



Candidate Information and Nomination Package **School Trustee**

School District No. 43 (Coquitlam)
2025 School Trustee By-Election
General Voting Day: February 22, 2025

*The Nomination Period **begins at 9:00 a.m. on Tuesday, January 7, 2025,**
and **ends at 4:00 p.m. on Friday, January 17, 2025.**
Completed nomination papers cannot be submitted outside this period.*

Dear Prospective Candidate:

A School Trustee By-Election is required for the residents of Coquitlam to elect one School Trustee for the balance of a four-year term ending in November 2026.

Enclosed is a collection of information and forms to guide candidates in the upcoming School District No. 43 (Coquitlam) School Trustee By-Election. Please review this material carefully to ensure that your campaign is run in compliance with the relevant statutes and that your nomination, appointment, and campaign financing disclosure forms are filed appropriately.

Submitting Your Nomination Package

The Nomination Period **begins at 9:00 a.m. on Tuesday, January 7, 2025,** and **ends at 4:00 p.m. on Friday, January 17, 2025.**

Nominations *cannot* be submitted outside this time period.

Candidates **must book an appointment** with either the Chief Election Officer or the Deputy Chief Election Officer(s) to review and file their nomination documents when they are ready.

Appointments may be made by email to elections@coquitlam.ca, or by calling 604-927-3025.

The deadline for receiving **originals of emailed or faxed nomination documents** is **4:00 p.m. on Friday, January 17, 2025.**

Completing the Nomination Documents

Nomination documents are now standardized throughout the Province. A hard (print) version of nomination documents must be submitted. Please ensure all documents, other than Form CS2, are signed/dated as required. **You will be asked to make the declaration and sign the declaration on Form CS2 at the time of submission to the Chief Election Officer or Deputy Chief Election Officer(s).**

The following Candidate nomination documents must be filed:

- Form CS2 – Nomination Document
- Form CS3 – Other information provided by Candidate
- Statement of Financial Disclosure (required under the [Financial Disclosure Act](#))

The following Candidate nomination documents are only required if applicable:

- Form CS4 – Appointment of Candidate Financial Agent (if Candidate is not acting as their own Financial Agent)
- Form CS5 – Appointment of Candidate Official Agent
- Form CS6 – Appointment of Candidate Scrutineer

Nominators

Candidates must be nominated by at least **two people who are qualified to vote in the City of Coquitlam**. If you would like to verify whether your nominators are qualified, please contact the Elections Office at 604-927-3025.

Statement of Financial Disclosure

Under the [Financial Disclosure Act](#), candidates for the position of School Trustee must complete and file a Statement of Financial Disclosure form with their nomination documents. Note the Statement of Financial Disclosure is different from the Campaign Financing Disclosure Statement which must be filed *after* the election.

If you have questions about the Statement of Financial Disclosure form, it is suggested that you seek financial or legal counsel.

Appointment of Candidate Representative(s)

In accordance with Section 102 of the [Local Government Act](#), Candidates are entitled to appoint a Financial Agent and an Official Agent to represent the Candidate from the time of appointment until the final determination of the election. Candidates may also appoint Scrutineers to represent them by observing the conduct of voting and counting proceedings for the election. Appointments can be made at any time between when the Candidate submits their nomination documents until the close of voting on General Voting Day (February 22, 2025).

Financial Agent: A Candidate may appoint a Financial Agent to ensure that the financial aspects of their campaign comply with the requirements of the [Local Government Act](#) and the [Local Elections Campaign Financing Act](#) (use Form CS4, under the “Nominations Document” section of this package).

Official Agent: A Candidate may appoint an Official Agent to represent them for the election (use Form CS5, under the “Nominations Document” section of this package). Please note that a Candidate has the option of authorizing their Official Agent to appoint Scrutineers on their behalf.

Scrutineers: A Candidate or their Official Agent may appoint Scrutineers who will observe the conduct of voting for the election (use Form CS6, under the “Nominations Document” section of this package – print as many copies as required). A maximum of one (1) Scrutineer, per Candidate, per voting place is permitted at any time.

Note: An Official Agent and a Financial Agent can be the same person. A Candidate is deemed to be their own Financial Agent if they do not appoint a Financial Agent. A Candidate does not need to formally appoint themselves if acting as their own Financial Agent.

Availability of Nomination Documents to the Public

Pursuant to Section 9 of the City's [Election Administration and Procedures Bylaw No. 5069, 2021](#), from the time of delivery of any nomination documents to the Chief Election Officer, until 30 days after the declaration of the election results, nomination documents will be made available on the City's website www.coquitlam.ca/elections.

Note: Place(s) of residence, email addresses and other personal information on the nomination documents will be redacted.

Declaration of Candidates

Immediately after the nomination period ends, at **4:00 p.m. Friday, January 17, 2025** the Chief Election Officer will declare all persons who are nominated as Candidates for the School Trustee By-Election. Candidates and the public may attend the Declaration, which will be held in the Council Chambers at Coquitlam City Hall, 3000 Guildford Way, Coquitlam, BC.

The deadline for withdrawal as a Candidate is Friday, January 24, 2025 at 4:00 p.m.

The deadline for withdrawal of elector organization endorsement, or candidate withdrawal of the endorsement, is Friday, January 24, 2025 at 4:00 p.m.

Disclosure of Campaign Financing and Elections Advertising

The [Local Elections Campaign Financing Act](#) regulates Candidate and Elector Organization campaign financing and election advertising. Legislation requires extensive disclosure of Candidate and Elector Organization campaign contributions and expenses. The oversight of all matters related to campaign financing and election advertising is the responsibility of Elections BC.

If a Candidate is endorsed by an **Elector Organization**, and that Elector Organization is receiving funds on their behalf, the Elector Organization must also submit an Elector Organization Endorsement.

Note: There is a statutory requirement to file the election campaign financial disclosure statement following the election by **Friday, May 23, 2025**. If a Candidate is in doubt about these requirements, they should contact Elections BC.

Please direct all inquiries related to campaign financing and election advertising to Elections BC:

Elections BC
Phone: 1-800-661-8683
Email: electoral.finance@elections.bc.ca
Web: www.elections.bc.ca

Election Signs

Please note the City of Coquitlam's [Election Administration and Procedures Bylaw No. 5069, 2021](#), sets out regulations pertaining to Election Signs. A copy of the Bylaw is included in the Candidate Nomination Package for your reference.

IMPORTANT:

Election signs are not permitted to be erected more than 21 days before General Voting Day pursuant to the *Election Administration and Procedures Bylaw No. 5069, 2021*. ***Signs for the School Trustee By-Election can be erected starting on Saturday, February 1, 2025.***

Coquitlam Election Office

For further information regarding the 2025 School Trustee By-Election, or to book an appointment with the Chief or Deputy Chief Election Officer(s), please contact the following:

Chief Election Officer

Kerri Wells

Deputy Chief Election Officer

Stephanie Nichols

Phone: 604-927-3025

Email: elections@coquitlam.ca

Website: www.coquitlam.ca/elections

We acknowledge with gratitude and respect that the name Coquitlam was derived from the hən̓q̓əmi̓nəm̓ (HUN-kuh-MEE-num) word kʷikʷəłəm (kwee-KWET-lum) meaning "Red Fish Up the River". The City is honoured to be located on the kʷikʷəłəm traditional and ancestral lands, including those parts that were historically shared with the ǵíçáy (kat-zee), and other Coast Salish Peoples.

Section 1

Information for Candidates

- 1.1 Important Dates and Times
- 1.2 A Guide for School Trustee Candidates (2022)
- 1.3 School District No. 43 (Coquitlam) Policy 2 – Role of the Board
- 1.4 School District No. 43 (Coquitlam) Policy 3 – Role of the Trustee
- 1.5 School District No. 43 (Coquitlam) Policy 4 – Trustee Code of Ethics
- 1.6 Third Party Sponsor – Guide to Local Elections in B.C.
- 1.7 Elections BC Guide to Local Elections Campaign Financing in B.C.
- 1.8 School District No. 43 (Coquitlam) 2024-2025 Board Meeting Schedule

2025 School Trustee By-Election

Important Dates

Nomination Period	9 a.m. 4 p.m.	Jan. 7, 2025 Jan. 17, 2025
Declaration of Election	4 p.m.	Jan. 25, 2025
First day campaign signs may be erected		Feb. 1, 2025
Advance Voting Days	8 a.m. – 8 p.m.	Feb. 12, 2025 & Feb. 15, 2025
General Voting Day	8 a.m. – 8 p.m.	Feb. 22, 2025
Last day to remove campaign signs		Feb. 26, 2025
School District No. 43 Board Meeting		Mar. 11, 2025
Last day to file Campaign Financial Disclosure		May 23, 2025



PLEASE NOTE: This document was provided to School Trustees in the 2022 local general election and is being re-purposed for the 2025 School District No. 43 (Coquitlam) By-Election in that it includes useful information for School Trustee candidates. Please disregard election dates referenced throughout this document.

Putting Students First

A guide for
school trustee candidates

B.C. local elections October 15, 2022

BCSTA

British Columbia
School Trustees
Association



Who are school trustees?

School trustees are elected members of a board of education. School trustees represent the public and advocate for public education in their community

Boards of education co-govern school districts with the provincial government. B.C.'s Ministry of Education sets the curriculum, funding and legal framework for K-12 education. Trustees on a board of education work together to govern the school district and set direction on behalf of the community.

The *School Act* outlines the role of trustees and boards of education, including:

- Attending board meetings
- Setting school district policy
- Employing school district staff
- Managing school district budgets
- Hearing appeals where a staff decision affects the education, health or safety of a student

Trustees are a part of a team

A board of education has the authority to make decisions or to take action; individual trustees do not. Under the *School Act*, a trustee's power lies in membership on a corporate school board. Trustees on a board will debate ideas and vote on a final decision. Once the board has voted, a trustee must uphold the decision.

Trustees are community leaders

Trustees work with their board and community partners to ensure that all the students within the board's jurisdiction have equal opportunities to reach their maximum potential.

While members of the board act as representatives of their constituency, their primary job is to participate in policy-making and strategic planning in the interests of the district's students. Trustees are grounded in promoting student achievement and well-being. Successful trustees manage to balance their governance role with the representative role, participating in decision-making that benefits the whole board while representing the interests of their constituents.

Trustees are accountable

Boards have an important responsibility for overseeing a school district's financial decisions. The board oversees the development of a strategic plan and the allocation of resources to support that plan, ensuring budget and staff allocations are in alignment with the district's goals.

What is governance?



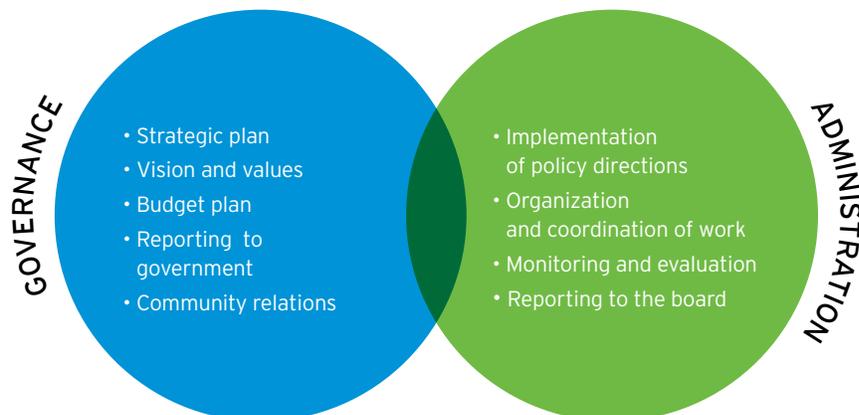
Trustees are responsible for governing a school district as part of a corporate board

Boards set direction

It is important for trustees to understand the difference between governance and administration. The *School Act* assigns specific responsibilities to the board of education, the superintendent and the secretary-treasurer. In the vast majority of districts the superintendent is the only employee who reports directly to the board. It is the board's role to govern, not to run the district's day-to-day operations.

Trustees are part of a board

Individual trustees have no legal authority. Only the board as a whole holds power. All significant decisions and direction to the superintendent or staff must come from the board, not from individual trustees.





What skills do I need?

You don't need a background in public education to run as school trustee

Everyone brings unique skills and experiences to the role of school trustee. You don't need a background in education or to have a child in the school system. Reviewing your district's policies and building an understanding of provincial legislation is helpful, however.

Review school district policies

Candidates should review a copy of their local board's bylaws, governance policies and codes of conduct and attend their local school board meetings or speak to existing board members to get an understanding of the work trustees do.

Understand the laws boards operate under

Board operations are bound by legislation or provincial policy. In executing their duties, trustees will develop an understanding of the legislative process, legislation structure (especially the *School Act*), government policy and board policy.

Get financial literacy support

Overseeing a school district's budget means trustees need to interpret financial data, asking the right questions to responsibly govern their school district's business and capital decisions. The BC School Trustees Association (BCSTA) and your local board staff can offer support in helping trustees fulfill their financial oversight responsibilities.

Be willing to learn

A board of education must protect the interests of the school district, ensure its financial viability and act in accordance with laws and policies governing K-12 education in B.C. These responsibilities require trustees to be willing to learn new skills to help them effectively protect the interests of students, families and their community.

BCSTA can help boards to carry out their governance and accountability responsibilities through offering supports and resources such as legal services, communications, professional development events, training manuals and learning opportunities.



I
Voted

Eligibility

Eligibility

To run for school trustee, you must be a Canadian citizen age 18 or older on voting day. You must have been a B.C. resident for at least six months prior to registration. You must not be disqualified under the *School Act* or any other enactment from being nominated for, elected to or holding office as a trustee.

For the Conseil scolaire francophone de la Colombie-Britannique (CSF), you must also have been a member of the CSF for 80 days before general voting day. To become a CSF member and for a list of deadlines, click [here](#).

See the **Francophone Education Authorities Regulation** for qualifications to be a trustee in School District 93 (CSF).

Board employees

If you are a board of education employee and want to run for a seat on your employer's board, you must give notice in writing to your employer of your intention to consent to the nomination. You must take a leave of absence from employment with the board beginning on the first day of the nomination period or the date notice is given, whichever is later. You will have to resign from your employment with the school district if you are elected to the board of education.

If you are a district employee seeking election to a board that is not your employer, you don't have to take the leave of absence or resign. There may be circumstances when you are ineligible to participate in certain matters due to potential conflicts of interest which may arise from your being a board employee (e.g. provincial collective bargaining if you are a unionized employee in one school district and a trustee in another district).



Conflict of interest

Sometimes trustees have to abstain from voting on an issue they have a personal interest in

Conflict of interest rules in the *School Act* apply to school trustees. If a matter being considered by a board of education could affect a trustee (or other persons associated with the trustee) monetarily, the trustee is said to have a pecuniary interest in the matter.

A trustee with a pecuniary interest has a conflict of interest, unless the trustee falls within exceptions set out in the *School Act*.

The pecuniary interests of a trustee's family (e.g. spouse, parent, child) is treated as though they were the trustee's personal pecuniary interests.

For example, a school trustee whose spouse, parent or child is a member of a union that represents staff in a school district cannot:

- Be elected to the BC Public School Employers' Association (BCPSEA) board
- Be a member of a BCPSEA bargaining team
- Represent a board of education at a BCPSEA meeting

If a trustee has a financial interest in a matter being considered at a board or committee meeting, the trustee must disclose the interest, not participate in any discussion of the matter, abstain from voting on the matter and not attempt to influence voting on the matter.

Situations sometimes arise where a trustee does not have a financial interest in a matter before the board but their involvement may give rise to a reasonable perception of bias. For example, the board may need to deal with an issue involving a trustee's close personal friend or relative.



What else should I know?

Some frequently asked questions

Remuneration

Each board determines how trustees on the board will be remunerated. Contact your local school district to find out about trustee remuneration.

Time commitment

Commitments will vary but typically a trustee may spend an average of 15 hours per week on activities associated with the role, including:

- Preparing for and attending board and committee meetings
- Attending community meetings as a representative of the board
- Responding to concerns

Diversity

Boards of education should reflect the communities they serve. It's important that trustees from underrepresented communities run for office to ensure that our school districts are led by diverse boards that include a wide variety of perspectives and experiences.



Where do I run?

Electoral areas

In some school districts, all trustees are elected at large (in one electoral area). In other districts, there are multiple trustee electoral areas.

