



# **2022 Municipal Election Third Party Advertisers' Information Package**

**The contents of this guide are intended only to advise of certain provisions relating to relevant legislation. Third Party Advertisers must satisfy themselves through their own determination that they have complied with all legal requirements.**

Date: April 28, 2022

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## Election 2022 – Third Party Advertisers

This information package is provided for reference only to assist you in meeting your requirements as a registered Third Party Advertiser in the Municipality of Trent Lakes for the 2022 Municipal and School Board Election.

Before beginning your campaign, you should familiarize yourself with the [Municipal Elections Act, 1996](#), including applicable regulations to fully understand all legislative requirements. **Third Party Advertisers must satisfy themselves through their own determination that they have complied with all legal requirements related to their registration as a Third Party Advertiser including eligibility and campaign finances.**

We strongly encourage you to visit the Municipality of Trent Lakes website at [Municipality of Trent Lakes website Elections page](#) on an ongoing basis for current information on the 2022 Municipal and School Board Election.

### Contact Information

#### Municipality of Trent Lakes

**Mailing Address (Municipal Office):**  
760 Peterborough County Road 36  
Trent Lakes ON K0M 1A0

**Phone:** 705-738-3800  
**Toll Free:** 1-800-374-4009  
**Fax:** 705-738-3801

**Website:** [www.trentlakes.ca](http://www.trentlakes.ca)

### Election Staff

Jessie Clark  
Clerk/Returning Officer

Ann Rooth  
Deputy Clerk/Deputy  
Returning Officer

Bianca Dragicevic  
Legislative Coordinator/  
Executive Assistant to the  
CAO/Deputy Returning Officer

All election related questions should be directed to [election@trentlakes.ca](mailto:election@trentlakes.ca) or 705-738-3800 ext. 245.

## Third Party Advertisers' Guide

Please refer to the [Ministry of Municipal Affairs and Housing 2022 Third Party Advertisers' Guide](#) for detailed information with respect to your campaign including financial reporting requirements. A copy of the guide is attached to this information package.

### Key Dates

#### 2022

May 2 – October 21	Registration for Third Party Advertisers
September 26	Final Expense Limits Issued
October 11– October 24	Voting Period
October 24	Voting Day (between 10:00 a.m. and 8:00 p.m.)

#### 2023

January 3	Third Party Advertising Campaign Period Ends
March 31	Deadline for Filing Financial Statements

### General Information

The [Municipal Elections Act](#) includes a framework for third party advertising. A third party advertisement is an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing a candidate(s) or a question on a ballot.

Activities that do not involve spending money, such as speaking to friends or other persons, or posting an opinion on social media are not considered to be third party advertising.

Please visit the [Municipality of Trent Lakes Third Party Advertisers page](#) for additional information regarding Third Party Advertisers.

### Registration and Eligibility

Third Party Advertisers are required to formally register with the Clerk and must file a financial statement. **Third Party Advertisers may register Monday to Friday, 8:30 a.m. to 4:30 p.m. at the Municipal Office from May 2, 2022 to October 21, 2022 by filing a completed [Notice of Registration – Third Party – Form 7](#).** To register, you will also need:

- To make a declaration of qualification (included on Form 7), to be signed by the individual or by an authorized representative of the corporation or trade union, as the case may be
- Proof of identity
- Evidence that the Union or Corporation you represent has authorized the registration of a Third Party Advertiser

It is preferred that Third Party Advertisers book an appointment to register by contacting the Clerk at [election@trentlakes.ca](mailto:election@trentlakes.ca).

Notices of Registration are public documents and are available for inspection at the Clerk's Office.

Only a **registered** Third Party Advertiser, whose Notice of Registration has been certified by the Clerk, may spend money on third party advertisements.

Only the following are eligible to register as a Third Party Advertiser:

- 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

Persons that are not eligible to file a notice of registration include:

- A candidate whose nomination has been filed under Section 33
- A Federal or Provincial political party, constituency association, registered candidate or leadership contestant
- The Crown in right of Canada or Ontario, a municipality or local board

Groups or businesses that are not corporations cannot register as Third Party Advertisers.

Third party advertisements shall **not** be under the direction of a candidate whose nomination has been filed.

A registered Third Party Advertiser may withdraw their registration by filing a written withdrawal with the Clerk by no later than October 21, 2022 at 4:30 p.m.

If a registered Third Party Advertiser files a nomination to run for office, their Third Party Advertiser registration is deemed to be withdrawn and their advertising campaign automatically closes. Your advertising campaign must be kept separate from your candidate campaign. You cannot transfer any contributions or expenses from one campaign to the next and you must file separate financial statements for each.

## Advertising

The [Municipal Elections Act](#) sets out a restricted period for third party advertising. This restricted period runs from May 1, 2022 to the close of voting on October 24, 2022. During this time, the third party advertising rules apply and any third party advertisement that appears must be from a registered third party.

You may only begin conducting third party advertising once the Clerk certifies your Notice of Registration.

Each third party advertisement must identify:

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

If you are providing third party advertisements to broadcasters and publishers, you must provide them with the following information in writing:

- The name of the registered Third Party Advertiser.
- The municipality where the Third Party Advertiser is registered.
- 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 Advertiser.

