



TOWNSHIP OF / CANTON DE
Tiny



Notice to Broadcasters and Publishers

Did you know that you must now comply with new laws on registered third party advertisers and candidate campaign advertisements for the upcoming Municipal Election?

The Municipal Election will take place Monday, October 22, 2018.

This notice is intended to inform broadcasters and publishers of their new obligations under the *Municipal Elections Act, 1996* (the Act) if they broadcast or publish a third party or candidate campaign advertisement during the upcoming election.

Definition of a Third Party Advertiser

Under the Act, a third party advertiser is an individual who is normally a resident of Ontario, a corporation that carries on business in Ontario, a trade union that holds bargaining rights for employees in Ontario.

Third party advertisers **must register** prior to incurring any expenses for the appearance of a third party advertisement and must comply with requirements including filing a financial statement(s) and adhering to spending and contribution limits. A list of registered third party advertisers will be available on the respective municipality's website. A candidate in the election cannot direct a third party advertiser nor can they register to be a third party advertiser.

Definition of a Third Party Advertisement

A third party advertisement is a message in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing a candidate in the election, or a question on the ballot.

Third party advertisements must contain the following information:

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

Restricted Campaign Period

Broadcasters and publishers may only permit third party advertisements to appear between May 1, 2018 and October 22, 2018 (Election Day) and only if the third party advertiser has registered with the municipality.

Legal Obligations for Broadcasters and Publishers in the Municipal Election

The new requirements for broadcasters and publishers include:

1. **Mandatory Information**

Registered Third Party Advertisers

A registered third party advertiser must provide the following information to the broadcaster or publisher in writing before the third party advertisement appears:

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

No broadcaster or publisher shall cause a third party advertisement to appear during the restricted period if the information set out above has not been provided.

Candidates

A registered candidate must provide the following information to the broadcaster or publisher in writing before the election campaign advertisement appears:

- the name of the candidate.
- the name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the candidate.

No broadcaster or publisher shall cause an election campaign advertisement to appear if the information set out above has not been provided.

3. **Maintaining Records**

Registered Third Party Advertisers

The broadcaster or publisher of a third party advertisement must retain records for 4 years after the date ~~of~~ the advertisement appears. These records must contain:

- Mandatory information described in section 1 above, as outlined under section 88.5(2) of the Act.
- A copy of the advertisement or the means of reproducing it for inspection.
- A statement of charge made for its appearance.

The public must be permitted to inspect the records during normal business hours.

Candidates

The broadcaster or publisher of a candidate election campaign advertisement must retain records for 4 years after the date the advertisement appears. These records must contain:

- Mandatory information described in section 1 above, as outlined under section 88.3(5) of the Act.
- A copy of the advertisement or means of reproducing it for inspection.
- A statement of the charge made for its appearance.

The public must be permitted to inspect the records during normal business hours.

3. Charges and contributions

The broadcaster or publisher may not charge a third party advertiser or candidate more or less than their normal advertising rate. If less is charged, the difference is deemed to be a contribution. Providing free advertising is considered a contribution towards the third party advertiser or candidate, unless all third party advertisers and candidates are offered the same service.

More Information on Third Party Advertisers

A Third Party Advertiser's Guide, published by the Ontario Ministry of Municipal Affairs, will be provided to third party advertisers upon registration and will be available on the respective municipal websites.

For more information about these requirements refer to:

[Municipal Elections Act, 1996, as amended](#)

[Ontario Ministry of Municipal Affairs](#)