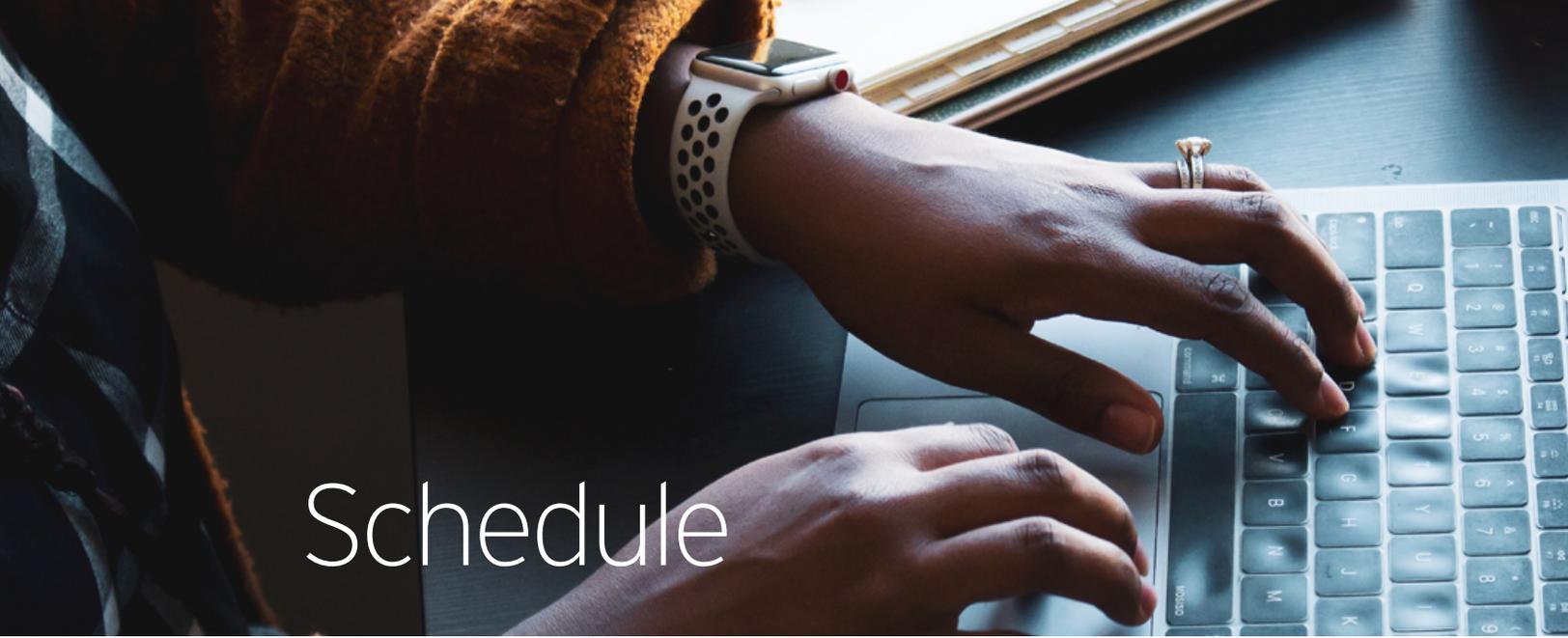
There may be more than one trustee elected from a trustee electoral area. The composition of boards in B.C. varies to reflect the communities of each district.

Some trustee electoral areas may be composed of one or more municipalities, a combination of municipalities and rural areas or rural areas only.

In some communities, interested electors have formed organizations that endorse candidates. These are known as elector organizations. Local governments and boards of education may cooperate on running elections. Some trustee elections may be run by a municipality or regional district.

You are not restricted to running for trustee only in the community where you reside.

For the CSF, there are seven electoral areas, with one trustee per area. You must reside in the area to be the trustee for that area. The electoral areas are defined [here](#).



Schedule

Trustees attend meetings and engage with their communities. Here's a sample schedule of events a Richmond School District trustee attended in 2017

January

- Two board meetings
- English Language Learners (ELL) Consortium meeting
- BCSTA branch meeting
- Policy committee meeting
- Council/board meeting
- Canada 150 celebration event

February

- Sister city committee meeting
- Board stakeholder meeting
- Board workshop
- Two board meetings
- Finance committee meeting
- BCSTA branch meeting
- Policy committee meeting
- Education Week festivities

March

- ELL consortium meeting
- Board meeting
- Two school visits
- MLA/board meeting
- Personnel and finance committee meeting

April

- Policy committee meeting
- School visit
- Public budget meeting
- Two board meetings
- Sister city committee meeting
- Board workshop
- Learning cafe /vision, mission, values building session
- Advocacy committee meeting
- All candidates meeting
- BCSTA Annual General Meeting

May

- Policy committee meeting
- Advocacy committee meeting
- Sister city committee meeting
- ELL consortium meeting
- Indigenous graduation ceremony
- BCSTA branch meeting
- Volunteer appreciation event
- Council/board meeting
- School visit

June

- Sister city committee meeting
- Policy committee meeting
- Graduation ceremony
- Awards ceremonies

July/August

- Canada Day parade

September

- Two board meetings
- Policy committee meeting
- BCSTA branch meeting
- Council/board committee meeting

October

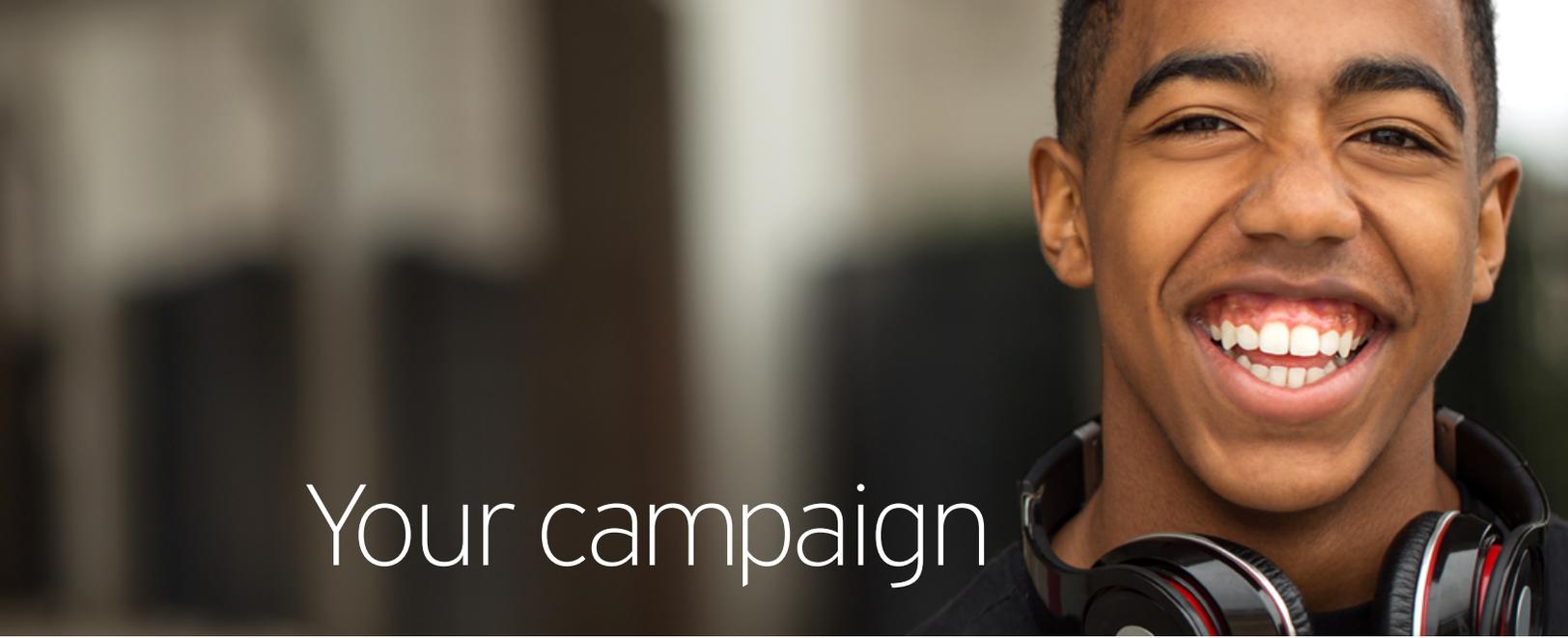
- Mayor's dinner
- School visit/Parent Advisory Council meeting
- Select Standing Committee presentation
- ELL consortium meeting
- Fire hall opening
- Policy committee meeting
- Personnel/finance committee meeting
- Richmond Teachers' Association teachers induction ceremony

November

- Sister city committee meeting
- Ministry of Education visit
- Council/board meeting
- Two board meetings
- Policy committee meeting
- Mayor/council/board meeting
- BCSTA Trustee Academy
- School principal interviews

December

- Board meetings
- Richmond Chamber of Commerce luncheon
- Richmond Secondary School Christmas celebration
- Personnel and finance committee meeting
- School district event



Your campaign

Key dates

The next general school election is October 15, 2022. A list of key election dates will be available from the **Ministry of Education**.

Filing your nomination

You will submit paperwork to the local chief election officer during the nomination period (see page 12). Most boards prepare candidate packages, including samples of necessary forms. Different districts require different numbers of nominators. Confirm that you have the correct number.

Financial interests

You must also include a written disclosure of your financial interests, as required by section 2(1) of the **Financial Disclosure Act**. This statement must provide details of both your corporate and personal holdings.

Election rules

You are responsible for complying with the election rules, including ensuring all of the documents and the deposit (if required) connected with your nomination are filed with the chief election officer for your community by the deadline.

Campaign financing

School trustee candidates are governed by the same campaign financing rules as are local government candidates. They are found in the *Local Elections Campaign Financing Act*.

Elections BC administers the campaign financing and election advertising rules under the *Local Elections Campaign Financing Act*.

The *Local Elections Campaign Financing Act* became law in 2014 and is available from **BC Laws**.

Campaign financing rules are complex. They are described in more detail in **here**.

Campaigning

Ensure you are familiar with rules relating to your campaign including local signage bylaws, Ministry of Transportation signage policy, election advertising and campaign rules applicable to voting day.

Your campaign may include, social media (Facebook, Twitter, etc.), interviews, door-to-door canvassing, mainstreeting (meeting voters in a public space), paid and unpaid media coverage, a website or blog and all-candidates' meetings.

In preparing for campaigning, ensure you understand the role of a school trustee and gain an awareness of regional and provincial issues in education. Attend board of education meetings, familiarize yourself with local education issues and learn about other candidates and their positions.



Timeline

B.C. local elections

Election period
January 1 - September 16

Pre-campaign period
July 18 - September 16

Nomination period
August 30 - September 9

Campaign period
September 17 - October 15

Voting Day
October 15

Find out more at [Elections BC](#).

Read the School Trustee Election Procedures [here](#).

Conseil scolaire francophone

CSF membership
deadline to vote
17 June

CSF membership
deadline to run for trustee
27 July

Call for candidates
17 July

Candidacy submissions due
1 August

Candidates declared to members
6 August

Voting starts
15 September

Results declared
15 October

Find out more at [CSF](#).



Resources

BCSTA

The BC School Trustees Association (BCSTA) supports B.C.'s boards of education in their key work of improving student achievement. BCSTA acts as a unified voice advocating for public education.

Our mission is driven by the following beliefs:

1. A high-quality public education system is the foundation of a democratic society.
2. Improving student achievement is the key work of locally-elected boards of education.
3. The interests of B.C. students are best met through local decision-making with an engaged community.
4. Providing a strong, representative voice for boards of education throughout the province is important.
5. Helping to build effective boards of education by providing development, communications and support services continues to be a vital role.

Our member boards set the direction for BCSTA's work through resolutions at our annual general meeting in the spring, and at smaller Provincial Council governance meetings over the year.

BCSTA participates in a variety of government and partner group committees and initiatives, where trustee input significantly shapes final outcomes.

More about membership benefits can be found on our [website](#).

CAMPAIGN RESOURCES

- [Ministry of Education](#)
- [Ministry of Municipal Affairs](#)
- [Elections BC](#)
- [CivicInfo BC](#)
- [General Local Elections](#)



British Columbia
School Trustees
Association

bcsta.org

ROLE OF THE BOARD

As the corporate body elected by the voters, the Board of Education is responsible for the development of goals and policies to guide the provision of educational services to students attending District schools and programs, in keeping with the requirements of government legislation and the values of the electorate.

Specific Areas of Responsibility

1. Accountability to the Provincial Government

The Board shall:

- 1.1 Act in accordance with all statutory requirements of the Government of British Columbia to implement educational standards and policies.
- 1.2 Perform Board functions required by governing legislation and existing Board policy.

2. Accountability to the Community

The Board shall:

- 2.1 Make decisions that reflect community values and represent the interests of the entire District.
- 2.2 Establish processes and provide opportunities for community input.
- 2.3 Report District Directions, and performance results indicated by the Framework for Enhancing Student Learning at least annually.
- 2.4 Develop procedures for and hear appeals as required by statute and/or Board policy.
- 2.5 Provide for two-way communication between the Board and stakeholder groups (Student Leadership Council, District Parent Advisory Council, Coquitlam Teachers Association, Coquitlam Principals and Vice Principals Association, and Canadian Union of Public Employees).
- 2.6 Model a culture of respect and integrity.

3. Planning

The Board shall:

- 3.1 Provide overall direction for the District by establishing purpose, beliefs and values, mission statement, and guiding principles.
- 3.2 Set District goals, monitor key results and govern the implementation of the Framework for Enhancing Student Learning (educational goals), the District Directions Document (overall goals) aligned with the District's Strategic Plan.
- 3.3 Approve the District's long term Strategic Plan.
- 3.4 Annually approve the District Directions goal setting process and timelines.

- 3.5 Monitor progress toward the achievement of student outcomes and other desired results as indicated in the Framework for Enhancing Student Learning.
- 3.6 Annually evaluate the effectiveness of the District in achieving established goals and desired results.
- 3.7 Approve the District's Annual Report for distribution to the public.
- 3.8 Annually approve school improvement plans.

4. Policy

The Board shall:

- 4.1 Identify the purpose to be achieved and the criteria for a new policy.
- 4.2 Make the final decision as to the approval of all policy statements.
- 4.3 Evaluate policy impact to determine if policy has created the desired change.
- 4.4 Provide direction regarding the mandate for employee negotiations.
- 4.5 Determine policies which outline how the Board is to function.
- 4.6 Delegate authority to the Superintendent and define commensurate responsibilities.

5. Board/Superintendent Relations

The Board shall:

- 5.1 Select the Superintendent.
- 5.2 Provide the Superintendent with clear corporate direction.
- 5.3 Delegate in writing, administrative authority and identify responsibility subject to the provisions and restrictions in provincial legislation and regulations.
- 5.4 Evaluate the Superintendent and annually review compensation.
- 5.5 Respect and make effective the role of the Superintendent.

6. Political Advocacy

The Board shall:

- 6.1 Annually develop a plan for advocacy including focus, key messages and mechanisms.
- 6.2 Meet with municipal governments and other educational/public service governing authorities as appropriate to achieve political ends.
- 6.3 Participate in sessions and make decisions regarding British Columbia School Trustee Association and British Columbia Public Sector Employees' Association issues.
- 6.4 Advance District positions and priorities through BCSTA meetings.

7. Board Development

The Board shall:

- 7.1 Annually evaluate the Board's effectiveness.

7.2 Annually develop a Board development plan aligned with District priorities.

8. Fiscal

The Board shall:

- 8.1 Approve the principles, decision-making criteria, and assumptions for the creation of the annual budget.
- 8.2 Approve the annual budget which ensures resources available are allocated to achieve desired results as outlined in the District Performance Plan and District Directions document.
- 8.3 Approve annually its five-year capital plan for submission to British Columbia Ministry of Education by the date due.
- 8.4 At least once per trustee term, review the District's facilities planning document to ensure the directions contained therein best meets the District's long term facility needs.
 - 8.4.1 Declare facilities surplus to general school needs in the District.
 - 8.4.2 Lease of surplus school space for a period greater than one year.
 - 8.4.3 Approve by bylaw disposition of land and buildings.
- 8.5 Annually appoint or reappoint the auditor and approve the terms of engagement.
- 8.6 Review annually the audit report and management letter.
- 8.7 Ensure CEO fiscal accountability quality indicators are met.
- 8.8 Make decisions regarding ratification of memoranda of agreement with bargaining units.
- 8.9 Make disbursements from the Capital Reserve Fund.
- 8.10 Approve the acquisition of school sites.
- 8.11 Approve tender selection for contracts over five million dollars.

