



OFFICE OF CATHOLIC SCHOOL TRUSTEE

GREATER ST. ALBERT ROMAN CATHOLIC SEPARATE SCHOOL DIVISION

Election Finances and Contributions Disclosure

Limitations on Contributions

Only individuals who ordinarily reside in Alberta are allowed to contribute to a candidate. Prohibited organizations, such as corporations and unincorporated organizations, including trade unions and employee organizations, or individuals residing outside of Alberta are not allowed to contribute. Individuals can contribute any amount, up to \$5,000 in total for all contributions.

Any amount, not reimbursed from the campaign account, that a candidate pays relating to a campaign expense, is considered a contribution and is subject to the \$5,000 limit.

Acceptance of Contribution

Candidates cannot accept contributions or incur expenses unless they have been nominated as a candidate and it is during the campaign period. A person who intends to be nominated can incur expenses and accept contributions outside of the campaign period as long as they do not exceed \$5,000. These contributions and expenses must be disclosed in the candidate's campaign disclosure statement.

Campaign Period

For general elections, the campaign period is from January 1 through to December 31 in the year of the general election.

Allowable Election Expenses

A campaign expense is any expense a candidate incurs (including a non-monetary contribution) where real property, personal property or a service is used to directly promote or oppose a candidate during the campaign period. The expense or non-monetary contribution includes:

- the production of advertising or promotional material;
- the distribution, broadcast or publication of advertising or promotional material in any media or by any other means during the campaign period, including the use of a capital asset;
- the payment of remuneration and expenses to or on behalf of a person for the person's services as a chief financial officer or in any other capacity;
- securing a meeting place; or

- the conduct of election surveys or other surveys or research during a campaign period.

Duties of a Candidate

A candidate must ensure that:

- a campaign account, either in the candidate's name or the name of their election campaign, is opened at a financial institution for the election campaign at the time of nomination or as soon as possible after contributions exceed \$1,000 in total;
- if a campaign account has been opened, all monetary contributions are deposited into the account;
- money in the account is only used for the payment of campaign expenses;
- contributions of real property, personal property and services are valued;
- receipts are issued for every contribution and obtained for every expense;
- disclosure statements are filed;
- contribution and expense records are kept and retained for three years after the date the disclosure statement was to be filed;
- proper direction is provided to the official agent and anyone else who is authorized to incur campaign expenses and to accept campaign contributions;
- a contribution received in contravention of the ***Local Authorities Election Act*** is returned to the contributor as soon as possible; and
- an anonymous contribution, which cannot be returned to the contributor, is provided to a registered charity or school board.

Campaign Disclosure

Every candidate, including a candidate who withdraws, is **required to file a disclosure statement** with the Returning Officer or Delegate on or before March 1, 2022. The disclosure statement must include:

- the total amount of all campaign contributions received during the campaign period that did not exceed \$50 in total from any single contributor;
- the total amount contributed, with the contributor's name and address, for each person whose contributions during the campaign period exceeded \$50 in total;
- the total amount of contributions received (not exceeding \$5,000) outside the campaign period;
- the total amount from fundraising functions;
- the total amount of other revenue;

- the total amount of campaign expenses;
- an itemized campaign expense report setting out the campaign expenses incurred by the candidate;
- the total amount of money paid by the candidate;
- the total amount of any surplus, including any surplus from previous campaigns; and
- the amount of any deficit.

If a candidate does not file nomination papers in the next general election, they must give the surplus to the school board within six months after the date of the general election. If there is a deficit, the candidate must eliminate the deficit.

Campaign Surplus

The candidate must donate an amount to a registered charity that results in the surplus being less than \$1,000 and may retain any portion of that amount or donate that amount to a registered charity and report it accordingly.

Late Filing

A candidate who fails to file a campaign disclosure statement on time will have to pay a \$500 late filing fee to the school board.

Third-Party Advertising

The **Local Authorities Election Act** includes provisions on third-party advertising. Please review Part 8 for an understanding of the roles and responsibilities of third-party advertisers.

Registration of a Third Party

A third party must apply for registration in a local jurisdiction when it has incurred or intends to incur expenses of at least \$1,000 or when it has accepted or intends to accept contributions of at least \$1,000. The local jurisdiction must maintain separate third party registers for election advertising and political advertising.

Expense Limits

During the election advertising period, a third party cannot exceed the election advertising expense limits as determined by regulation.

Contributions and Expenses

Any individual, corporation, trade union or employee organization cannot make an advertising contribution to a third party unless the third party is registered (unless the third party is not required to be registered because they have not met the \$1,000 expense threshold).

The following entities cannot make an election advertising contribution:

- an individual who ordinarily resides outside of Alberta;
- a prohibited corporation;
- a trade union or employee organization that is not Alberta based;
- a registered charity; or
- a group where any member of the group ordinarily resides outside of Alberta, a prohibited corporation, a trade union or employee organization (unless an Alberta-based union or organization).

Anonymous and Unauthorized Contributions

An anonymous contribution of more than \$50 cannot be used or expended by the registered third party. The contribution must be returned to the contributor if their identity can be established or to the local jurisdiction if not. Contributions not belonging to an individual, corporation, trade union or employee organization, or any funds that have been furnished to any of these entities, are prohibited. If the chief financial officer becomes aware that a contribution has been accepted from an entity that was not allowed to contribute, or if the funds were furnished, they must advise the school board, in writing, of the fact and circumstances within 30 days of finding out. After notifying the school board, the chief financial officer must return the contribution according to the school board's directions.

Identification of Third Parties

A third party, or a person acting on their behalf, must ensure their sponsored election advertising or political advertising complies with guidelines established by the Minister of Municipal Affairs. The Minister is required to establish guidelines for the identification of third parties. Please check with the Returning Officer, if unsure of the required guidelines.

Disclosures of Third Parties

Every third party that engages in contributions for election advertising must file a report, using Form 28 – Third Party Advertising Contribution Statement, with the school board by March 1 following a general election. The report covers the advertising contributions received during the election-advertising period. The report must set out:

- the total amount of all advertising contributions received that did not exceed \$250 from any single donor; and
- the total amount contributed, the name and address of the contributor, and the amount and date of each contribution for each contributor who made advertising contributions during the election-advertising period totalling more than \$250.

In addition, the third party must file an election advertising return that includes:

- a financial statement;
- a list of all advertising contributions received during the election-advertising period;

- an election advertising spending limit report;
- the advertisements' time and place of broadcast or publication the election advertising expense relates to; and
- any supporting information and documents relating to the election advertising return.

Late Filing

A third party that fails to file a report and return by March 1, 2022 must pay a \$500 late filing fee to the school board. If the fee is not paid within 30 days, the school board must send a notice to the third party and the chief financial officer stating the \$500 needs to be paid. If the third party still fails to pay the fee, the school board can file a notice with the Court of Queen's Bench. If a third party fails to file a report and return, the school board can cancel the third party's registration. If a third party files a report and return no later than 30 days after the filing deadline, the school board is unable to cancel the registration.

FOR FURTHER INFORMATION CONTACT THE DIVISION'S RETURNING OFFICER:

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