if the information contained in the disclosure statement has changed or did not completely and accurately disclose the information required. This report must be filed within 30 days of the sponsor becoming aware of the change.

Additionally, if Elections BC advises a non-election assent voting advertising sponsor that a supplementary report is required because of missing or irreconcilable information in the disclosure statement, the supplementary report must be submitted within 30 days of notice being given.

A supplementary report must:

- provide details about the addition, change or correction to the original disclosure statement
- include a description of the circumstances that led to filing the supplementary report
- be in a form approved by Elections BC

Fines and/or penalties for filing a false or misleading disclosure statement could still apply even if a supplementary report was filed.

Requirement to retain records

All non-election assent voting advertising sponsors must keep their records in British Columbia until five years after General Voting Day. If the sponsor is an organization, the authorized principal official is responsible for retaining these records. These records may include:

- copies of disclosure statements
- records of contributions and contributor information
- deposit slips
- expense receipts
- cheque registers
- transaction slips
- any other information necessary to validate the contents of a disclosure statement

Public information

The following information about a non-election assent voting advertising sponsor is posted on the Elections BC website:

- the full name of the sponsor
- the mailing address, telephone number or email address used on the advertising itself (i.e., the sponsorship information)
- the full name of the authorized principal official if the sponsor is an organization

All non-election assent voting advertising sponsor disclosure statements are also posted on the Elections BC website and are available for public inspection at Elections BC's office in Victoria.

Privacy notice

Elections BC has the authority to collect, use, disclose and dispose of personal information under the *Local Elections Campaign Financing Act* and the *Freedom of Information and Protection of Privacy Act*. This information is used to administer local elections campaign financing provisions.

For more information about Elections BC's privacy policies, visit elections.bc.ca/privacy or contact the Privacy Officer at 1-800-661-8683 or electionsbc@elections.bc.ca or PO Box 9275 Stn Prov Govt Victoria, BC V8W 9J6.

Disclosure statement forms and completion instructions

The required disclosure statement forms provided by Elections BC are available online at elections.bc.ca/lecfa. Elections BC will send registered non-election assent voting advertising sponsors the required forms and a copy of this guide by mail.

The following are some general instructions when completing all forms:

- Separate disclosure statements must be filed for each jurisdiction where the sponsor conducted advertising.
- Submit all relevant forms. If there is doubt whether a form should be submitted, contact Elections BC for clarification.
- Complete the forms online or print neatly in block letters with a pen.
- Enter the non-election assent voting advertising sponsor's full name on each page.
- Enter dates as YYYY/MM/DD – e.g., for April 11, 2015, enter 2015/04/11.
- Number the pages of forms that have more than one page using the boxes in the top right corner of the forms – e.g., Page 1 of 2, Page 2 of 2, etc.
- It is acceptable to round cents to the nearest dollar – e.g., \$101.64 could be entered as \$102, \$76.02 as \$76, etc.

4274 – Disclosure Statement

This cover page must be completed by the non-election assent voting advertising sponsor and accompany all disclosure statements filed, including amendments (supplementary reports) submitted after the original statement. Please ensure that each relevant field is completed.

- 1 Enter the full name of the non-election assent voting advertising sponsor – including the sponsor’s usual name, acronym, abbreviation or other names – and the legal name, if different.
- 2 Enter the date of General Voting Day for the assent voting (YYYY/MM/DD).
- 3 Enter the sponsor’s mailing address, phone number and, if available, email address. Elections BC needs this information to notify you of the status of your submitted disclosure statement. We will send all correspondence to this address. Note that this form is available for public inspection so you may choose to list an office address and phone number instead of your residential information.
- 4 Enter the jurisdiction where the non-election assent voting was held. A separate disclosure statement must be filed for each jurisdiction where the sponsor conducted advertising.
- 5 If the sponsor is an organization, enter the names and contact information of the authorized and responsible principal officials.
- 6 This is a listing of all the forms that must be submitted to Elections BC as part of the disclosure statement. Use it as a checklist to identify which forms are applicable and have been completed. If submitting an amendment, check only those forms that have been revised.
- 7 Check this box if the total value of all advertising sponsored during the non-election assent voting proceedings period, including shared advertising, was less than \$500. In this case, you only need to file this cover page.
- 8 The declaration must be signed and dated by the registered sponsor. If the sponsor is an organization, the declaration must be signed by the authorized principal official who is registered with Elections BC. Signing a false statement is an offence and subject to significant penalties.
- 9 If this is the first version of the disclosure statement, leave the “Amendment # ____” blank. If this disclosure statement amends a previously submitted one, enter the number of the amendment (or supplementary report) here. For example, if this was the second disclosure statement to be submitted, it would be the first amendment and “1” would be entered in this space.