Selected Responsibilities

1. Approve annually the "Board Annual Work Plan," outlining the time frame for various actions.
2. Establish parameters for early retirement incentive plans.
3. Approve annual District school calendars.
4. Approve Board authorized courses.
5. Hear appeals on the reconsideration of resource materials which are challenged.
6. Approve the naming of educational facilities and land.

Legal Reference: Section 85, School Act

Board Minutes

June 2005 Volume 47 Page 78 Policy 2
February 2006 Volume 48 Page 18
September 2008 Volume 50 Page 90
May 16, 2017 Board Meeting

ROLE OF THE TRUSTEE

The Board consists of nine (9) trustees. Four (4) trustees are elected from the city of Coquitlam, two (2) from each of the cities of Port Coquitlam and Port Moody; and one from the villages of Anmore and Belcarra.

The role of the trustee is to contribute to the Board as it carries out its mandate in order to achieve its mission and goals related to student success and the development of an improved learning environment. The oath of office taken by each trustee when they assume office binds that person to work diligently and faithfully in the cause of public education.

The *School Act* gives no individual authority to trustees. As members of the corporate board, trustees are accountable to the public for the collective decisions of the Board, and for the delivery and quality of educational services. A trustee must serve the community as an elected representative, but the trustee's primary task is to act as a member of a corporate board.

The decisions of the Board in a properly constituted meeting are those of the corporation. A trustee who is given corporate authority to act on behalf of the Board may carry out duties individually, but only as an agent of the Board. In such cases, the actions of the trustee are those of the Board that is then responsible for them. A trustee acting individually has only the authority and status of any other citizen of the District.

Trustees bring a range of skills, experience, knowledge, values, beliefs and opinions to their role. Their background does not necessarily include teaching, administration, or any other aspect of education. Their diversity ensures that Board processes are truly democratic and contributes to good decision-making. This diversity also helps trustees provide a balance between the interests of a broader community and the interests of those involved in the delivery of education.

As a result of elections, the Board may experience changes in membership. To ensure continuity and facilitate smooth transition from one Board to the next following an election, trustees must be adequately briefed concerning existing Board policy and practice, statutory requirements, initiatives and long-range plans.

The Board believes an orientation program is necessary for effective trusteeship.

1. The District will offer an orientation program prior to January 31 after an election for all elected trustees that provides information on:
 - 1.1 Role of the trustee and the Board;
 - 1.2 Organizational structures and procedures of the District;
 - 1.3 Board policy, agendas and minutes;
 - 1.4 Existing District initiatives, annual reports, budgets, financial statements, and long-range plans;
 - 1.5 District programs and services;
 - 1.6 Board's function as an appeal body; and

- 1.7 Statutory and regulatory requirements, including responsibilities with regard to conflict of interest.
2. The District will provide financial support for trustees to attend British Columbia School Trustees' Association sponsored orientation seminars.
3. The Board Chair and Superintendent are responsible for developing and implementing the District's orientation program for newly elected trustees.
4. Incumbent trustees are encouraged to help newly elected trustees become informed about functions, policies, and procedures.

Specific Responsibilities of Individual Trustees

1. Become familiar with District policies and procedures, meeting agendas, and reports in order to participate in Board business.
2. Support the decisions of the Board and monitor progress to ensure decisions are implemented.
3. Refer queries, issues or problems raised by a student or parent in accordance with AP 380, Resolution of Student or Parent School Concerns.
4. Refer queries, or issues and problems not covered by board policy or district administrative procedure, to the Superintendent through the Board Chair for potential follow up.
5. Bring to the attention of the Board any issues that may significantly affect the District, and interpret the needs of the community to the Board.
6. Exercise authority within defined limits when delegated such responsibility.
7. Participate in Board/trustee development sessions so the quality of leadership and service in the District is enhanced.
8. Share the materials and ideas gained with fellow trustees at the Board meeting immediately following a trustee development activity.
9. Stay current with respect to provincial, national and international educational issues and trends.
10. Strive to develop a positive and respectful learning and working culture both within the Board and the District.
11. Act as a liaison to assigned school for the following purposes and in consultation with the school principal:
 - 11.1 To engage with the School Principal
 - 11.2 To represent the Board when a Board representative is desired at school functions;
 - 11.3 To provide increased opportunity for trustee to become more knowledgeable about the District's schools and student learning;
12. A Trustee will not be a liaison to a school in which their child or grandchild is enrolled.
13. Become familiar with, and adhere to, the Trustee Code of Ethics.

Legal Reference: Section 50, School Act

Board Minutes

October 1980 Volume 22 Page 162 Policy I-A-31 Orientation Program for Newly Elected/Appointed Trustees

June 2005 Volume 47 Page 78 Policy 3 Role of the Trustee

February 2006 Volume 48 Page 18

April 9, 2019 Board Meeting

April 9, 2024 Board Meeting

TRUSTEE CODE OF ETHICS

The Board expects its members to demonstrate ethical and businesslike conduct. This commitment includes proper use of authority and respect in group and individual behavior when acting as Board members.

Board members will:

1. Devote time, thought, and study to the duties of a trustee in order to be effective and provide credible service.
2. Consider information received from all sources and base personal decisions upon all available facts while maintaining confidentiality of privileged information.
3. Work with fellow trustees in a spirit of harmony and co-operation in spite of differences of opinion.
4. Recognize that authority over the organization is only vested in the Board when it meets in legal session.
5. Maintain the integrity of the Board and the position of the trustee when communicating and interacting with outside individuals and agencies. This includes full disclosure to participants when attending meetings as an ordinary citizen.
6. Respect the majority decisions of the Board.
7. Be loyal to the interests of public education and the Board.
8. Demonstrate discretion when making public statements in person, online or in other forums, so as to minimize the impression that such statements reflect the corporate opinion of the Board when they do not.
9. Maintain the highest standards of civility and respect accorded to public office through the absence of unwarranted criticism of fellow Board members, the Board, or employees, in or out of the Board room.
10. Deal appropriately with sensitive issues and respect the confidentiality of discussions that take place during in-camera sessions.
11. Represent everyone the District serves, not a particular interest group or geographic area.
12. Declare any conflict of interest. A trustee will not participate in, vote on, or exert influence on, any decision in which the trustee has any interest.

Board Minutes

June 2005 Volume 47 Page 78 Policy 4
February 2006 Volume 48 Page 18
September 2008 Volume 50 Page 100
February 5, 2019 – Board Meeting



ELECTIONS BC

A non-partisan Office of the Legislature

GUIDE FOR
LOCAL ELECTIONS
THIRD PARTY SPONSORS IN B.C.

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Introduction

The purpose of this guide is to help third party sponsors understand their responsibilities and legal obligations under the [Local Elections Campaign Financing Act](#) (LECFA). This guide provides valuable information and tips for meeting the recording and disclosure requirements for transactions related to a sponsor's advertising.

The last part of the guide includes instructions for completing the required disclosure statement forms that must be filed with Elections BC after General Voting Day.

How LECFA applies to any particular case will depend on the individual circumstances and may change if there are new legislative or judicial developments. Where there is inconsistency between this guide and LECFA, LECFA will prevail.

LECFA is available on the Elections BC website (elections.bc.ca) It can also be viewed at BC Laws (bclaws.ca) or purchased from Crown Publications (crownpub.bc.ca).

Contact

Elections BC Electoral Finance

Phone toll-free: 1-800-661-8683 / TTY: 1-888-456-5448

Email: electoral.finance@elections.bc.ca

Fax: 250-387-3578

Toll-free Fax: 1-866-466-0665

Mailing Address:

PO Box 9275 Stn Prov Govt

Victoria, BC V8W 9J6

elections.bc.ca



[@ElectionsBC](https://twitter.com/ElectionsBC)



[/ElectionsBC](https://www.facebook.com/ElectionsBC)

Definitions

The following key terms have been used throughout this guide. Most of the terms are defined in the [Local Elections Campaign Financing Act](#) (LECFA).

Address for service	A mailing address or email address provided by an individual or organization at which notices and other communications will be accepted as served on or otherwise delivered to the individual or organization.
Anonymous contribution	A sponsorship contribution made by an eligible individual whose identity is unknown. An eligible individual cannot contribute more than \$50 anonymously.
Assent voting	Voting on a bylaw or other matter for which a local government is required or authorized to obtain the assent of the electors. Assent voting is commonly referred to as a “referendum.”
Authorized principal official	An individual who makes legally binding statements and declarations on behalf of a third party sponsor. Responsibilities include ensuring a disclosure statement is filed and retaining records related to sponsorship contributions and sponsored advertising.
B.C. Chief Electoral Officer	An independent Officer of the Legislature appointed by the Lieutenant Governor on the recommendation of the Legislative Assembly. The B.C. Chief Electoral Officer is responsible for the administration of the provincial electoral process in B.C. and the campaign financing and third party advertising provisions for local elections and non-election assent voting events.
Campaign period	The period that begins on the 28th day before General Voting Day and ends at the close of voting on General Voting Day.
Candidate	In relation to candidate obligations applicable under LECFA, an individual who: <ul style="list-style-type: none"> (a) intends to become a candidate in an election, (b) is seeking or intends to seek endorsement by an elector organization for an election, or (c) was a candidate
Directed advertising	Advertising specifically related to a candidate or elector organization by naming the candidate or elector organization or identifying the candidate by an image, likeness, voice or physical description or identifying an elector organization by their logo.
Disclosure statement	A document that discloses activities related to third party advertising. All disclosure statements must be filed with Elections BC.
Election advertising	See page 9 .
Election area	The defined geographical area where the election is held.
Elections BC	A non-partisan Office of the Legislature responsible for the administration of the provincial electoral process in B.C. and the campaign financing and third party advertising provisions for local elections and non-election assent voting events.

GUIDE FOR LOCAL ELECTIONS THIRD PARTY SPONSORS IN B.C.

Elector organization	An organization that endorses or intends to endorse a candidate in an election. An elector organization must be registered with Elections BC prior to endorsing candidates or conducting any financial activity, including accepting contributions or incurring election expenses. For more information see the Guide to Elector Organization Registration .
Eligible individual	An individual who is a resident of British Columbia and a Canadian citizen or a permanent resident.
Expense limit	The maximum value of advertising expenses that a sponsor may use in a campaign period.
Filing deadline	The last day (90 days after General Voting Day) a disclosure statement may be filed with Elections BC without a monetary penalty.
General Voting Day	The final voting day in a general local election, by-election or assent voting event.
Issue advertising	A form of third party advertising that is: <ul style="list-style-type: none"> (a) a communication respecting an issue of public policy, including an assent voting issue, and (b) not specifically related to any candidate or elector organization.
Jurisdiction	A separate local authority in which a general local election, by-election or assent voting event is held (e.g., a municipality, school district or regional district). They are considered separate authorities even if they cover the same geographic area.
Late filing deadline	The last day (120 days after General Voting Day) on which a disclosure statement may be filed by a candidate, elector organization or advertising sponsor unless relief is granted by the Supreme Court.
Local authority	The local authority of a jurisdiction for which an election or non-election assent voting can be held.
Local election officer	An individual appointed by a local authority to conduct a general local election, by-election or non-election assent voting. Local election officers are also called chief election officers.
Market value	The lowest price charged for equivalent property or services in the market area at the relevant time.
Member	An individual or organization who is a member of an organization. It does not include persons who are exclusively financial contributors, customers, subscribers, followers or supporters.
Money	Includes cash, a negotiable instrument (cheque, money order or traveller's cheque), a payment by credit card and any form of electronic payment or funds transfer.
Non-election assent voting advertising sponsor	An individual or organization that sponsors non-election assent voting advertising or that registered as a non-election assent voting advertising sponsor.

GUIDE FOR LOCAL ELECTIONS THIRD PARTY SPONSORS IN B.C.

Permissible loan	A loan made by an eligible individual or savings institution to an advertising sponsor.
Placement cost	The cost of purchasing third party advertising space on the internet, including a social media site or website.
Pre-campaign period	The period which begins on the eighty-ninth day before General Voting Day for a general local election, and which ends on the twenty-ninth day before General Voting Day for the election. There is no pre-campaign period for a by-election.
Prohibited contribution or loan	A sponsorship contribution or loan that is made or accepted in contravention of LECFA. There are monetary penalties for making or accepting prohibited contributions or loans.
Required contributor information	Information that must be recorded for all sponsorship contributions: <ul style="list-style-type: none"> (a) value of contribution (b) date the contribution was made (c) full name, mailing address and, if it is different, residential address of the contributor
Responsible principal official	A principal officer of an advertising sponsor who has consented to be a responsible principal official. Each third party sponsor that is an organization must have at least two individuals' consent to be responsible principal officials, one of which must be the authorized principal official.
Significant contributor	An eligible individual who makes: <ul style="list-style-type: none"> (a) a sponsorship contribution having a value of \$100 or more, or (b) multiple sponsorship contributions to the same advertising sponsor such that the total value is \$100 or more.
Sponsorship contribution	Generally, a contribution of money, or the value of goods and services provided, without compensation to a sponsor. See page 27 for more information.
Sponsorship contribution limit	The maximum value of sponsorship contributions that an eligible individual may provide.
Sponsorship information	An authorization statement that is required to be on most election advertising during the pre-campaign and campaign periods.
Supplementary report	A report that updates Elections BC of changed, added or corrected information to a disclosure statement. It includes a description of the circumstances leading to its submission.
Third party advertising	See page 9 .
Third party sponsor	An individual or organization who sponsors or intends to sponsor election advertising independently from the election campaign of any candidate or elector organization.

GUIDE FOR LOCAL ELECTIONS THIRD PARTY SPONSORS IN B.C.

Value of third party advertising	The value of third party advertising is: <ul style="list-style-type: none">▪ the price paid for preparing and transmitting the advertising (including applicable taxes), or▪ the market value of preparing and transmitting the advertising (including applicable taxes), if no price is paid, or if the price paid is lower than the market value
Volunteer	An individual who provides services for no remuneration or material benefit, but does not include: <ul style="list-style-type: none">(a) an individual whose employer pays them for the time spent performing the services(b) an individual who is self-employed, if they usually sell or otherwise charge for the services provided

Elections BC

A non-partisan, independent Office of the Legislature, Elections BC is responsible for administering the provincial electoral process, including provincial general elections and by-elections, provincial referenda, recall and initiative petitions and initiative votes.

Elections BC is also responsible for administering campaign financing and election advertising rules under the [Local Elections Campaign Financing Act](#) (LECFA). This responsibility includes managing campaign financing disclosure requirements, conducting investigations, and enforcing the campaign financing and third party advertising provisions set out in LECFA. This responsibility also extends to by-elections and non-election assent voting events (also referred to as referenda) held by local election authorities outside of the general local elections cycle.

Elections BC's responsibilities under LECFA include:

- accepting, reviewing and publishing disclosure statements, annual financial reports and supplementary reports,
- assisting participants to comply with LECFA,
- registering local advertising sponsors and elector organizations, and
- undertaking investigations and audits.

Privacy notice

Elections BC has the authority to collect, use, disclose and dispose of personal information under the *Local Elections Campaign Financing Act* and the *Freedom of Information and Protection of Privacy Act*. This information is used to administer provisions of the *Local Elections Campaign Financing Act*.

For information about Elections BC's privacy policies, please visit elections.bc.ca/privacy or contact:

Privacy Officer

Elections BC

1-800-661-8683

privacy@elections.bc.ca

PO Box 9275 Stn Prov Govt Victoria, BC V8W 9J6

Elections BC: local elections campaign financing guides

This guide is for third party sponsors to assist with understanding the comprehensive rules under LECFA. Elections BC also produces the following guides available at elections.bc.ca:

- Guide to Local Elections Campaign Financing in B.C. for Candidates and their Financial Agents
- Guide to Local Elections Campaign Financing in B.C. for Elector Organizations and their Financial Agents
- Guide to Elector Organization Registration
- Elector Organization Annual Financial Report Completion Guide
- Guide for Local Non-election Assent Voting Advertising Sponsors in B.C.

Local elections: shared roles and responsibilities

General local elections are held every four years for mayors, councillors, electoral area directors, local community commissioners, board of education trustees, park board members and commissioners, advisory council members, regional trustees and Islands Trust local trustees in British Columbia.

