



# Broadcasters and Publishers Information Sheet

There have been recent changes to the **Municipal Election Act, 1996** that broadcasters and publishers should be aware of. Major changes include requirements on what information local Candidates need to provide, and the introduction of Third Parties (people advertising on behalf of Candidates or issues/questions on the ballot) and their requirements to provide similar information. This information does not negate the broadcaster or publishers requirement to adhere to other relevant legislation or other regulatory requirements.

## **Election Campaign Advertisements**

The Act defines an “election campaign advertisement” as an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting or supporting the election of a candidate.

## **Candidates**

Candidates are people that have filed a Nomination Form (Form 1) with the City of Peterborough Clerk’s Office. Nomination Forms are commissioned (with the commissioners signature and stamp) at the time of filing. Only registered Candidates are able to raise or spend money related to their election campaign. You may ask to see their copy of the Nomination Form.

### **Candidate Requirements**

An election campaign advertisement purchased by or under the direction of a Candidate must identify the Candidate.

The Candidate must also provide the following information to the broadcaster or publisher in writing:

1. The name of the Candidate.
2. The name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the Candidate.

A broadcaster or publisher must not allow the advertisement to appear unless these conditions have been met.

## **Third Parties**

Third Parties are individuals, corporations or trade unions that support one or a number of Candidates, or a question on the ballot (referendum). Third Parties must file their Registration Form (Form 7) with the City of Peterborough Clerk’s Office in order to advertise to the voters in the municipality. Registration Forms are commissioned and certified (with the commissioners signature and stamp) at the time of filing. Only certified Third Parties are able to raise or spend money related to their Third Party advertisements. You may ask to see the copy of Third Party’s Registration Form. The

Clerk has legislative authority to request the removal of advertisements from Third Parties that have not registered.

### Third Party Requirements

An election campaign advertisement purchased by or under the direction of a registered Third Party must identify:

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

The representative of the Third Party must also provide the following information to the broadcaster or publisher in writing:

1. The name of the registered Third Party.
2. 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. The municipality where the Third Party is registered.

A broadcaster or publisher must not allow the advertisement to appear unless these conditions have been met.

### Issues-Based Advertising

Anyone wishing to advertise on an issue that is not about a specific candidate or a question on the ballot (referendum) may continue to do so as any typical advertiser.

### Fees

In the event a broadcaster charges less than the market rate, this may be considered a contribution to a Candidate or registered Third Party.

### Records

The broadcaster or publisher of an election campaign advertisement must maintain records containing the following information for a period of **four years** after the date the advertisement appears and shall permit the public to inspect the records during normal business hours:

1. The information provided to the broadcaster or publisher in writing
2. A copy of the advertisement, or the means of reproducing it for inspection.
3. A statement of the charge made for its appearance.

Further Information on Legislation	Contact Information
Please refer directly to Sections 88.3 and 88.5 of the <b>Municipal Elections Act, 1996</b> for specific details. The legislation is available:  Online: <a href="http://www.e-laws.gov.on.ca">Government of Ontario's e-laws website</a> (www.e-laws.gov.on.ca)	Ryan Matheson – Election Coordinator 705-742-7777 x1838 <a href="mailto:rmatheson@peterborough.ca">rmatheson@peterborough.ca</a>  Vicki King – Election Assistant 705-742-7777 x1845 <a href="mailto:vking@peterborough.ca">vking@peterborough.ca</a>