4274 - DISCLOSURE STATEMENT

LOCAL NON-ELECTION ASSENT VOTING ADVERTISING SPONSOR



ELECTIONS BC
A non-partisan Office of the Legislature

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Amendment # **9**

FULL NAME OF SPONSOR 1 CANADIAN INDUSTRY COMPANY		GENERAL VOTING DAY (YYYY/MM/DD) 2015/04/11 2	
SPONSOR'S USUAL NAME, ACRONYM, ABBREVIATIONS AND OTHER NAMES CIC		LEGAL NAME (IF DIFFERENT) CANADIAN INDUSTRY COMPANY LIMITED	
MAILING ADDRESS 3 101-10101 BINARY RD	CITY/TOWN VICTORIA	POSTAL CODE V1A 2B3	
PHONE NO. 250-555-4321	EMAIL (IF AVAILABLE) CANADIAN_IND_COMP_@EMAIL.CA		
JURISDICTION 4 CAPITAL REGIONAL DISTRICT			

For organizations only: 5

NAME OF AUTHORIZED PRINCIPAL OFFICIAL FOR ORGANIZATION LINDA MCGARNIGLE		PHONE NO. 250-555-6789	
MAILING ADDRESS 9732 SOME ST	CITY/TOWN VICTORIA	POSTAL CODE V2G 7X4	
EMAIL (IF AVAILABLE) LINDAM@EMAIL.COM			
NAME OF RESPONSIBLE PRINCIPAL OFFICIAL SAM G EAGLE			
MAILING ADDRESS 726 BIRDS NEST BLVD	CITY/TOWN SAANICH	POSTAL CODE V9H 3K3	
EMAIL (IF AVAILABLE) SAMMY@EAGLE.NET			

All responsible principal officials must be listed. Attach additional sheets if necessary.

This disclosure report includes the following forms: 6		OR	<input type="checkbox"/> 7 Advertising sponsored during the assent voting proceedings period had a total value of less than \$500; no additional forms required.
Total Value of Advertising – Form 4275	<input checked="" type="checkbox"/>		
Advertising Sponsored in Combination – Form 4276	<input checked="" type="checkbox"/>		
Summary of Sponsorship Contributions by Class – Form 4277	<input checked="" type="checkbox"/>		
Significant Contributors (\$100 or more) – Form 4278	<input checked="" type="checkbox"/>		
Prohibited Sponsorship Contributions – Form 4279	<input checked="" type="checkbox"/>		

I declare that to the best of my knowledge and belief, this disclosure statement completely and accurately discloses the information required under the *Local Elections Campaign Financing Act*.

SIGNATURE OF INDIVIDUAL SPONSOR OR AUTHORIZED PRINCIPAL OFFICIAL FOR ORGANIZATION 8 <i>Linda McGarnigle</i>	DATE (YYYY / MM / DD) 2015/05/16
PRINTED NAME OF PERSON SIGNING DECLARATION LINDA MCGARNIGLE	WARNING: Signing a false statement is a serious offence and is subject to significant penalties.

4275 – Total Value of Advertising

This form is used to report the total value of all non-election assent voting advertising sponsored during the non-election assent voting proceedings period.

- 1** In this column, enter the total value of each type (class) of advertising sponsored.
- 2** Enter the value and a brief description for any other types of advertising sponsored.
- 3** Add the values of all non-election assent voting advertising sponsored and enter the total into box A.

4275 - TOTAL VALUE OF ADVERTISING

LOCAL NON-ELECTION ASSENT VOTING ADVERTISING SPONSOR



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NAME OF SPONSOR
CANADIAN INDUSTRY COMPANY

Total value of sponsored advertising by class:

	1	\$
Brochures, pamphlets, flyers, etc.		1,400.00
Newspaper, magazine, journal, etc.		1,120.00
Radio		1,852.00
Signs (lawn signs, billboards, etc.)		925.00
Television		3,200.00
Internet		60.00
2 Other (describe) T-SHIRTS; BUMPER STICKERS		342.00
Total	A	3 8,899.00

4276 – Advertising Sponsored in Combination

This form is only required if you sponsored non-election assent voting with other advertising sponsors. It is used to disclose the total value of all non-election assent voting advertising that was sponsored in combination with other sponsors.