Local governments and boards of education also hold by-elections to fill vacancies that occur between general local elections. Non-election assent voting is conducted periodically by local governments to obtain elector assent to carry out certain council and board recommendations (such as borrowing to construct a new library or recreation centre).

The Ministry of Municipal Affairs, the Local Government Management Association, the Union of British Columbia Municipalities, the Ministry of Education and Child Care, the British Columbia School Trustees Association and Elections BC all have educational materials related to local elections.

A local election officer is the chief election officer or designated local authority officer appointed for a jurisdiction by a local government or board of education.

Local election officers are responsible for:

- receiving nomination and endorsement documents
- declaring candidates
- administering voting opportunities
- counting votes
- declaring election results

Who does what

Area of administration	Who is responsible
Voting and ballots	Local election officers
Nomination process	Local election officers
Advertising rules	Elections BC
Campaign financing and disclosure rules	Elections BC
Registration of elector organizations and third party sponsors	Elections BC
School trustees/school board elections	Ministry of Education and Child Care
Legislation for local elections	Ministry of Municipal Affairs

Third Party Advertising

The [Local Elections Campaign Financing Act](#) (LECFA) includes rules that third party sponsors must follow, including disclosure requirements for third party advertising and financing.

Third party advertising rules create accountability and transparency by requiring third party sponsors to record and disclose detailed information about third party advertising and financing activities. This includes sponsorship contributions and third party advertising expenses.

Individuals and organizations, other than candidates or elector organizations, that sponsor election advertising are third party sponsors.

The definition of third party advertising is broad and applies to advertising conducted by third parties during the pre-campaign period and campaign period. In general, it is any transmission of a communication to the public sponsored by someone other than a candidate or elector organization that directly or indirectly promotes or opposes a candidate or an elector organization.

In the campaign period, third party advertising includes communications that take a position on an issue associated with a candidate or elector organization.

Third party advertising is only regulated during the pre-campaign period and campaign period. Advertising conducted outside of these periods is not subject to third party advertising rules.

With the exception of sponsorship information, Elections BC does not regulate the content of third party advertising.

Third party advertising does not include:

- messages on the internet that do not, and would not normally, have a placement cost, including free social media posts, websites and videos. Examples of free messages that are not third party advertising include Facebook, Instagram and Snapchat posts, tweets, YouTube videos and websites.
- free personal or private communications (such as private letters, emails, in-person or telephone conversations, etc.)
- free media coverage (such as news stories, editorials, radio interviews, etc.)
- producing, promoting or distributing a publication if it was planned to be sold whether or not there was an election
- a communication by an individual or group sent directly to their members, employees or shareholders
- transmission by an individual, on a non-commercial basis, on the internet, or by telephone or text message of their personal views

Examples

Third party advertising	Not third party advertising
<ul style="list-style-type: none"> ▪ television, radio, newspaper or magazine advertisements ▪ signs, billboards, posters, bumper stickers or branded clothing or objects ▪ newsletters, brochures, mailing inserts or other advertising sent to the public ▪ ads on the internet with a placement cost (such as pay-per-click ads, Facebook ads, promoted posts, banner ads, pop-up ads, etc.) ▪ phone calls made using an automated system (i.e., robocalls) ▪ paid canvassing in person, by telephone or over the internet to attempt to influence how voters vote 	<ul style="list-style-type: none"> ▪ personal or private communications ▪ free media coverage (such as a candidate debate on a local news channel, news stories, radio interviews, etc.) ▪ a communication by an individual or group sent directly to their members, employees or shareholders ▪ any free communication on the internet (such as Facebook, Twitter, Instagram, Snapchat, YouTube, etc.) ▪ free person-to-person phone calls and text messages ▪ websites or blogs ▪ producing, promoting or distributing a publication if it was planned to be sold whether or not there was an election

Types of third party advertising

There are two types of third party advertising: directed advertising and issue advertising.

Directed advertising is third party advertising that identifies a candidate, includes a photo or likeness of a candidate or identifies a candidate by voice or physical description. Directed advertising also includes advertising that names an elector organization or includes a logo or likeness of a logo used by the elector organization.

Example of directed advertising

A third party sponsor sends out a brochure with the message:

“For change, vote Joe Smith for Mayor”

Issue advertising is third party advertising about an issue of public policy that a candidate or elector organization is associated with, but does not name the candidate or elector organization. It also includes advertising that takes a position on an assent voting question that is held in conjunction with an election.

Example of issue advertising

A candidate for mayor is running on the platform of building a new ice rink. A third party sponsor pays for an advertisement in a local newspaper that says:

“Vote for the new ice rink to be built”

Pre-campaign and campaign periods

For general local elections, the pre-campaign period begins on the 89th day before General Voting Day and ends on the 29th day before General Voting Day. Rules for directed advertising are in effect during this period. There is no pre-campaign period for a by-election.

For general local elections and by-elections, the campaign period begins on the 28th day before General Voting Day and ends at the close of voting on General Voting Day. Rules for directed advertising and issue advertising are in effect during this period.

Review process and evaluation criteria

Elections BC reviews and responds to questions about third party advertising on a case-by-case basis.

The following questions are asked when determining if something is third party advertising:

- Was the message transmitted to the public?
- Was it during the pre-campaign or campaign period?
- Did it directly or indirectly promote or oppose a candidate or elector organization, or did it take a position on an issue with which a candidate or elector organization is associated?
- If the message was transmitted over the internet, was there, or would there normally be, a placement cost?
- If the message was canvassing in person, by telephone or over the internet and there was an attempt to influence how a voter votes, was the canvasser being paid?

If the answer is “yes” for any of the above questions, the message could be third party advertising.

Indicators that advertising and activities may be third party advertising include:

- advertising that identifies candidates or elector organizations
- advertising that evaluates the performance of candidates or elector organizations
- advertising that compares the positions of candidates or elector organizations on a policy issue
- the promotion of, or opposition to, policy issues associated with a candidate or an elector organization

GUIDE FOR LOCAL ELECTIONS THIRD PARTY SPONSORS IN B.C.

- advertising which references the election, voting and/or the date of General Voting Day
- advertising which uses language like “Your choice” or “Make your voice heard”
- advertising specifically planned to coincide with the pre-campaign or campaign period
- advertising in the form of paid canvassing in person, by telephone or over the internet to attempt to influence how voters vote
- formatting or branding a communication in a similar manner to a candidate’s or elector organization’s own election material
- a substantial increase in the normal volume of advertising
- a substantial increase in the number and size of public events
- advertising that promotes or opposes a particular result in assent voting during a local election

Indicators that advertising and activities may not be third party advertising include:

- advertising that does not name a candidate or elector organization or take a position on an issue supported or opposed by a candidate or an elector organization
- advertising that is consistent with previous advertising conducted by the individual or organization or advertising that has occurred historically during that particular time of year
- factual information on how to contact the individual or organization conducting the advertising

Requesting an opinion

On request, Elections BC will review a message and provide an opinion on whether it could be third party advertising. To request an opinion, contact Elections BC toll-free by phone at 1-800-661-8683 or by email at electoral.finance@elections.bc.ca.

Registering as a third party sponsor

An individual or organization that wants to sponsor third party advertising must register with Elections BC before doing the advertising. Any individual or organization can apply to register as a third party sponsor and is subject to the registration and financing disclosure requirements under the [Local Elections Campaign Financing Act](#) (LECFA).

There are monetary penalties for failing to register as a third party sponsor. See [page 38](#) for more info.

Registered third party sponsors must be independent from the election campaigns of candidates and elector organizations. This means a third party sponsor must not conduct third party advertising on behalf of, or together with, a candidate or elector organization. A third party sponsor and a candidate or elector organization cannot coordinate their advertising campaigns.

There are monetary penalties for failing to comply with independence requirements. See [page 38](#) for more info.

Candidates and elector organizations can be third party sponsors, but they can only conduct third party advertising that is not related to their own election campaign.

Example

A candidate running for office in Victoria may sponsor third party advertising in Prince George.

When and how to register

To register, an application must be completed and submitted to Elections BC before conducting any third party advertising. The application form can be obtained by contacting Elections BC or found at [elections.bc.ca](#).

An application must be fully completed and include the name and contact information of an individual or the names and contact information of an organization and its principal officials.

Third party sponsor applications require solemn declarations, which must be witnessed by a Commissioner for Taking Affidavits for British Columbia. This can be done free of charge by:

- local election officers
- Service BC Centre staff ([servicebc.gov.bc.ca/locations](#))

- Note: not all Service BC offices provide this service. Please check their website or phone before personally attending the office to ensure this services is available at your desired location.

Steps to apply to register as a third party sponsor:

1. Complete the relevant application form (available at elections.bc.ca)
 - 4700 - Registration Application – Individual
 - 4701 - Registration Application – Organization
 - 4701B - Registration Application – Responsible Principal Officials
2. Submit the form(s) to Elections BC by email, mail, fax or in person to the Elections BC office in Victoria. If the application is approved, Elections BC will confirm registration with the sponsor.
3. If the application is not approved, or if more information is required, Elections BC will contact the applicant, explain the reasons for refusal and provide an opportunity to supply the additional information for a reconsideration of the decision.

Registration as a third party sponsor is only valid for one election. Third party sponsors will need to re-register with Elections BC if they wish to sponsor third party advertising in a future election.

Updating registration information

Registered third party sponsors must keep their registration information current by advising Elections BC if any of their information changes (i.e., a change in contact information or responsible principal officials).

Steps to update third party sponsor registration information:

1. Complete the applicable update form (available at elections.bc.ca)
 - 4702 - Registration Update – Individual
 - 4703 - Registration Update – Organization
 - 4703B - Registration Update – Responsible Principal Officials
2. Submit the form(s) to Elections BC by email, mail, fax or in person to the Elections BC office in Victoria.
3. If the update form is complete, Elections BC will update the information without contacting the sponsor.
4. If more information is required to process the registration update, Elections BC will make contact and explain what is required.

Determining the sponsor of third party advertising

Generally, the sponsor of third party advertising is the individual or organization that pays for the advertising. If two or more third party sponsors sponsor advertising together, they are co-sponsors.

Example

Amanda and Jeremy are both registered third party sponsors that decide to create a shared brochure. Amanda designs and prints the brochure for both sponsors to distribute.

Who is the sponsor of the advertising?

Amanda and Jeremy are co-sponsors of the advertising.

The third party sponsor is still the sponsor even if the advertising is provided to the sponsor as a sponsorship contribution or another individual or organization conducts advertising on behalf of the sponsor.

Example

A local parents' group meets with XYZ Organization and they decide, with XYZ's consent, that the parents' group will create brochures on their behalf and distribute them door-to-door during the campaign period.

Who is the sponsor of the advertising?

XYZ Organization is the sponsor. The local parents' group is working on behalf of XYZ to create and distribute the brochures. The cost of preparing and printing the brochure is an advertising expense of XYZ Organization. Because only eligible individuals may make a sponsorship contribution to a third party sponsor, the parents' group cannot pay for the brochures. XYZ Organization must pay for or reimburse the cost of the advertising.

Sponsorship information on third party advertising

Sponsorship information, also known as an authorization statement, is required on most third party advertising and must include:

- the name of the sponsor,
- the words “authorized by” in front of the sponsor’s name,
- that the sponsor is registered under LECFA, and
- a B.C. phone number, or B.C. mailing address or email address at which the sponsor can be contacted

Although there are no size requirements for the sponsorship information, it must be clear and readable.

Sponsorship information must be on the third party advertising itself and must be in English or understandable to readers of English. If the advertising is in another language, the sponsorship information must also be in that language or understandable to readers of that language.

If a person is paid to canvass voters, either in person, by telephone or over the internet, the canvasser must provide voters with the required sponsorship information.

There are monetary penalties for failing to include sponsorship information. See [page 39](#) for more information.

If the advertising is co-sponsored by two or more third party sponsors, the sponsorship information for each sponsor must be on the advertising.

Example 1

Individual

Authorized by John Smith, registered sponsor under LECFA, 604-123-4567

Example 2

Organization

Authorized by XYZ Company, registered sponsor under LECFA, xyz@company.ca

Example 3

Individual – another language

जॉन स्मिथ LECFA तहत पंजीकृत प्रायोजक द्वारा अधिकृत 604-123-4567

Authorized by John Smith, registered sponsor under LECFA, 604-123-4567

Example 4

Multiple Sponsors

Authorized by ABC Company, registered sponsor under LECFA, 250-123-4567 and ABC Trade Union, registered sponsor under LECFA, 250-123-8910

Third party advertising exempt from sponsorship information

Certain types of third party advertising do not require sponsorship information:

- clothing
- novelty items (such as buttons, badges, pins, stickers, bumper stickers, wristbands)
- small items of nominal value that are intended for personal use (such as pens, mugs, magnets, key chains, notepads, business cards)

Sponsorship information for advertising on the internet

For internet advertising that has or would normally have a placement cost, the sponsorship information does not need to be on the ad if there is a link that takes the viewer to the website, landing page or profile page that contains it.

How to calculate the value of third party advertising

The value of third party advertising is an advertising expense and is the price paid for preparing and transmitting the advertising.

Since only eligible individuals may make sponsorship contributions, advertising suppliers, such as newspapers and sign printers, must not give preferential discounts to third party sponsors.

The value of third party advertising includes all property and services used in preparing and transmitting the advertising to the public (such as materials, transmission fees, design services, taxes, etc).

Example

A third party sponsor pays an agency \$500 to produce a radio advertisement and then pays a radio station \$150 per play. The ad is played 20 times during the campaign period.

What is the value of this advertising?

The production cost plus the cost per play multiplied by the number of times played: $\$500 + \$3,000 (\$150 \times 20 \text{ plays}) = \$3,500$.

Individuals who are sponsors do not have to value their own services used to prepare or transmit third party advertising. However, they must include any property consumed in producing or transmitting the advertising, such as paper, wood, paint and gasoline. Property not consumed, such as a vehicle or a computer, is not included in the value of the advertising.

Example

An individual sponsor prepares a brochure on their own computer and makes 500 copies at a local print shop for \$0.25 per copy. The sponsor delivers the brochures using their own car to 500 different homes within the community. The sponsor uses \$20 worth of gas to deliver the brochures.

What is the value of this advertising including all applicable taxes?

$500 \text{ brochures} \times \$0.25 \text{ printing} = \125 x a tax rate of 12% = \$140 + \$20 gas (tax already included) = \$160 total value.

Valuing staff, volunteer and outside services

A volunteer's services do not need to be valued or included in the value of third party advertising.

The value of services used to prepare and transmit third party advertising must be included in the value of third party advertising if:

- the services are purchased or received from an outside vendor
- the services are performed by employees of an organization that is a third party sponsor, or
- the services are provided by a self-employed individual that normally charges for the service

Example

A third party sponsor has a paid staff member prepare an advertising message that is third party advertising.

Does the sponsor include the value of the staff member's services in the value of the third party advertising?

Yes. The staff member's services are included in the value of the advertising. Since the staff member is paid to perform these services, their wages are included in the value of the advertising.

The value of any property owned by a volunteer that is consumed in producing or transmitting third party advertising, such as paper, wood, paint and gasoline must be included in the value of third party advertising. Property of a volunteer that is not consumed in producing or transmitting advertising, such as a vehicle or a computer, is not included in the value of the advertising.

Example

A volunteer uses their own vehicle to drive around the community and place third party advertising signs. The volunteer uses \$10 of gas to do this.

What does the sponsor need to include in the value of third party advertising?

The sponsor must include the full value of the signs and the \$10 of gas that the volunteer used to place the signs.

Prorating and apportioning third party advertising

The value of third party advertising can be prorated or apportioned according to the following principles:

- The full production cost of the advertising must be included in the value. This applies to all third party advertising even if the advertising is used for other purposes before the pre-campaign or campaign periods or will continue to be used after the election.

- For transmission costs, include only the portion related to transmission during the pre-campaign period or campaign period.
- For third party advertising that is co-sponsored by two or more registered third party sponsors, each sponsor must report the amount that they paid and the total value of the shared advertising.

Example

Two third party sponsors jointly rent a billboard for one year at a rate of \$1,000 per month (\$12,000 total). The cost of producing the billboard advertisement is \$2,000. The billboard meets the definition of third party advertising, and it remains on display through the pre-campaign and campaign periods.

