

MLA GUIDELINES FOR THE 2018 REFERENDUM ON ELECTORAL REFORM

Purpose:

This document is intended to help MLAs understand what they are permitted to do during the referendum campaign period for the 2018 Referendum on Electoral Reform.

Guidelines:

During the referendum campaign period, advertising activities are reviewed on a case by case basis as they are brought to the attention of Elections BC.

MLAs representing registered political parties are **not** permitted to register as referendum advertising sponsors, and must **not** engage in referendum advertising activities unless those activities are done on behalf of a political party that is registered as a referendum advertising sponsor.

All referendum advertising conducted on behalf of a registered political party must be authorized by the party and may be subject to the party's \$200,000 referendum advertising limit.

MLAs also must not work with other referendum advertising sponsors, or work with a designated opponent or proponent group.

Activities that are not referendum advertising that MLAs are **permitted** to do during the referendum campaign period include:

- post messages on the internet that do not and would not normally have a placement cost, including social media posts, websites and video (e.g. Facebook, Instagram, tweets, etc., providing that the internet messages are not sponsored or boosted in any way);
- canvass voters in-person or by telephone on a non-commercial basis;
- attend and speak at referendum events;
- coordinate public information events, providing that any promotional materials for the event are not referendum advertising.

There are serious penalties for individuals and organizations that conduct prohibited referendum advertising.

Discussion:

During the referendum campaign period, which ends on November 30, 2018, MLAs must comply with the advertising provisions of the Electoral Reform Referendum 2018 Regulation (the Regulation). These provisions are in addition to, and do not supersede, the policies of the Legislative Assembly Management Committee regarding the proper use of public funds by an MLA.

Only the designated referendum opponent and proponent groups, and individuals and organizations registered with Elections BC as referendum advertising sponsors may sponsor referendum advertising. Individuals and organizations that are not registered with Elections BC must not sponsor referendum advertising.

Referendum advertising is the transmission to the public by any means, during the referendum campaign period, of an advertising message that promotes or opposes, directly or indirectly, a specified response to a referendum question.

The Regulation requires referendum advertising sponsors to be independent of registered political parties, registered constituency organizations, candidates under the *Election Act*, and financial agents, and referendum advertising sponsors must not sponsor referendum advertising on behalf of or together with any of these.

Since MLAs representing a registered political party are not independent from their registered political party, they are **not** permitted to register as referendum advertising sponsors or sponsor any referendum advertising.

Elections BC recognizes that MLAs may want to provide constituents with information about the voting systems identified on the ballot. However, MLAs must be mindful that there are perception issues regarding what constitutes referendum advertising and independence, and the public expectation is that Elections BC will monitor these activities and will investigate and respond to complaints appropriately.

Furthermore, MLAs are not permitted to use the voters list provided by Elections BC to promote or oppose, directly or indirectly, a response to the referendum.

For more information phone toll-free **1-800-661-8683 / TTY 1-888-456-5448** or contact Elections British Columbia.

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