- 1 Enter the names of other sponsors with whom you sponsored advertising. The names disclosed must match the names listed in the sponsorship information on the advertising.
- 2 Enter the total value of the advertising you shared with each other sponsor. This includes the amounts paid by all sponsors who contributed to the advertisement. Do not report only the amount that you paid.
- 3 Add the values of all shared advertising and enter the total into box A.

4276 - ADVERTISING SPONSORED IN COMBINATION
LOCAL NON-ELECTION ASSENT VOTING ADVERTISING SPONSOR



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NAME OF SPONSOR
 CANADIAN INDUSTRY COMPANY

PAGE
 OF

If non-election assent voting advertising was sponsored in combination with other sponsors, list the names of the other sponsors as shown in their sponsorship information. Attach additional sheets if necessary.

Names of other non-election assent voting advertising sponsors as shown in their sponsorship information 1	Total value of shared advertising \$ 2
SARAH O'CONNOR	400.00
JONAH EVANS; THOMAS MEYER; EDWARD BEAR; GEORGINA HARDY	1,852.00
THINGS ARE LOOKIN' UP BALLOON TOURS	270.00
B.C. SOCIETY OF PEOPLE WITH MONEY; 0123456 BC LTD	1,400.00
TOTAL	A 3 3,922.00

4277 – Summary of Sponsorship Contributions by Class

This form is used to report all sponsorship contributions received by the non-election assent voting advertising sponsor. A sponsorship contribution is the value of money, goods or services provided without compensation to a sponsor for the purpose of sponsoring non-election assent voting advertising. It does not include contributions received for purposes other than non-election assent voting advertising.

This form is also used to report the amount of the sponsor's own funds that were used to pay for non-election assent voting advertising.

- 1** Enter the total value of the sponsor's own funds that were used to pay for non-election assent voting advertising. Do not include the value of sponsorship contributions.
- 2** Enter the total value of sponsorship contributions received from each class of contributor. Contributions of goods and services must be recorded at their current market value.
- 3** Enter the total value of sponsorship contributions received from each contributor class in box A.
- 4** Enter the total amount of all permissible anonymous contributions received in box B. An anonymous contribution greater than \$50 is a prohibited contribution, which is disclosed on Form 4279 – Prohibited Sponsorship Contributions.
- 5** Enter the total of all sponsorship contributions from all sources in box C. This amount must equal the sum of boxes A and B.
- 6** Enter the amount of total significant contributions received. This amount must equal box A on Form 4278 – Significant Contributors (\$100 or more).
- 7** Enter the total number of identifiable contributors who gave less than \$100 to the sponsor. Do not include the number of anonymous contributions received.
- 8** Enter the total number of anonymous contributors who made anonymous contributions.

4277 - SUMMARY OF SPONSORSHIP CONTRIBUTIONS BY CLASS



LOCAL NON-ELECTION ASSENT VOTING ADVERTISING SPONSOR

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NAME OF SPONSOR
CANADIAN INDUSTRY COMPANY

Total value of sponsor's own funds, other than funds disclosed below, that were used to pay for non-election assent voting advertising: \$ 5,500.00 **1**

Total value of sponsorship contributions, excluding sponsor's own funds, from each of the following classes of contributor:

		All Contributions	2
	Individuals	465.00	
	Corporations	563.00	
	Unincorporated Business/Commercial Organizations	40.00	
	Trade Unions	341.00	
	Non-profit Organizations	120.00	
	Other Identifiable Contributors	0.00	
	Total	\$ 1,529.00	A

Anonymous contributions \$ 180.00 **B** **4**

Total value of all sponsorship contributions from all sources (A + B) \$ 1,709.00 **C** **5**

Total significant contributions (box **A**, form **4278**) \$ 1,234.00 **6**

Number of contributors who gave less than \$100 # 7 **7**

Number of anonymous contributors # 12 **8**

4278 – Significant Contributors (\$100 or more)

This form is used to disclose all contributors who made one or more sponsorship contributions to the non-election assent voting advertising sponsor which total \$100 or more. Contributions of goods and services must be recorded at their current market value. Use additional pages of this form if necessary.