What is the value of the third party advertising?

Since the pre-campaign and campaign periods are a total of 90 days, including General Voting Day, 90 days' worth of transmission costs must be included along with the full production value of the billboard advertisement. The total value of the third party advertising must be fully reported by both sponsors.

Total value of third party advertising:

$\$2,000 + [\$12,000 \div 365 \text{ days} \times 90 \text{ days}] = \$4,958.90$ each

Third party advertising expense limits

There are two expense limits for third party advertising that apply during the campaign period: a **directed advertising** expense limit and a **cumulative advertising** expense limit. There is no expense limit for third party advertising in the pre-campaign period.

The directed advertising expense limit is the limit that applies to directed advertising. The cumulative advertising expense limit applies to the total amount of advertising conducted by a third party sponsor, including both directed and issue advertising.

Directed advertising limits are specific to an election area and apply to advertising for or against candidates and/or elector organizations. These limits vary by election area.

The cumulative advertising limit applies to the combined directed and issue advertising done by a third party sponsor in all election areas across the province. The total value of election advertising cannot exceed this limit.

The Ministry of Municipal Affairs, the Ministry of Education and Child Care and the Ministry of Indigenous Relations and Reconciliation calculate campaign period expense limits for third party sponsors.

All third party sponsors are subject to these expense limits, which are based on the population of the election area.

An election area is the geographical area where the election is held.

Elections BC will publish the expense limits no later than May 31 in the year of general local elections.

For by-elections, the expense limits for the most recent general local elections apply.

If a third party sponsor exceeds their expense limit:

- monetary penalties will apply
- disqualification penalties will apply
- they commit an offence

Expense limits for third party advertising can be found at elections.bc.ca.

Example

Mark registers as a third party sponsor to promote candidates for mayor and board of education trustee. Mark needs to determine the applicable expense limits. On the Elections BC website at elections.bc.ca, Mark finds the relevant election areas and determines that the expense limits for directed advertising for mayor is \$2,000 and for board of education trustees is \$1,200. The cumulative advertising limit is \$150,000.

If he spends the maximum on directed election advertising ($\$2,000 + \$1,200$) he still has a cumulative limit of \$146,800 he can spend on issue advertising ($\$150,000 - \$2,000 - \$1,200$).

Attribution rules

There are specific attribution rules for third party sponsors that conduct directed advertising. In order to meet the disclosure requirements, sponsors are encouraged to record as much information as possible about each directed advertising expense, including:

- the total value of the expense,
- which election area(s) the advertising relates to, and
- how much time or space in the ad is attributed to each candidate or elector organization.

Third party sponsors are encouraged to contact Elections BC for clarity on how to attribute third party advertising expenses.

For directed third party advertising in relation to a single election area, the total value of the expense must be attributed to the expense limit for that election area.

For directed third party advertising in relation to multiple election areas, the expense must be attributed using the following rules.

For directed advertising that relates to multiple candidates, or candidates and elector organizations, sponsors must attribute the value of the advertising to each applicable election area's expense limit based on the amount of time and space related to each election area.

Example

Scott conducts directed advertising to promote the candidates endorsed by ABC Elector Organization for both city council in Election Area A and the local board of education in Election Area B. Scott's advertising has a total value of \$2,000 and provides equal space for each election area.

How must Scott attribute the advertising expense to each election area?

Scott must attribute \$1,000 to the expense limit for each election area because the advertising space related to each election area was the same.

For directed advertising that relates to elector organizations and is not related to candidates, sponsors must divide the total value of each advertising expense by the number of election areas it is related to. This value must be applied to each election area's expense limit.

Example

Mildred conducts directed advertising to oppose ABC Elector Organization, which is endorsing candidates in Election Area A and Election Area B. The advertising has a total value of \$1,500.

How must Mildred attribute the expense to each election area?

Mildred must attribute \$750 to each election by dividing the total value of the ad by the number of election areas it relates to ($\$1,500 \text{ total value} \div 2 \text{ election areas} = \750).

Third party sponsors may also share advertising with other registered sponsors, but the total value of the advertising is still subject to the same limit (i.e., they do not each get a separate limit).

Each third party sponsor must report the amount they paid for the shared advertising.

Advertising restrictions

Where and when election signs may be placed

Elections BC does not regulate where and when signs may be placed. However, local governments have the authority to regulate the size, placement, maintenance and removal of signs and other forms of public advertising. Contact your local government for more information about election sign bylaws in your area.

The Ministry of Transportation and Infrastructure regulates sign placement on provincial highways. Please refer to the Ministry's policy at: www.gov.bc.ca/electionsigns.

Important safety note: placing election signs by digging or driving stakes into the ground can pose a safety hazard to sign installers and to underground infrastructure (such as gas lines and other utilities). Before placing election signs, you may wish to contact BC One Call at 1-800-474-6886 or see the website at: <https://www.bc1c.ca/> to determine if there are risks in your area. This service is free of charge and is not associated with Elections BC.

Authority to remove third party advertising

If third party advertising does not include the required sponsorship information, or is conducted by an unregistered third party sponsor, Elections BC may require that the advertising be:

- corrected
- discontinued
- covered
- obscured
- removed
- destroyed

Campaigning restrictions on General Voting Day

An individual or organization must not transmit third party advertising to the public on General Voting Day (GVD), except:

- advertising on the internet as long as the advertising was transmitted to the public before GVD and was not changed before the close of voting. For example, if advertising must be purchased on a monthly basis and GVD is included in that purchase and cannot be removed, then the advertising will be permitted. It is not permitted to schedule advertising for GVD, such as paid Facebook posts.
- advertising by means of signs, posters or banners
- distributing pamphlets
- advertising on the internet that is for the sole purpose of encouraging voters to vote

GUIDE FOR LOCAL ELECTIONS THIRD PARTY SPONSORS IN B.C.

Permitted on General Voting Day	Not permitted on General Voting Day
<ul style="list-style-type: none">▪ using free social media▪ person-to-person interactions, such as phone calls, emails, text messages, etc.▪ placing signs or distributing brochures outside of 100 metres from a voting place▪ third party advertising on the internet as long as the advertising was not changed on GVD or is solely to encourage voters to vote▪ campaign meetings or rallies outside of 100 metres from a voting place	<ul style="list-style-type: none">▪ scheduling paid ads on the internet, including paid social media posts on Facebook, Twitter, Instagram, etc.▪ automated voice calls (robocalls) and automated text messages▪ placing signs or distributing brochures within 100 metres of a voting place▪ television, radio or newspaper ads▪ paid canvassing in person, by telephone or over the internet to attempt to influence how voters vote

Third party advertising is never permitted within 100 metres of a voting place while voting is being conducted.

For more information about the 100 metre rules, please contact your local authority.

Collecting information from an advertiser

For the purpose of administering compliance with LECFA, the B.C. Chief Electoral Officer may collect from an advertiser the following information in relation to third party advertising that has been transmitted to the public:

- the name of the individual or organization that sponsored the advertising
- the name of the individual or organization that transmitted or arranged to have transmitted the advertising
- the date the advertising was ordered or requested
- the amounts and dates of payments, if any
- the dates on which the advertising was transmitted
- the actual or intended geographic distribution or availability of the advertising
- any other information prescribed by regulation

An advertiser is an individual or organization that has transmitted or arranged to have transmitted third party advertising to the public by any means during the past five years, or as defined by regulation.

Sponsorship contributions

A sponsorship contribution is the value of any money, property or services provided without compensation to a third party sponsor to be used for third party advertising. A sponsorship contribution can be made at any time.

A sponsorship contribution can be a donation of money or goods, advance, deposit or discount. Sponsorship contributions of money can be made by cash, cheque, credit card or electronic funds transfer.

Who can make sponsorship contributions

Sponsorship contributions can only be made by eligible individuals and cannot be made by organizations or any other individuals.

An eligible individual is:

- a resident of British Columbia, and
- a Canadian citizen or a permanent resident.

Sponsorship contribution limits

Eligible individuals are subject to a limit for sponsorship contributions made to each third party sponsor during a calendar year. This limit includes any loans made by an eligible individual to a third party sponsor. The sponsorship contribution limit for each calendar year can be viewed on the Elections BC website at elections.bc.ca.

Sponsorship contribution limits are adjusted either by regulation or by changes to the consumer price index (CPI). Adjusted amounts will be published on the Elections BC website and in the *B.C. Gazette*.

If a contributor has exceeded the contribution limit, the amount is a prohibited contribution. There are significant monetary penalties for exceeding a contribution limit.

Making and accepting sponsorship contributions

The following are rules for making and accepting sponsorship contributions:

- Only eligible individuals may make sponsorship contributions and third party sponsors may only accept contributions from eligible individuals.
- When accepting a sponsorship contribution, the third party sponsor must record the value, the date the contribution was made and the required contributor information, including their residential address.

- Contributors must provide information so that third party sponsors can meet their legal disclosure requirements.
- Donated (in-kind) property or services must be assigned a market value, recorded and disclosed in the same way as contributions of money.

Crowdfunding, or crowdsourcing, for sponsorship contributions through the internet is also permitted. The crowdfunding system must require the contributor to provide the value, the date the contribution was made and the required contributor information so the sponsor can record it. Anonymous contributions cannot be collected over the internet.

Foreign currency and cryptocurrency contributions must be valued at the market rate at the time and date of the contribution and are subject to the same contribution rules as any other contribution.

Anonymous sponsorship contributions

Anonymous contributions of **\$50 or less** are allowed. However, an eligible individual can only give a total of \$50 in anonymous contributions to a single third party sponsor. The sponsor must record the value and date of the contribution and how it was received.

An anonymous contribution of more than \$50 is prohibited. It is also prohibited to accept multiple anonymous contributions from the same eligible individual totalling more than \$50.

An anonymous contribution must be truly anonymous. This means that the sponsor does not know who made the contribution. It is not permissible for a contributor to ask that their contribution be anonymous. Anonymous contributions cannot be collected by crowdfunding or crowdsourcing over the internet.

Example

A third party sponsor is hosting a social function and asks Maya, a volunteer for the sponsor, to monitor a donation jar at the entrance. Maya observes that eight people make anonymous contributions totalling \$112, and no one donates more than \$50.

Are these anonymous contributions permissible?

Yes. They are permissible because no one has donated more than \$50.

Discounted property or services

If property or services are provided by an eligible individual to the sponsor at less than market value, the eligible individual is making a sponsorship contribution. The sponsorship contribution is the difference between the price paid and the market value.

Market value is the lowest price charged for an equivalent amount of property or services in the market area at the time.

Donated property or services

Donated property or services, also called in-kind contributions, may only be given by eligible individuals and must be recorded as a sponsorship contribution. The value of an in-kind sponsorship contribution is its market value. A sponsor can find the fair market value by obtaining a current quote from a vendor for the same property or services. The quote will be kept as a part of the financial records.

Example

Deanne donates wood for signs to a third party sponsor. The value of the wood is \$500. Deanne is making a sponsorship contribution as an eligible individual.

What is the value of the contribution?

The value of the sponsorship contribution is \$500.

Required contributor information and other recording requirements for sponsorship contributions

Third party sponsors must keep accurate and detailed records of all financial transactions. Detailed records will make completing the disclosure statements easier.

Sponsors must record the following for each sponsorship contribution:

- the full name and residential address of the contributor (and mailing address, if it is different)
- the value of the sponsorship contribution
- the date the sponsorship contribution was made

A residential address is the eligible individual's home address. Mailing addresses such as a PO box, work address or commercial address do not meet the recording requirements.

A contribution must come from a single eligible individual. If a contribution appears to come from multiple eligible individuals, the sponsor must determine which contributor made the donation and record that information.

Example

Josie, a third party sponsor, receives a contribution by cheque from Sam and Pat Smith for \$300. Josie must determine which eligible individual made the contribution.

Scenario 1

Josie contacts Sam and Pat and asks which name should be recorded as the contributor. Sam tells Josie that the contribution was intended to come from both of them. Josie records a contribution of \$150 each from Sam Smith and Pat Smith.

Scenario 2

Sam tells Josie that the contribution was from Pat only. Josie records a \$300 contribution from Pat Smith.

Significant contributors

Significant contributors are eligible individuals who make sponsorship contributions of **\$100 or more** to the same third party sponsor. The contributions could be either a single donation of \$100 or more, or multiple donations that total \$100 or more. This includes in-kind contributions.

Information about significant contributors must be disclosed in the third party sponsor's disclosure statement. This includes:

- full name and residential address of contributor
- value of contribution
- date of contribution

Elections BC will remove residential addresses of contributors before publishing disclosure statements.

Example 1

On September 1, Raj, a third party sponsor, receives a \$50 contribution from his uncle, who is an eligible individual. It is the first contribution his uncle has made.

Is the uncle a significant contributor?

No. The value is less than \$100.

Example 2

On September 23, Raj's uncle gives Raj a \$75 contribution.

Is the uncle now a significant contributor?

Yes. The total contributions from him are now \$100 or more ($\$50 + \$75 = \125).

Prohibited contributions

It is an offence to make or knowingly accept a prohibited contribution. If a third party sponsor becomes aware that a contribution is prohibited, they must return the contribution, or an amount equal to its value, within 30 days.

If the contribution cannot be returned (such as an anonymous contribution over \$50) the sponsor must send it to Elections BC.

Example 1

A third party sponsor receives an anonymous contribution of \$75 in an envelope. The sponsor keeps \$50 and sends the remaining \$25 to Elections BC.

Is this permissible?

No. All of the \$75 must be sent to Elections BC because it is an anonymous contribution over \$50.

Example 2

Carrie, an eligible individual, has already contributed the maximum annual amount to a third party sponsor during the calendar year when she makes another contribution of \$300.

Is this permissible?

No. The third party sponsor must return the \$300 to Carrie because it is a prohibited contribution.

There are monetary penalties for making, accepting or failing to return prohibited contributions. See [page 38](#) for more information.

Indirect contributions

Indirect sponsorship contributions are not allowed. This means that someone cannot give money or other property or services to a person for that person to make a sponsorship contribution.

Making a sponsorship contribution with someone else's money, property or services is also prohibited.

Loans or debts

Any loan or debt in relation to third party advertising that remains unpaid for six months after it becomes due converts to a sponsorship contribution unless the creditor has started legal proceedings to recover it. Creditors keep their rights to collect the loan or debt past the six month period even if no action to collect is taken.

Prohibited contribution rules apply to loans or debts that become sponsorship contributions from organizations.

If a loan or debt becomes a sponsorship contribution after the disclosure statement is filed with Elections BC, the sponsor must file a supplementary report. See [page 35](#) for information on supplementary reports.

Permissible loans

Third party sponsors may receive loans from eligible individuals and savings institutions for third party advertising. Loans from savings institutions must not have an interest rate that is lower than the [prime rate](#) of the government's principal banker.

Sponsors must record the following for each loan received:

- if the loan is received from an eligible individual, the full name and residential address of the lender
- if the loan is received from a savings institution, the name of the savings institution
- amount of the loan
- date the loan was made
- due date of the loan
- interest rate of the loan
- if the loan is received from a savings institution, the [prime rate](#) of interest at the time the loan is made

If a sponsor becomes aware that a loan has been accepted in contravention of LECFA, they must return the loan or pay the lender an amount equal to the loan within 30 days.

Disclosure statements

Third party sponsors are responsible for filing disclosure statements with Elections BC. A disclosure statement includes information on all sponsorship contributions and third party advertising expenses. A disclosure statement must be filed for every third party sponsor. All disclosure statements must be completed on Elections BC forms.

Who must file

Third party sponsors that have less than \$500 of advertising expenses only have to file the cover page of the disclosure statement.

Third party sponsors that have advertising expenses of \$500 or more must include all other applicable forms in the disclosure statement.

If the third party sponsor is an organization, the responsible principal officials have a responsibility to ensure that the disclosure statement is filed.

To ensure your report is received by Elections BC before the deadline, you may deliver it by:

- **Email (preferred):** forms may be filled out online and an electronic signature is acceptable. Fillable forms can be found [here](#) and should be sent to electoral.finance@elections.bc.ca.
- **Fax:** our toll-free fax number is 1-866-466-0665
- **Mail:** a postmark is not acceptable as proof of delivery by the deadline, so ensure you mail the report well before the deadline: PO Box 9275 Stn Prov Govt, Victoria, BC V8W 9J6.
- **Courier:** ensure that you submit the report early enough for it to be received by the deadline: Suite 100 – 1112 Fort Street, Victoria , BC V8V 3K8
- **Personally deliver the report:** to a Service BC office or Elections BC: Suite 100 – 1112 Fort Street, Victoria, BC V8V 3K8, Monday to Friday, 8:30 a.m. to 4:30 p.m. PST (Closed weekends and statutory holidays.)

