

Implementation Fact Sheet

Third Party Advertising Amendments

Local Authorities Election Act, 2018 & 2020

Third Party Advertising

Legislation: *Local Authorities Election Act (LAEA)*

Section Numbers: Part 8

Previous requirement:

Prior to 2018, the *LAEA* did not address third-party advertising in municipal and school board elections.

What has changed?

Rules have been added governing the finances and accountability of third parties that advertise to promote or oppose the election of a candidate during the election period (May 1 – close of voting stations on Election Day in the year of an election).

The rules for contributions, receipting, handling of funds, and disclosure reporting of activities will generally parallel the rules that apply to municipal and school board candidates, and also parallel requirements set out for provincial campaigns where possible.

Like the rules for provincial campaigns, certain prohibited corporations, non-residents, and registered charities will be unable to make contributions to third party advertisers, but Alberta corporations and trade unions will generally be able to make contributions for such advertising.

What does the public need to know?

Third parties interested in advertising during a municipal or school board election to oppose or promote a candidate, will be required to register with the municipality or school board they intend to advertise in.

Third party advertisers will be required to file disclosure statements detailing advertisements, expenses, and contributions received.

Third party advertisers will be required to know who is eligible to make a contribution, registration requirements and all reporting requirements to the municipality.

Third party advertisers who undertake advertising to promote or oppose a candidate in more than ten local jurisdictions, may register directly with a Minister appointed provincial registrar. If a third party is registered with the provincial registrar, they are not required to register with the local jurisdiction.

What do municipalities or school boards need to know?

Municipalities and school boards will be responsible for ensuring that a register of all third party advertisers that have registered is available to the public during regular business hours. They will also be responsible for collecting disclosure statements from third party advertisers and making them available to the public during regular business hours.

When do these changes take place?

The amendments to the *LAEA* came into force December 11, 2018 and September 1, 2020.

*Amendments passed in July 2020 under Bill 29: *The Local Authorities Election Amendment Act*