Note that the disclosure requirements under the *Local Elections Campaign Financing Act* vary for contributors depending on their class. For contributors other than individuals, the mailing address of the contributor and the names of two directors or principal officers must be disclosed.

Classes of contributor:

- 1 – Individual
- 2 – Corporation
- 3 – Unincorporated business/commercial organization
- 4 – Trade union
- 5 – Non-profit organization
- 6 – Other identifiable contributor

- 1 Enter the full name of the contributor. If the contributor is a class 2, 3, 4, 5 or 6 contributor, provide the full names of two directors. If the contributor is a sole proprietor or director, indicate this after the name of the individual. If the contributor is a union, provide the full name and, if applicable, the local number. Initials are not acceptable.
- 2 Enter the mailing address of the contributor for class 2, 3, 4, 5 or 6 contributors. If the contributor is an individual, leave this field blank or mark it N/A.
- 3 Enter the class of the contributor. For a complete list, see the classes listed at the bottom left corner of the form or above on this page.
- 4 Enter the value of each separate sponsorship contribution. If a single contributor made multiple contributions on different dates, each separate contribution must be listed. Please group multiple contributions from the same contributor together.
- 5 Enter the date each separate contribution was received. If a single contributor made multiple contributions on different dates, list each of the separate contribution dates.
- 6 Enter the total value of all contributions in box A. Ensure this total is carried forward to Form 4277 – Summary of Sponsorship Contributions by Class.

4279 – Prohibited Sponsorship Contributions

This form is used to report any sponsorship contributions which were received but are prohibited under the *Local Elections Campaign Financing Act* (the Act). This includes anonymous sponsorship contributions over \$50, any non-anonymous contributions missing required information and indirect contributions. Complete one form for each prohibited sponsorship contribution received.

The Act requires the non-election assent voting advertising sponsor to return prohibited sponsorship contributions, or an amount equal to the value of the contribution, to the contributor within 30 days of becoming aware of the contravention. If this is not possible, the contribution, or an amount equal to its value, must be remitted to Elections BC as soon as practicable for payment into the Consolidated Revenue Fund.

- 1 Indicate whether the prohibited contribution was received from an individual, an organization or anonymously by ticking the appropriate box.
- 2 Enter the date the prohibited contribution was received (YYYY/MM/DD).
- 3 Enter the value of the prohibited contribution. If the contribution was of goods or services, enter the current market value.
- 4 Enter the date the prohibited contribution was returned to the contributor or the date it was remitted to Elections BC (YYYY/MM/DD).
- 5 Enter a brief description of how the prohibited contribution was received. This description should explain why the contribution is prohibited.
- 6 If the prohibited contribution was received from an individual, enter the individual's full name in this field.
- 7 If the prohibited contribution was received from an organization, enter the name of the organization, the class of the contributor, the organization's mailing address and the names of two directors. If the contributor is a sole proprietor or director, indicate this in the second "name of director" field.

4279 - PROHIBITED SPONSORSHIP CONTRIBUTIONS
LOCAL NON-ELECTION ASSENT VOTING ADVERTISING SPONSOR



PLEASE PRINT IN BLOCK LETTERS

NAME OF SPONSOR CANADIAN INDUSTRY COMPANY	PAGE <input style="width: 20px;" type="text" value="1"/> OF <input style="width: 20px;" type="text" value="1"/>
INSTRUCTIONS: Complete one sheet for each prohibited sponsorship contribution received. Attach additional forms if necessary.	

RECEIVED FROM 1	DATE RECEIVED (YYYY/MM/DD) 2	\$ VALUE 3	DATE RETURNED (YYYY/MM/DD) 4	OR DATE REMITTED TO ELECTIONS BC (YYYY/MM/DD)
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> ORGANIZATION <input checked="" type="checkbox"/> ANONYMOUS	2015/02/09	60.00		2015/02/16

DESCRIPTION OF HOW THE PROHIBITED CONTRIBUTION WAS RECEIVED 5
 UNMARKED ENVELOPE OF CASH FOUND IN MAILBOX

Complete this field if the prohibited sponsorship contribution was received from an individual:

NAME OF INDIVIDUAL 6

Complete these fields if the prohibited sponsorship contribution was received from an organization: 7

NAME OF ORGANIZATION	CLASS*
MAILING ADDRESS	
NAME OF DIRECTOR	NAME OF DIRECTOR

*** CLASSES OF CONTRIBUTORS:**
 1 – INDIVIDUAL, 2 – CORPORATION, 3 – UNINCORPORATED BUSINESS/COMMERCIAL ORGANIZATION,
 4 – TRADE UNION, 5 – NON-PROFIT ORGANIZATION, 6 – OTHER IDENTIFIABLE CONTRIBUTOR

Court order for relief, offences and penalties

Elections BC will work closely with participants to help them comply with the non-election assent voting advertising rules and regulations.