Note: not all Service BC offices will accept this report. Please check their website before personally attending the office to ensure this service is available: servicebc.gov.bc.ca/locations.

Filing deadline

The filing deadline for disclosure statements is 4:30 p.m. (Pacific time), 90 days after General Voting Day.

The disclosure statement must be received and accepted by Elections BC by the filing deadline. A postmark is not acceptable as proof of delivery.

Disclosure statements filed by the filing deadline are accepted as long as the disclosure requirements are met. If a disclosure statement requires additional information before it can be accepted, Elections BC will contact the sponsor to give them an opportunity to make the required corrections. If a sponsor does not meet the 90 day deadline, they may file the disclosure statement under the late filing provisions discussed below.

The B.C. Chief Electoral Officer may grant extensions to the filing deadline in extraordinary circumstances. Requests for extensions must be made in writing to the B.C. Chief Electoral Officer before the 90 day filing deadline.

Late filing deadline

The late filing deadline is 4:30 p.m. (Pacific time), 120 days after General Voting Day (GVD). Disclosure statements submitted between 91 and 120 days after GVD must include a \$500 late filing fee.

It is an offence to not file a disclosure statement by the late filing deadline. There are significant penalties for committing offences.

Supplementary reports

If Elections BC advises a third party sponsor that a supplementary report is required, it must be submitted within 30 days of the notification.

A supplementary report must also be filed if a sponsor becomes aware that information previously disclosed has changed or does not completely and accurately disclose the information required.

A supplementary report must:

- provide details about the addition, change or correction to the original disclosure statement
- include a description of the circumstances that led to filing the supplementary report
- be in a form approved by Elections BC

Requirement for retaining records

Third party advertising records must be retained in British Columbia until five years after General Voting Day. These records must include:

- copies of the disclosure statement forms
- records of contributions and required contributor information
- deposit slips
- expense receipts
- cheque registers
- transaction slips
- all other records related to sponsorship contributions and third party advertising

Sponsors must keep all records and other material related to the disclosure statement until all disclosure requirements have been fulfilled. If the sponsor is an organization, the authorized principal official becomes responsible for retaining records and materials after the disclosure requirements are met.

Public information

Disclosure statements are made available on the Elections BC website after the filing deadline. They may also be viewed at the Elections BC office in Victoria. All residential addresses of significant contributors will be obscured prior to publication.

Penalties, offences and court order for relief

Elections BC works closely with participants to help them understand and comply with the local elections third party advertising rules and regulations.

Third party sponsor penalties and offences

Failing to comply with the third party advertising rules in the [Local Elections Campaign Financing Act](#) (LECFA) may lead to significant penalties, including committing an offence for more serious matters of non-compliance.

There are also administrative penalties imposed by the B.C. Chief Electoral Officer for failing to comply with the third party advertising rules. Administrative penalties include monetary penalties and disqualification.

A list of disqualified candidates and advertising sponsors is available on the [Elections BC](#) website and at the Elections BC office in Victoria.

Failing to file a disclosure statement

Third party sponsors who fail to file a disclosure statement or supplementary report are disqualified from sponsoring third party or non-election assent voting advertising and prohibited from accepting sponsorship contributions until after the next general local elections. However, sponsors may still accept sponsorship contributions for the purpose of paying debts in relation to the election to which the penalty applies.

It is also an offence to fail to file a disclosure statement or supplementary report. If the sponsor is an individual, they are liable to a fine of up to \$10,000 and/or imprisonment for up to two years. If the sponsor is an organization, they are liable to a fine of up to \$20,000.

Exceeding the expense limit

Third party sponsors who exceed their expense limit must pay monetary penalties. Sponsors that are individuals must pay a penalty of twice the amount by which they exceeded the limit. Sponsors that are organizations must pay a penalty of five times the amount by which they exceeded the limit.

Monetary penalties are made payable to the Minister of Finance.

It is also an offence to exceed an expense limit. If the sponsor is an individual, they are liable to a fine of up to \$5,000 and/or imprisonment for up to one year. If the sponsor is an organization, they are liable to a fine of up to \$10,000.

Failing to register as a third party sponsor

If the B.C. Chief Electoral Officer makes the determination that an individual or organization sponsored third party advertising without being registered with Elections BC, the B.C. Chief Electoral Officer must notify the individual or organization of non-compliance within seven days of making the determination, and the related penalty.

An individual that sponsors third party advertising without being registered with Elections BC is liable to pay a monetary penalty of up to \$5,000, as determined by the B.C. Chief Electoral Officer.

An organization that sponsors third party advertising without being registered with Elections BC is liable to pay a monetary penalty of up to \$10,000, as determined by the B.C. Chief Electoral Officer.

An application to the Supreme Court for relief from the financial penalty must be made within 30 days after receiving notification from Elections BC of the non-compliance and related penalty.

Failing to comply with independence requirements

If the B.C. Chief Electoral Officer makes the determination that an individual or organization has failed to comply with the independence requirements for third party sponsors, the B.C. Chief Electoral Officer must notify the individual or organization of non-compliance within seven days of making the determination, and the related penalty.

An individual that has failed to comply with the independence requirements for third party sponsors is liable to pay a monetary penalty of up to \$5,000, as determined by the B.C. Chief Electoral Officer.

An organization that has failed to comply with the independence requirements for third party sponsors is liable to pay a monetary penalty of up to \$10,000, as determined by the B.C. Chief Electoral Officer.

An application to the Supreme Court for relief from the financial penalty must be made within 30 days after receiving notification from Elections BC of the non-compliance and related penalty.

Making or accepting prohibited sponsorship contributions

If the B.C. Chief Electoral Officer makes the determination that a third party sponsor accepted a sponsorship contribution that is not in compliance with LECFA, the B.C. Chief Electoral Officer must notify the individual or organization of non-compliance within seven days of making the determination, and the related penalty. This includes:

- Contributions from ineligible sources (e.g., from organizations or individuals who are not eligible individuals)
- Contributions that exceed the contribution limit

- Contributions that have not been properly recorded in order to allow compliance with LECFA
- Indirect contributions
- Anonymous contributions of more than \$50

An individual or organization that makes or accepts a prohibited sponsorship contribution is liable to pay a monetary penalty of up to double the amount of the prohibited contribution, as determined by the B.C. Chief Electoral Officer.

An application to the Supreme Court for relief from the financial penalty must be made within 30 days after receiving notification from Elections BC of the non-compliance and related penalty.

Failing to return prohibited sponsorship contributions

If the B.C. Chief Electoral Officer makes the determination that a third party sponsor has failed to properly handle a prohibited contribution that was made or accepted in contravention of LECFA, the B.C. Chief Electoral Officer must notify the sponsor of non-compliance within seven days of making the determination, and the related penalty.

A third party sponsor that does not properly return or remit a prohibited contribution is liable to pay a monetary penalty of up to double the amount of the prohibited contribution, as determined by the B.C. Chief Electoral Officer.

An application to the Supreme Court for relief from the financial penalty must be made within 30 days after receiving notification from Elections BC of the non-compliance and related penalty.

Failing to include sponsorship information on election advertising

If the B.C. Chief Electoral Officer makes the determination that a candidate, registered elector organization or third party sponsor failed to include sponsorship information, also known as an authorization statement, on election advertising when required to under LECFA, the B.C. Chief Electoral Officer must notify the individual or organization of non-compliance within seven days of making the determination, and the related penalty.

An individual that does not include sponsorship information on election advertising when required is liable to pay a monetary penalty of up to \$5,000, as determined by the B.C. Chief Electoral Officer.

An organization that does not include sponsorship information on election advertising when required is liable to pay a monetary penalty of up to \$10,000, as determined by the B.C. Chief Electoral Officer.

An application to the Supreme Court for relief from the financial penalty must be made within 30 days after receiving notification from Elections BC of the non-compliance and related penalty.

Providing false or misleading information

Providing false or misleading information or making false or misleading statements under LECFA is an offence. Individuals who commit such an offence are liable to a fine of up to \$10,000 and/or imprisonment for up to two years. Organizations that commit such an offence are liable to a fine of up to \$20,000.

Third party sponsors who are convicted of an offence for providing false or misleading information are disqualified from sponsoring third party or non-election assent voting advertising and prohibited from accepting sponsorship contributions until after the next general local elections. However, sponsors may still accept sponsorship contributions for the purpose of paying debts in relation to the election to which the penalty applies.

Court orders for relief

Third party sponsors or responsible principal officials can apply to the Supreme Court for a court order for relief from disclosure requirements and expense limit penalties. These applications must be made before the late filing deadline.

Sponsors applying for court relief may want to consult independent legal counsel about the court process.

For details and timelines on filing for court relief, see sections 66-72 of the [Local Elections Campaign Financing Act](#).

Disclosure statement completion instructions

General instructions for all forms

The disclosure statement forms are available online at elections.bc.ca.

The following are some general instructions when completing all forms:

- Submit all relevant forms. Forms not relevant to the sponsor do not need to be filed. If there is doubt whether a form should be filed, contact Elections BC.
- Complete the forms online or by hand. Type or print neatly in ink. The reports will be available publicly for viewing in our office and on our Financial Reports and Political Contributions filing system.
- Enter dates as YYYY/MM/DD – e.g., for October 15, 2022, enter 2022/10/15
- Number the pages of forms that have more than one page using the boxes in the top right corner of the forms – e.g. page 1 of 2, page 2 of 2, etc.
- Complete the detailed forms first and then carry forward the totals to the summary forms.
- Enter the name of the sponsor on every form.
- Keep a copy of the report for your records. You may need to use the information for filing amendments or responding to questions from Elections BC. Financial records must be kept in B.C. for 5 years after the compliance deadline for filing the disclosure statement or supplementary report to which the records and material relate.

Note: It is acceptable to round cents to the nearest dollar. For example, \$23.65 could be entered as \$24 and \$15.34 as \$15.

Submitting the Disclosure Statement

The campaign financing disclosure statement must be received by Elections BC before 4:30 p.m., Pacific time, on the filing deadline, 90 days from General Voting Day. The cover page (form 4500) must be signed by the sponsor if they are an individual, or by the authorized principal official if the sponsor is an organization, in order for the report to be accepted as filed.

To ensure your report is received by Elections BC before the deadline, you may deliver it by:

- **Email (preferred):** forms may be filled out online and an electronic signature is acceptable. Fillable forms can be found here and should be sent to electoral.finance@elections.bc.ca.
- **Fax:** our toll-free fax number is 1-866-466-0665
- **Mail:** a postmark is not acceptable as proof of delivery by the deadline, so ensure you mail the report well before the deadline: PO Box 9275 Stn Prov Govt, Victoria, BC V8W 9J6.
- **Courier:** ensure that you submit the report early enough for it to be received by the deadline: Suite 100 - 1112 Fort Street, Victoria , BC V8V 3K8
- **Personally deliver the report:** to a Service BC office or Elections BC: Suite 100 - 1112 Fort Street, Victoria, BC V8V 3K8, Monday to Friday, 8:30 a.m. to 4:30 p.m. PST (Closed weekends and statutory holidays.)

Note: not all Service BC offices will accept this report. Please check their website before personally attending the office to ensure this service is available: servicebc.gov.bc.ca/locations.

4500 - Disclosure Statement Cover Page

The [4500 - cover page](#) must be completed for all disclosure statements filed, including amendments (supplementary reports). Please ensure that each relevant field is completed and correct.

1. Only add the amendment number if you are modifying an existing report. If it is your first time submitting this report, leave this blank.
2. Enter dates as YYYY/MM/DD – e.g. for October 15, 2022, enter 2022/10/15.
3. List all jurisdictions and election areas where the sponsor was either a candidate or elector organization.
4. Enter the principal officials' mailing addresses, phone numbers and (if available) email addresses. This form is publicly available, so you may list a mailing address, such as an office or PO Box address, instead of a home address for the principal officials.
5. If the total value of all advertising you sponsored during the pre-campaign and campaign periods was less than \$500, tick the box indicating limited advertising activity and you only need to file this cover page.
6. The declaration must be signed and dated by the sponsor. If the sponsor is an organization, the declaration must be signed by the authorized principal official. If you are submitting the form by email, you have the option to sign and submit a scanned copy, or to use an electronic signature. Signing a false statement is a serious offence and is subject to significant penalties under section 65 of the [Local Elections Campaign Financing Act](#).

DISCLOSURE STATEMENT
LOCAL ELECTIONS THIRD PARTY SPONSOR

Amendment # **1**

FULL NAME OF SPONSOR			GENERAL VOTING DAY (YYYY/MM/DD) 2	
SPONSOR'S USUAL NAME, ACRONYM, ABBREVIATIONS AND OTHER NAMES			SPONSOR'S LEGAL NAME (IF DIFFERENT)	
MAILING ADDRESS			PHONE NUMBER	
CITY/TOWN	PROV.	POSTAL CODE	EMAIL (IF AVAILABLE)	

3 JURISDICTION WHERE SPONSOR WAS EITHER A CANDIDATE OR ELECTOR ORGANIZATION (IF APPLICABLE)

JURISDICTION WHERE SPONSOR WAS EITHER A CANDIDATE OR ELECTOR ORGANIZATION (IF APPLICABLE)

3 ELECTION AREA WHERE SPONSOR WAS EITHER A CANDIDATE OR ELECTOR ORGANIZATION (IF APPLICABLE)

ELECTION AREA WHERE SPONSOR WAS EITHER A CANDIDATE OR ELECTOR ORGANIZATION (IF APPLICABLE)

For organizations only: 4

AUTHORIZED PRINCIPAL OFFICIAL'S FULL NAME				
AUTHORIZED PRINCIPAL OFFICIAL'S MAILING ADDRESS			PHONE NUMBER	
CITY/TOWN	PROV.	POSTAL CODE	EMAIL (IF AVAILABLE)	
RESPONSIBLE PRINCIPAL OFFICIAL'S FULL NAME				
RESPONSIBLE PRINCIPAL OFFICIAL'S MAILING ADDRESS				
CITY/TOWN	PROV.	POSTAL CODE		

All responsible principal officials must be listed. Attach additional forms if necessary.

LIMITED ADVERTISING ACTIVITY

5 Advertising sponsored during the pre-campaign and campaign periods was less than \$500. No additional forms required.

DECLARATION:

I, the undersigned, declare that to the best of my knowledge and belief, this disclosure statement completely and accurately discloses the information required under the *Local Elections Campaign Financing Act*.

SIGNATURE OF INDIVIDUAL SPONSOR OR AUTHORIZED PRINCIPAL OFFICIAL FOR ORGANIZATION 6	DATE (YYYY/MM/DD)
--	-------------------

WARNING: Signing a false declaration is a serious offence and is subject to significant penalties.

Please submit your report to Elections BC: electoral.finance@elections.bc.ca

4501 – Summary of total value of advertising

The [4501 - Summary of total value of advertising](#) form is used to report the total value of all election advertising sponsored during the pre-campaign and campaign periods. This includes the total value of all issue advertising and directed advertising disclosed on all forms [4502 – Value of Directed Advertising by Class and Election Area](#).

1. Report each type of advertising in the appropriate category and period based on when the advertising was used.
2. If there is no appropriate category listed, enter a description of the advertising in the box marked "Other" and the corresponding amount in the in the appropriate period.
3. Enter the total amount of advertising expenses for the pre-campaign period in box A and for the campaign period in box B.

NAME OF SPONSOR

Report all advertising expenses below, including the total value of directed advertising disclosed on all form(s) 4502 and the total value of all issue advertising sponsored.

1 Total value of sponsored advertising by class:	Pre-campaign Period Expenses	Campaign Period Expenses
Commercial canvassing in person, by phone or over the internet		
Newspapers and periodicals		
Promotional materials, including newsletters, brochures, buttons and novelty items		
Radio		
Search engine marketing and optimization		
Signs		
Social media		
Television		
Website displays		
Other (describe) 2		
3 TOTAL	A	B

4502 – Value of directed advertising by class and election area

The [4502 - Value of directed advertising by class and election area](#) form is used to report the total value of directed advertising sponsored in each election area. Directed advertising is advertising specifically related to a candidate or elector organization by naming the candidate or elector organization, or identifying the candidate by an image, likeness, voice or physical description or identifying an elector organization by their logo.