Broadcasters and publishers are prohibited from running a third party advertisement unless the above information is provided.

The broadcaster or publisher of a third party advertisement also has legislated requirements regarding maintenance, retention and public inspection of records relating to third party advertisements.

## Signs

Third Party Advertisers must comply with all governing documents relating to Election Signs including:

- [Municipality of Trent Lakes Election Sign By-law B2022-045](#)
- [County of Peterborough Election Sign By-law No. 2022-29](#)
- Ministry of Transportation Signage Regulations

Copies of the Municipality of Trent Lakes Election Sign By-law and the County of Peterborough Election Sign By-law and [Election Signs Brochure](#) are included as appendices to this information package.

## Use of Corporate Resources

The Municipality's [Policy 5.28 - Use of Corporate Resources for Election Purposes Policy](#) is included as an appendix to this information package. Third Party Advertisers should familiarize themselves with the policy as it establishes requirements and restrictions relating to the use of municipal resources and municipal contributions to election campaigns.

## Campaign Finances

### Bank Account

Once you are registered as a Third Party Advertiser, you are required to open a bank account exclusively for your campaign if you are accepting any contributions or incurring any expenses. You are not permitted to use your personal bank account for your campaign finances.

If a third party registers in more than one municipality, each of those registrations is considered to be a separate advertising campaign and requires a separate bank account.

All contributions (including contributions from yourself or your spouse) must be deposited into this bank account and all expenses are to be paid from this account.

### Spending Limits and Contribution Rules

You cannot begin spending money or accepting contributions until the Clerk has certified your Notice of Registration. You must familiarize yourself with and follow all prescribed campaign finance rules and you cannot exceed the spending and contribution limits.

Below is the **preliminary spending limit** (based on number of electors as of September 15, 2018) for a Third Party Advertiser:

Preliminary Election Spending Limits (Base amount plus \$0.05/elector)	Base Amount	Number of Electors	Preliminary Maximum
Third Party Advertiser	\$5,000.00	11,301	\$5,565.05

The Clerk shall, after determining from the Voters' List the number of electors eligible to vote for each office as of September 15 in the 2022 election, calculate the maximum amount of campaign expenses that may be incurred by a Third Party Advertiser and prepare a certificate of this amount. A copy of this secondary certificate confirming the

final maximum spending limit will be provided by **September 26, 2022** to registered Third Party Advertisers.

Note: the higher of the two calculations – preliminary (noted above) and final – shall be the final spending limit.

Campaign contributions are any money, goods or services that are given to a registered third party for use in their campaign, including money and goods that a third party contributes to their own campaign. Registered third parties must issue a receipt for every contribution they receive. The receipt should show who made the contribution, the date, and the value of the contribution.

A Third Party Advertiser can accept contributions from:

- 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.

Groups such as clubs, associations or ratepayer's groups are not eligible to make contributions. The members of these groups may make individual contributions from their personal funds (as long as they are residents in Ontario).

Contributors may contribute a total of \$1,200.00 to a registered third party in relation to third party advertisements that appear during an election in the Municipality of Trent Lakes. The maximum total amount that a contributor can give to third parties registered in the Municipality of Trent Lakes is \$5,000.00.

Only a contribution that is \$25.00 or less may be made in cash. All contributions above \$25.00 must be made by cheque, money order or by a method that clearly shows where the funds come from (such as certain debit, credit or electronic transfer transactions).

Registered third parties are required to inform each of their contributors of these contribution limits.

Registered third parties are responsible for keeping records of the financial activities related to their campaign and are required to keep these records until November 15, 2026, when the next council or school board takes office.

### **Financial Statements and Disclosure**

It is the responsibility of the Third Party Advertiser to file a complete and accurate [Financial Statement – Auditor's Report Third Party - Form 8](#) with the Clerk **no later than 2:00 p.m. on March 31, 2023**. It is suggested that Third Party Advertisers refer to Form 8 early to know what will be required.

If campaign contributions or campaign expenses are greater than \$10,000.00, the Third Party Advertiser must have their financial statement audited and include the auditor's report when submitting the financial statement to the Clerk. The auditor's report must be prepared by an auditor licensed under the [Public Accounting Act](#).

Third Party Advertisers' financial statements are deemed to be public documents and will be posted to the Municipality's website in their entirety. You may wish to consider advising contributors that their personal information will be public and displayed on the Municipality's website after the election.

Please refer to the [Ministry of Municipal Affairs and Housing 2022 Third Party Advertisers' Guide](#) and the [Municipal Elections Act](#) for detailed information with respect to campaign finances including; extending the filing deadline, late filing fees, extending a campaign in order to eliminate a deficit, supplementary financial statement information and penalties for contraventions.

#### **Appendices:**

1. [Ministry of Municipal Affairs and Housing 2022 Third Party Advertisers' Guide](#)
2. [Notice of Registration – Third Party – Form 7](#)
3. [Financial Statement – Auditor's Report Third Party - Form 8](#)
4. [Municipality of Trent Lakes Election Sign By-law B2022-045](#)
5. [County of Peterborough Election Sign By-law No. 2022-29](#)
6. [County of Peterborough Election Signs Brochure](#)
7. [Policy 5.28 - Use of Corporate Resources for Election Purposes](#)