Court order for relief from filing obligations

Non-election assent voting advertising sponsors can apply to the Supreme Court for a court order for relief from disclosure requirements under the *Local Elections Campaign Financing Act* (the Act). Applications for a court order for relief must be made before the late filing deadline for the disclosure statement or supplementary report.

Depending on the timing and details of an application for relief, the Supreme Court may:

- grant relief from filing the disclosure statement or from specific obligations relating to the disclosure statement
- grant relief from the late filing fee
- provide an extension of time to file the disclosure statement with, or without, payment of the late filing fee
- make any order the court considers reasonable to secure compliance
- refuse to grant relief

For more detailed information related to filing for a court order for relief, see sections 66-72 of the *Local Elections Campaign Financing Act*.

Non-election assent voting advertising sponsor offences and penalties

There are significant penalties for failing to comply with the non-election assent voting advertising rules in the Act.

Non-election assent voting advertising sponsors who are considering applying for court relief may want to consult independent legal counsel about the court process.

Penalties include late filing fees and disqualification from sponsoring non-election assent voting advertising or third party election advertising and from accepting sponsorship contributions until after the next general local election. These penalties apply for failing to file a disclosure statement or supplementary report. They also apply if a non-election assent voting advertising sponsor is convicted by a court for providing false or misleading information.

There are also offences for failing to comply with the non-election assent voting advertising rules and for which individuals and organizations, if convicted, may be subject to fines and/or imprisonment. An individual or organization is not guilty of an offence if they exercised due diligence to prevent committing the offence.

An organization is responsible for the actions of its officers and employees if those actions are within the individual's authority to act on behalf of the organization. If one of those officers or employees commits an offence while acting on behalf of the organization, the organization may be liable.

If an organization commits an offence, specified individuals (e.g., officers, directors, employees, principal officials) who authorize, permit, passively agree or comply with committing that offence are considered to have also committed that offence.

There are **higher** and **lower** penalty offences in the Act. An individual who commits a lower penalty offence is liable to a fine of up to \$5,000 or imprisonment for up to one year, or both. If an organization commits a lower penalty offence, it is liable to a fine of up to \$10,000.

Higher penalty offences carry fines of up to \$10,000 for an individual and \$20,000 for an organization. An individual who commits a higher penalty offence may also be subject to a prison term for up to two years.

Failing to file a disclosure statement or supplementary report, providing false or misleading information or making a false or misleading statement are all higher penalty offences.

A \$500 late filing fee must be included with a disclosure statement filed beyond 90 days after General Voting Day.

Please see [page 31 and 33](#) for more information about disclosure statement and supplementary report deadlines.

Disqualification penalties

Disqualification penalties apply to non-election assent voting advertising sponsors if they are convicted of a higher penalty offence. However, sponsors who fail to file a disclosure statement will be automatically disqualified and prohibited from:

- sponsoring non-election assent voting advertising or third party election advertising until after the next general local election
- accepting sponsorship contributions until after the next general local election

A list of disqualified sponsors is published and maintained on Elections BC's website.

Resources

Election legislation

Printed versions of local government election legislation — including the *Local Government Act*, the *Local Elections Campaign Financing Act*, the *Vancouver Charter*, the *Community Charter*, the *School Act* and the *Offence Act* — are available at public libraries in communities throughout B.C. Printed versions of the Acts are also available from Crown Publications, Queen's Printer for British Columbia, at:

Mailing Address:

563 Superior Street
Victoria, BC V8V 1T7

Phone: 250-387-6409

Toll-free: 1-800-663-6105

Fax: 250-387-1120

Email: crownpub@gov.bc.ca

Website: crownpub.bc.ca

BC Laws

BC Laws provides free, public, online access to the current laws of British Columbia. This unofficial current consolidation of B.C. statutes and regulations is updated continually as new and amended laws come into force. Electronic versions of the *Local Government Act*, the *Local Elections Campaign Financing Act*, the *Vancouver Charter*, the *Community Charter*, the *School Act* and the *Offence Act* are available online at bclaws.ca.