NOTE: A separate form is required for each election area in which directed advertising was sponsored.

1. Report each type of advertising in the appropriate category and period based on when the advertising was used.
2. If there is no appropriate category listed, enter a description of the advertising in the box marked "Other" and the corresponding amount in the in the appropriate period.
3. Enter the total amount of advertising expenses for the pre-campaign period in box A and for the campaign period in box B.

**VALUE OF DIRECTED ADVERTISING
BY CLASS AND ELECTION AREA
LOCAL ELECTIONS THIRD PARTY SPONSOR**

NAME OF SPONSOR	PAGE <input style="width: 30px;" type="text"/>
	OF <input style="width: 30px;" type="text"/>
JURISDICTION	
ELECTION AREA	

**Report the value of directed advertising by class for the above jurisdiction and election area.
Complete one form per election area in which directed advertising was sponsored.**

	1 Pre-campaign Period Expenses	Campaign Period Expenses
Commercial canvassing in person, by phone or over the internet		
Newspapers and periodicals		
Promotional materials, including newsletters, brochures, buttons and novelty items		
Radio		
Search engine marketing and optimization		
Signs		
Social media		
Television		
Website displays		
Other (describe) 2		
3 TOTAL	A	B

4503 – Shared third party advertising

The [4503 - Shared third party advertising](#) form is used to report election advertising that was shared with other third party sponsors.

1. In each row name the third party sponsor or sponsors that you shared an election advertising expense with. Use the name shown in their sponsorship information. If you have more than one shared expense, use a separate line to record each one.
2. Indicate as a dollar amount how much you paid towards the expense.
3. Indicate as a dollar amount how much the total expense cost.
4. Enter the totals in boxes A and B.

NAME OF SPONSOR

PAGE

OF

If advertising was shared with other third party sponsors, list the names of the other third party sponsors as shown in their sponsorship information, the amount the filer paid to the supplier and the value of the shared advertising. Attach additional forms if necessary.

1 Name(s) of other third party sponsor(s) as shown in their sponsorship information	2 Amount paid by sponsor \$	3 Total value of shared advertising \$
4 TOTALS	A	B

4504 - Summary of sponsorship contributions

The [4504 - Summary of sponsorship contributions](#) form summarizes all sponsorship contributions the sponsor received to use for third party advertising. Sponsorship contributions may only be received from eligible individuals and have an annual limit that can be found [here](#). Contributions of goods and services must be recorded at their current market value.

This form is also used to report the amount of the sponsor's own funds that were used to pay for election advertising. If a sponsor uses their own funds to sponsor advertising it is not a sponsorship contribution and the limit does not apply.

1. Enter the total value of the sponsor's own funds that were used to pay for third party advertising. This will not include contributions from other sources.
2. Enter the number of contributors who gave less than \$100. Do not include the number of anonymous contributions received.
3. Enter the total value of contributions received from eligible individuals who made total contributions of less than \$100. Do not include anonymous contributions.
4. Enter the number of contributors who gave anonymous contributions.
5. Enter the total value of anonymous contributions received.
6. Enter the total value of contributions from eligible individuals who made total contributions of \$100 or more as reported on the [4505 - Sponsorship Contributions with a Total Value of \\$100 or more](#).
7. Enter the total amount of contributions received in box A.

SUMMARY OF SPONSORSHIP CONTRIBUTIONS
LOCAL ELECTIONS THIRD PARTY SPONSOR

NAME OF SPONSOR

**Sponsorship contributions include monetary and in-kind contributions.
Do not include anonymous contributions with contributions less than \$100.**

Total value of sponsor's own funds, other than funds disclosed below, that were used to pay for third party advertising:

① \$

Total value of sponsorship contributions, excluding sponsor's own funds, from eligible individuals:

Number of contributors who gave less than \$100

②

Total contributions of less than \$100

\$ ③

Number of anonymous contributors

④

Anonymous contributions

\$ ⑤

Total value of contributions of \$100 or more (box **A**, Form 4505)

\$ ⑥

TOTAL CONTRIBUTIONS

\$ ⑦ **A**

4505 – Sponsorship contributions with a total value of \$100 or more

The [4505 – Sponsorship contributions with a total value of \\$100 or more](#) form is used to disclose all contributors who made one or more sponsorship contributions to the sponsor that total \$100 or more. Use additional pages as necessary.

1. Enter the full name of the contributor (no initials). **List only one individual per contribution.** If a contribution was received from two individuals, the sponsor must determine which individual made the contribution or split the amount between the individuals and report them as two separate contributions.
2. Enter the residential address of the contributor (mailing addresses and PO boxes are not acceptable). All residential addresses will be obscured by Elections BC before the statement is published.
3. Enter the date each contribution was made. If a single contributor made multiple contributions on different dates, list each of the dates separately.
4. Enter the value of each contribution. If a single contributor made contributions on different dates, the value of each contribution must be listed separately.
5. Enter the total amount of all contributions from the contributor.
6. Enter the subtotal of the page.
7. Enter the total value of all contributions from form(s) 4505 in box A.

**SPONSORSHIP CONTRIBUTIONS
WITH A TOTAL VALUE OF \$100 OR MORE
LOCAL ELECTIONS THIRD PARTY SPONSOR**

NAME OF SPONSOR

PAGE
OF

Attach additional forms if necessary.

1 FULL NAME OF CONTRIBUTOR	2 CONTRIBUTOR'S RESIDENTIAL ADDRESS				3 DATE RECEIVED (YYYY/MM/DD)	4 CONTRIBUTION AMOUNT	5 TOTAL OF CONTRIBUTOR'S CONTRIBUTIONS
	ADDRESS	CITY	PROV.	POSTAL CODE			
6 SUBTOTAL OF THIS PAGE						<input style="width: 60px; height: 20px;" type="text"/>	
7 TOTAL CONTRIBUTIONS FROM ALL FORM(S) 4505						<input style="width: 60px; height: 20px;" type="text"/>	A

This form is available for public inspection.
Addresses will be obscured.
PLEASE KEEP A COPY FOR YOUR RECORDS

This information is collected under the authority of the Local Elections Campaign Financing Act and the Freedom of Information and Protection of Privacy Act. The information will be used to administer provisions under the Local Elections Campaign Financing Act. Questions can be directed to: Privacy Officer, Elections BC 1-800-661-8683, privacy@elections.bc.ca or PO Box 9275 Stn Prov Govt, Victoria BC V8W 9J6.

4506 – Permissible loans

The [4506 - Permissible loans](#) form is used to report all permissible loans made to the sponsor. All loans received must be reported even if they were completely paid off or forgiven. Complete one entry for each loan received. Use additional pages as necessary.

1. Enter the full name of the lender.
2. Enter the residential address of the lender if the loan is from an eligible individual. All residential addresses will be obscured by Elections BC before the statement is published.
3. Enter the date the loan was received (YYYY/MM/DD).
4. Enter the date the loan is due to be fully paid back (YYYY/MM/DD).
5. Enter the original amount of the loan received.
6. Enter the amount of the loan that is outstanding as of the date the disclosure statement is submitted to Elections BC. If fully paid back, enter 0 in this field.
7. Enter the rate of interest being charged by the lender. Note: Only eligible individuals are allowed to charge less than prime interest. If the loan is interest free enter 0 as the loan interest rate.
8. If the loan is from a savings institution enter the prime interest rate of the principal banker of the Province of B.C. at the time the rate of interest for the loan was set. Interest rates are on the Elections BC website at elections.bc.ca.

NAME OF SPONSOR	PAGE <input style="width: 30px;" type="text"/>
	OF <input style="width: 30px;" type="text"/>
Complete one entry for each permissible loan received. Attach additional forms if necessary.	

LOAN		
NAME OF LENDER ①		
RESIDENTIAL ADDRESS OF LENDER (IF INDIVIDUAL) ②		
LOAN DETAILS		
DATE RECEIVED (YYYY/MM/DD) ③	DATE DUE (YYYY/MM/DD) ④	\$ ORIGINAL AMOUNT OF LOAN ⑤
\$ AMOUNT OF LOAN OUTSTANDING ⑥	LOAN INTEREST RATE % ⑦	PRIME RATE* % ⑧

LOAN		
NAME OF LENDER		
RESIDENTIAL ADDRESS OF LENDER (IF INDIVIDUAL)		
LOAN DETAILS		
DATE RECEIVED (YYYY/MM/DD)	DATE DUE (YYYY/MM/DD)	\$ ORIGINAL AMOUNT OF LOAN
\$ AMOUNT OF LOAN OUTSTANDING	LOAN INTEREST RATE %	PRIME RATE* %

RESIDENTIAL ADDRESS:
REQUIRED FOR INDIVIDUAL LENDERS ONLY

***PRIME RATE OF INTEREST:**
REQUIRED FOR LOANS FROM SAVINGS INSTITUTIONS – AVAILABLE ON ELECTIONS BC WEBSITE

4507 – Prohibited sponsorship contributions and loans

The [4507 - Prohibited sponsorship contributions and loans](#) form is used to report any sponsorship contributions or loans that are prohibited under the [Local Elections Campaign Financing Act](#) (LECFA). This includes anonymous contributions over \$50, any contributions missing required contributor information, indirect contributions and any contributions or loans that exceed the contribution limit.

LECFA requires the sponsor to return prohibited contributions and prohibited loans, or an amount equal to the value of the contribution or loan, to the contributor or lender within 30 days of becoming aware of the contravention. If this is not possible, the contribution or loan, or an amount equal to its value, must be remitted to Elections BC as soon as possible. Complete one entry for each prohibited contribution or prohibited loan received. Use additional pages as necessary.

Prohibited contribution

1. Indicate whether the prohibited contribution was received from an individual, an organization or anonymously, by checking the appropriate box.
2. Enter the date the prohibited contribution was received (YYYY/MM/DD).
3. Enter the value of the prohibited contribution. If the contribution was goods or services, enter the current market value.
4. Enter the date the contribution was returned to the contributor or the date it was remitted to Elections BC (YYYY/MM/DD).
5. Enter a brief description of how the prohibited contribution was received. This description should explain why the contribution was prohibited.
6. Enter the full name of the contributor.
7. If the prohibited contribution was received from an organization, enter the address of the organization.

Prohibited loan

8. Enter a brief description of how the prohibited loan was received. This description should explain why the loan was prohibited.
9. Enter the date the loan was returned to the lender (YYYY/MM/DD).
10. Enter the full name of the lender.
11. Enter the date the prohibited loan was received (YYYY/MM/DD).
12. Enter the date the prohibited loan is due to be fully paid back (YYYY/MM/DD).
13. Enter the original amount of the loan received.
14. Enter the rate of interest being charged by the lender. If the loan is interest free, enter 0 in this field.
15. If the loan is from a savings institution enter the prime interest rate of the principal banker of the Province of B.C. at the time the rate of interest for the loan was set. Interest rates are on the Elections BC website at elections.bc.ca.

PROHIBITED SPONSORSHIP CONTRIBUTIONS AND LOANS

LOCAL ELECTIONS THIRD PARTY SPONSOR

NAME OF SPONSOR	PAGE <input style="width: 40px;" type="text"/>
	OF <input style="width: 40px;" type="text"/>

Complete one entry for each prohibited sponsorship contribution or loan received. Attach additional forms if necessary.

PROHIBITED CONTRIBUTION				
1 RECEIVED FROM <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> ORGANIZATION <input type="checkbox"/> ANONYMOUS	2 DATE RECEIVED (YYYY/MM/DD)	3 \$ VALUE	4 DATE RETURNED (YYYY/MM/DD)	OR DATE REMITTED TO ELECTIONS BC (YYYY/MM/DD)
DESCRIPTION OF HOW THE PROHIBITED CONTRIBUTION WAS RECEIVED 5				
FULL NAME OF INDIVIDUAL OR ORGANIZATION 6				
ADDRESS OF ORGANIZATION, IF APPLICABLE 7				

PROHIBITED LOAN		
DESCRIPTION OF HOW THE PROHIBITED LOAN WAS RECEIVED AND DEALT WITH 8	9 DATE RETURNED TO LENDER (YYYY/MM/DD)	
NAME OF LENDER 10		
DATE RECEIVED (YYYY/MM/DD) 11	DATE DUE (YYYY/MM/DD) 12	\$ ORIGINAL AMOUNT OF LOAN 13
LOAN INTEREST RATE % 14	PRIME RATE* % 15	

***PRIME RATE OF INTEREST:**
REQUIRED FOR LOANS FROM SAVINGS INSTITUTIONS – AVAILABLE ON ELECTIONS BC WEBSITE

Resources

Election legislation

Printed versions of local election legislation — including the [Local Government Act](#), the [Local Elections Campaign Financing Act](#), the [Vancouver Charter](#), the [Community Charter](#), the [School Act](#) and the [Offence Act](#) — are available at public libraries in communities throughout B.C. Printed versions are also available from Crown Publications, Queen's Printer for British Columbia, at:

Mailing address:

563 Superior Street, Victoria, B.C. V8V 1T7

Phone: 250-387-6409

Toll Free: 1-800-663-6105

Fax: 250-387-1120

Email: crownpub@gov.bc.ca

Website: crownpub.bc.ca

BC Laws

BC Laws provides free public online access to the current laws of British Columbia. This unofficial current consolidation of B.C. statutes and regulations is updated continually as new and amended laws come into force. Electronic versions of the [Local Government Act](#), the [Local Elections Campaign Financing Act](#), the [Vancouver Charter](#), the [Community Charter](#), the [School Act](#) and the [Offence Act](#) are available online at bclaws.ca.





ELECTIONS BC

A non-partisan Office of the Legislature

GUIDE TO
**LOCAL ELECTIONS
CAMPAIGN FINANCING IN B.C.**

for Candidates and their Financial Agents

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Introduction

The purpose of this guide is to assist candidates and their financial agents to understand their responsibilities and legal obligations under the [Local Elections Campaign Financing Act \(LECFA\)](#). This guide provides valuable information and tips for meeting the recording and disclosure requirements for transactions related to a candidate's campaign.

The last part of the guide includes instructions for completing the required disclosure statements that must be filed with Elections BC after General Voting Day.

How LECFA applies to any particular case will depend on the individual circumstances and may change if there are new legislative or judicial developments. Where there is inconsistency between this guide and LECFA, LECFA will prevail.

LECFA is available on the Elections BC website ([elections.bc.ca](#)). It can also be viewed at BC Laws ([bclaws.ca](#)) or purchased from Crown Publications ([crownpub.bc.ca](#)).

Contact

Elections BC Electoral Finance

Phone toll-free: 1-800-661-8683 / TTY: 1-888-456-5448

Email: electoral.finance@elections.bc.ca

Fax: 250-387-3578

Toll-free Fax: 1-866-466-0665

Mailing Address:

PO Box 9275 Stn Prov Govt

Victoria, BC V8W 9J6

[elections.bc.ca](#)



[@ElectionsBC](#)



[/ElectionsBC](#)

Definitions

The following key terms have been used throughout this guide. Most of the terms are defined in the [Local Elections Campaign Financing Act \(LECFA\)](#).

Address for service	A mailing address or email address provided by an individual or organization at which notices and other communications will be accepted as served on or otherwise delivered to the individual or organization.
Anonymous contribution	A campaign contribution made by an eligible individual whose identity is unknown. An eligible individual cannot contribute more than \$50 anonymously to a single election campaign.
Assent voting	Voting on a bylaw or other matter for which a local government is required or authorized to obtain the assent of the electors. Assent voting may also be referred to as a “referendum”.
B.C. Chief Electoral Officer	An independent Officer of the Legislature appointed by the Lieutenant Governor on the recommendation of the Legislative Assembly. The B.C. Chief Electoral Officer is responsible for the administration of the provincial electoral process in B.C. and the campaign financing and third party advertising provisions for local elections and non-election assent voting events.
Campaign account	An account in a savings institution opened by a financial agent exclusively for the purposes of an election campaign.
Campaign contribution	Generally, a contribution of money, or the value of goods and services provided without compensation to a candidate or elector organization. See page 16 for more information.
Campaign contribution limit	The maximum value of campaign contributions that an eligible individual may provide.
Campaign financing arrangement	A written arrangement between an endorsed candidate and their elector organization that determines the amount of the candidate’s campaign period expense limit that is available for use by the candidate and by the elector organization.
Campaign financing records	The records maintained by a financial agent to complete disclosure statements and financial reports for their candidate or elector organization. These records must be kept in B.C. for five years after General Voting Day for the relevant election or for five years after the reporting deadline for a financial report.
Campaign period	The period that begins on the 28th day before General Voting Day and ends at the close of voting on General Voting Day.
Campaign period expense	An election expense that is used in the campaign period. Most campaign period expenses are subject to an expense limit.