Glossary

The following key terms have been used throughout this guide. Most of the terms are defined in the *Local Elections Campaign Financing Act* (the Act).

Term	Definition
Anonymous contribution	A contribution made by an individual or organization whose identity is unknown to the non-election assent voting advertising sponsor. An individual cannot request that a contribution be accepted and disclosed as an anonymous contribution if they are known to the sponsor.
Assent voting	Voting on a bylaw or other matter for which a local government is required or authorized to obtain the assent of the electors. Assent voting may also be referred to as a “referendum.”
Authorized principal official	An individual who makes legally binding statements and declarations on behalf of a non-election assent voting advertising sponsor that is an organization. Responsibilities include filing disclosure statements and retaining records related to sponsorship contributions and sponsored advertising.
B.C. Chief Electoral Officer	An independent Officer of the Legislature appointed by the Lieutenant Governor on the recommendation of the Legislative Assembly. The B.C. Chief Electoral Officer is responsible for the administration of the provincial electoral process and for the compliance and enforcement of campaign financing, election advertising and non-election assent voting advertising provisions of the Act.
Disclosure statement	A statement that reports transactions related to non-election assent voting advertising, including sponsorship contributions and the cost of advertising. Non-election assent voting advertising sponsors must file disclosure statements with Elections BC.

Term	Definition
General Voting Day	The final voting day for non-election assent voting.
Jurisdiction	The applicable jurisdiction in which non-election assent voting is held.
Late filing deadline	The last day (120 days after General Voting Day) on which a disclosure statement may be filed by a non-election assent voting advertising sponsor. Disclosure statements filed after 90 days and before 120 days must be accompanied by a \$500 late filing fee.
Local election officer	An individual appointed by a local government to conduct non-election assent voting or a local election. Local election officers are also referred to as chief election officers.
Market value	The lowest price charged for an equivalent amount of equivalent property or services in the market area at the relevant time. Market value includes all applicable taxes.
Money	Includes cash, a negotiable instrument (cheque, money order or traveller's cheque), a payment by credit card and any form of electronic payment or funds transfer.
Non-election assent voting	Assent voting that is held separately from an election. Assent voting is voting on a bylaw or other matter for which a local government is required or authorized to obtain the assent of the electors. Assent voting may also be referred to as a "referendum."
Non-election assent voting advertising	Assent voting advertising that is not held in conjunction with a local election.
Non-election assent voting advertising sponsor	An individual or organization that sponsors non-election assent voting advertising or that registered as a non-election assent voting advertiser.

Term	Definition
Non-election assent voting proceedings period	The period that begins on the 30 th day before General Voting Day for the non-election assent voting and ends at the close of general voting for the non-election assent voting.
Principal official	A director of a corporation or a director, principal officer or principal member of an organization that is not a corporation.
Responsible principal official	An individual appointed by a non-election assent voting advertising sponsor that is an organization who may represent the organization as needed. Each non-election assent voting advertising sponsor that is an organization must have at least two individuals who have consented to be the responsible principal officials.
Significant contributor	<p>In relation to sponsorship contributions, an individual or organization who:</p> <ul style="list-style-type: none"> (a) made a sponsorship contribution having a value of \$100 or more, or (b) made multiple sponsorship contributions to the same non-election assent voting advertising sponsor such that the total value of the sponsorship contributions to that individual or organization is \$100 or more.
Sponsorship contribution	The amount of money, or the value of any non-monetary property or services, provided without compensation to a non-election assent voting advertising sponsor for sponsoring non-election assent voting advertising.

Term	Definition
Sponsorship information	An authorization statement required on most forms of non-election assent voting advertising during the non-election assent voting proceedings period. It must include the name of the non-election assent voting advertising sponsor registered under the Act, and indicate the advertising is authorized by the sponsor. The statement must also provide a B.C. telephone number, B.C. mailing address or email address at which the sponsor may be contacted.
Supplementary report	A report that updates Elections BC of changed, added or corrected information to the non-election assent voting advertising sponsor disclosure statement. It includes a description of the circumstances leading to the submission of the supplementary report.
Third party sponsor	In relation to a general local election or by-election, an individual or organization who conducts election advertising independently from the election campaign of any candidate or elector organization.

Contact

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