GUIDE TO LOCAL ELECTIONS CAMPAIGN FINANCING IN B.C. FOR CANDIDATES

Candidate	In relation to candidate obligations applicable under LECFA, an individual who: <ul style="list-style-type: none"> (a) intends to become a candidate in an election, (b) is seeking or intends to seek endorsement by an elector organization for an election, or (c) was a candidate
Disclosure statement	A document that discloses activities related to campaign financing. All disclosure statements must be filed with Elections BC.
Election advertising	See page 41 .
Election area	The defined geographical area where the election is held.
Election expense	Generally, the value of property or services used in an election campaign by or on behalf of a candidate or elector organization to promote or oppose, directly or indirectly, the election of a candidate, or an elector organization. See page 31 for more information.
Election period	The period that begins on January 1 and ends on the 29th day before General Voting Day for general local elections. For by-elections, the election period starts on the day the office becomes vacant and ends on the 29th day before General Voting Day.
Election period expense	An election expense that is used in the election period.
Elections BC	A non-partisan Office of the Legislature responsible for the administration of the provincial electoral process in B.C. and the campaign financing and third party advertising provisions for local elections and non-election assent voting events.
Elector organization	An organization that endorses or intends to endorse a candidate in an election. An elector organization must be registered with Elections BC prior to endorsing candidates or conducting any financial activity, including accepting contributions or incurring election expenses. For more information see the Guide to Elector Organization Registration .
Eligible individual	An individual who is a resident of British Columbia and a Canadian citizen or a permanent resident.
Expense limit	The maximum value of campaign period expenses that a candidate may use in a campaign period. Endorsed candidates may make all, some or none of their expense limit available to their elector organization.
Filing deadline	The last day (90 days after General Voting Day) a disclosure statement may be filed with Elections BC without a monetary penalty.
Financial agent	A representative that a candidate and elector organization is required to appoint. A candidate may either act as their own or appoint another individual to this position. A candidate or elector organization may not have more than one financial agent at the same time.

Fundraising function	Includes a social function held by, or on behalf of, a candidate or elector organization for the purpose of obtaining funds.
General Voting Day	The final voting day in a general local election, by-election or assent voting event.
Incurring an election expense	Using property or services in such a way that their value is an election expense.
Jurisdiction	A separate local authority in which a general local election, by-election or assent voting event is held (e.g., a municipality, school district or regional district). They are considered separate authorities even if they cover the same geographic area.
Late filing deadline	The last day (120 days after General Voting Day) on which a disclosure statement may be filed by a candidate, elector organization or advertising sponsor unless relief is granted by the Supreme Court.
Local authority	The local authority of a jurisdiction for which an election or non-election assent voting can be held.
Local election officer	An individual appointed by a local authority to conduct a general local election, by-election or non-election assent voting. Local election officers are also called chief election officers.
Market value	The lowest price charged for equivalent property or services in the market area at the relevant time.
Member	An individual or organization who is a member of an organization. This does not include persons who are exclusively financial contributors, customers, subscribers, followers or supporters.
Money	Includes cash, a negotiable instrument (cheque, money order or traveller's cheque), a payment by credit card and any form of electronic payment or funds transfer.
Permissible loan	A loan made by an eligible individual or savings institution to a candidate or elector organization.
Personal expenses	Campaign expenses of a candidate that include the following if they are reasonable and paid or reimbursed from a campaign account: <ul style="list-style-type: none"> (a) travel to, within or from the election area in which the candidate is running for office (b) lodging, meals and other incidentals related to travelling (c) child or family care if the candidate is usually responsible for the care (d) expenses related to a disability of the candidate
Placement cost	The cost of purchasing election advertising space on the internet, including a social media site or website.

GUIDE TO LOCAL ELECTIONS CAMPAIGN FINANCING IN B.C. FOR CANDIDATES

Pre-Campaign Period	The period which begins on the eighty-ninth day before General Voting Day for a general local election, and which ends on the twenty-ninth day before General Voting Day for the election. There is no pre-campaign period for a by-election.
Prohibited contribution or loan	A campaign contribution or loan that is made or accepted in contravention of LECFA. There are monetary penalties for making or accepting prohibited contributions or loans.
Required contributor information	Information that must be recorded for all campaign contributions: (a) value of contribution (b) date the contribution was made (c) full name, mailing address and, if it is different, residential address of the contributor
Shared election expense	An election expense agreed to be shared by two or more candidates.
Significant contributor	An eligible individual who makes: (a) a campaign contribution having a value of \$100 or more, or (b) multiple campaign contributions to the same candidate or elector organization such that the total value is \$100 or more.
Sponsorship information	An authorization statement that is required to be on most election advertising.
Supplementary report	A report that updates Elections BC of changed, added or corrected information to a disclosure statement or financial report. It includes a description of the circumstances leading to its submission.
Surplus campaign funds	The balance of money left in the campaign account after all financial transactions are completed.
Third party sponsor	An individual or organization who sponsors or intends to sponsor election advertising independently from the election campaign of any candidate or elector organization.
Transfer	Movements of money, property or services between a candidate and their elector organization.
Value of election advertising	The value of election advertising is: <ul style="list-style-type: none"> ▪ the price paid for preparing and transmitting the advertising (including applicable taxes), or ▪ the market value of preparing and transmitting the advertising (including applicable taxes), if no price is paid, or if the price paid is lower than the market value.
Volunteer	An individual who provides services for no remuneration or material benefit, but does not include: (a) an individual whose employer pays them for the time spent performing the services (b) an individual who is self-employed, if they usually sell or otherwise charge for the services provided

Elections BC

A non-partisan, independent Office of the Legislature, Elections BC is responsible for administering the provincial electoral process, including provincial general elections and by-elections, provincial referenda, recall and initiative petitions and initiative votes.

Elections BC is also responsible for administering campaign financing and election advertising rules under the [Local Elections Campaign Financing Act](#) (LECFA). This responsibility includes managing campaign financing disclosure requirements, conducting investigations, and enforcing the campaign financing and third party advertising provisions set out in LECFA. This responsibility also extends to by-elections and non-election assent voting events (also referred to as referenda) held by local election authorities outside of the general local elections cycle.

Elections BC's responsibilities under LECFA include:

- accepting, reviewing and publishing disclosure statements, annual financial reports and supplementary reports,
- assisting participants to comply with LECFA,
- registering local advertising sponsors and elector organizations, and
- undertaking investigations and audits.

Privacy notice

Elections BC has the authority to collect, use, disclose and dispose of personal information under the *Local Elections Campaign Financing Act* and the *Freedom of Information and Protection of Privacy Act*. This information is used to administer provisions of the *Local Elections Campaign Financing Act*.

For information about Elections BC's privacy policies, please visit elections.bc.ca/privacy or contact:

Privacy Officer

Elections BC

1-800-661-8683

privacy@elections.bc.ca

PO Box 9275 Stn Prov Govt Victoria, BC V8W 9J6

Elections BC: local elections campaign financing guides

This guide is for candidates and their financial agents to assist with understanding the comprehensive rules under LECFA. Elections BC also produces the following guides available at elections.bc.ca:

- Guide to Local Elections Campaign Financing in B.C. for Elector Organizations and their Financial Agents
- Guide to Elector Organization Registration
- Elector Organization Annual Financial Report Completion Guide
- Guide for Local Elections Third Party Sponsors in B.C.
- Guide for Local Non-election Assent Voting Advertising Sponsors in B.C.

Local elections: shared roles and responsibilities

General local elections are held every four years for mayors, councillors, electoral area directors, local community commissioners, board of education trustees, park board members and commissioners, advisory council members, regional trustees and Islands Trust local trustees in British Columbia.

Local governments and boards of education also hold by-elections to fill vacancies that occur between general local elections. Non-election assent voting is conducted periodically by local governments to obtain elector assent to carry out certain council and board recommendations (such as borrowing to construct a new library or recreation centre).

The Ministry of Municipal Affairs, the Local Government Management Association, the Union of British Columbia Municipalities, the Ministry of Education and Child Care, the British Columbia School Trustees Association and Elections BC all have educational materials related to local elections.

A local election officer is the chief election officer or designated local authority officer appointed for a jurisdiction by a local government or board of education.

Local election officers are responsible for:

- receiving nomination and endorsement documents
- declaring candidates
- administering voting opportunities
- counting votes
- declaring election results

Who does what

Area of administration	Who is responsible
Voting and ballots	Local election officers
Nomination process	Local election officers
Advertising rules	Elections BC
Campaign financing and disclosure rules	Elections BC
Registration of elector organizations and third party sponsors	Elections BC
School trustees/school board elections	Ministry of Education and Child Care
Legislation for local elections	Ministry of Municipal Affairs

Campaign financing for candidates

The [Local Elections Campaign Financing Act](#) (LECFA) includes:

- rules that candidates, elector organizations and advertising sponsors must follow, including
- disclosure and reporting requirements for campaign financing and election advertising.

The campaign financing rules create accountability and transparency by requiring financial agents to record and disclose detailed information about financial and non-financial activities. This includes campaign contributions, election expenses, and other income and expenditures related to a campaign.

Campaign financing periods

There are four campaign financing periods: the election period, the pre-campaign period, the campaign period and the filing period.

Election period

For general local elections, the election period begins on January 1st of the general local election year and ends at the beginning of the campaign period. For by-elections, the election period starts on the day the office becomes vacant.

Pre-campaign period

For general local elections, the pre-campaign period begins on the 89th day before General Voting Day and ends on the 29th day before General Voting Day. Election advertising used during this period must include sponsorship information. There is no pre-campaign period for a by-election.

Campaign period

For general local elections or by-elections, the campaign period begins on the 28th day before General Voting Day (GVD) and ends at the close of voting.

Filing period

The disclosure statement filing deadline is 90 days after GVD. However, a disclosure statement may be filed late, before the late filing deadline of 120 days after GVD, if a late filing fee of \$500 is paid. Failure to file a disclosure statement is an offence.

Campaign financing periods

Election Period	Pre-campaign Period	Campaign Period	Filing Period
→	→	→	→
Start of Election Period	Start of Pre-campaign Period	Campaign Period	Filing Deadline
<p>January 1 for general local elections, or the date the seat becomes vacant for by-elections</p> <p>Expenses used in this period must be reported on the campaign financing disclosure statement</p>	<p>89 days before General Voting Day</p> <p>Election advertising used in this period must include an authorization statement. Expenses used in this period must be reported on the campaign financing disclosure statement</p>	<p>28 days before General Voting Day</p> <p>Election advertising used in this period must include an authorization statement. Expenses used in this period are subject to an expense limit and must be reported on the campaign financing disclosure statement</p>	<p>90 days after General Voting Day</p> <p>Campaign financing disclosure statements are due at the Elections BC office by 4:30 p.m. Pacific time.</p>

Financial agents

A candidate is their own financial agent unless they appoint another person to be their financial agent. The financial agent is legally responsible for administering campaign finances in accordance with the [Local Elections Campaign Financing Act](#) (LECFA).

A candidate may not have more than one financial agent at a time. However, a financial agent can be the financial agent for more than one candidate or elector organization.

Appointment requirements

Unless the candidate is their own financial agent, appointments must be made in writing. If the appointment is made or changes before voting results are declared, it must be sent to the local election officer. If the appointment is made or changes after voting results are declared, it must be sent to Elections BC. Appointment information includes:

- the full name of the financial agent
- the effective date of appointment
- contact information
- address for service
- signatures of the candidate and financial agent

To appoint or change a financial agent or their information, complete [Form 4322](#) found on the Elections BC website: elections.bc.ca.

Responsibilities

Financial agents must understand their campaign financing responsibilities under LECFA.

Financial agents are responsible for:

- keeping complete and accurate campaign financing records of all transfers, campaign contributions, election expenses, and other financial transactions
- opening a separate campaign account for each candidate they are appointed for
- ensuring campaign contributions are only received from eligible individuals or anonymously
- ensuring campaign contributions from eligible individuals do not exceed the contribution limit

The campaign contribution limits can be found on the Elections BC website at elections.bc.ca.

- ensuring all transactions of money are made through the campaign account, including contributions from the candidate
- ensuring election advertising contains the required sponsorship information
- determining the market value of in-kind contributions and expenses, including election advertising
- accepting and depositing permitted campaign contributions
- incurring, paying, recording and disclosing election expenses
- pre-approving all election expenses incurred by others
- making and receiving transfers of money between the candidate's own campaign accounts or between the candidate and their elector organization
- making and receiving in-kind transfers between the candidate and their elector organization
- filing a campaign financing disclosure statement
- responding to questions from Elections BC after filing the disclosure statement and filing supplementary reports when required
- ensuring all required financial records are given to the candidate after the disclosure requirements are met.

Elections BC works closely with financial agents to ensure the disclosure requirements are met. Some disclosure statements may take months to finalize.

Financial agents may authorize another individual to accept campaign contributions or to pay election expenses.

Unless a financial agent provides a personal guarantee, they are not liable for debts or other liabilities of a candidate or their campaign.

Financial agents may also have other roles, such as campaign manager for a candidate or a responsible principal official for an elector organization.

Campaign accounts

A campaign account is an account in a savings institution such as a bank, credit union or trust company, and **must** be used exclusively for the election campaign.

A sub-account may be opened as long as it has a distinct account number and separate campaign financing records are kept.

Candidates who do not use any of their own money and have no financial transactions do not have to open a campaign account.

A campaign account may not be used for any other purposes other than the election campaign.

Financial agents must open a separate campaign account for each campaign. Candidates **cannot** share an account. An endorsed candidate must have a separate account from their elector organization.

An election is held in a specific jurisdiction. Elections in different jurisdictions, such as municipalities or school districts, are separate elections. A candidate running in multiple jurisdictions is operating multiple campaigns.

Each campaign account must be in the name of the election campaign.

Examples of candidate campaign account names

“John Smith campaign”

“Campaign of John Smith”

“John Smith”

When to open

A campaign account must be opened as soon as practicable after the first campaign contribution of money is received and before any of the following transactions:

- paying for an election expense
- receiving a transfer from an elector organization
- receiving surplus campaign funds from the previous election

Financial agents are encouraged to open campaign accounts as early as possible. If a financial agent has difficulty opening a campaign account, there is a letter on the Elections BC website at elections.bc.ca that can be printed and given to the savings institution.

Using the campaign account

The [Local Elections Campaign Financing Act](#) includes detailed rules on how a campaign account is used.

- all monetary transactions (e.g., contributions, transfers and expenses) must go through this account
- must only be used for that election
- must remain open until all financial transactions have been completed, including the disbursement of surplus campaign funds

Examples of Campaign Account Transactions

Deposits	Withdrawals
<ul style="list-style-type: none"> ▪ campaign contributions ▪ fundraising income ▪ payment received for reimbursement of election expenses shared with other candidates ▪ transfers from an elector organization ▪ surplus campaign funds from a previous election ▪ interest ▪ dividends of shares paid by a credit union 	<ul style="list-style-type: none"> ▪ nomination deposit ▪ election expenses ▪ campaign-related professional fees ▪ other expenses incidental to the election campaign ▪ reimbursements paid to other candidates for shared election expenses ▪ financial agent salary or stipend ▪ repayment or remittance of prohibited contributions ▪ transfers to an elector organization ▪ disbursement of surplus campaign funds ▪ campaign account fees

Volunteers

A candidate's campaign may have paid campaign workers and/or volunteers.

A volunteer is an individual who willingly performs free services for an election campaign.

Volunteers:

- receive no compensation (directly or indirectly) for their services
- cannot be paid by their employer for working as a volunteer
- can use their vacation time to volunteer
- must be authorized in writing by the financial agent to accept campaign contributions or pay for election expenses
- must not be self-employed and providing services they normally charge for

A volunteer's services, or their own property they use in relation to their services, does not need to be valued. These services are neither a campaign contribution nor an election expense.

Example

Miranda is a volunteer for Kelly's campaign. Miranda uses her own car to deliver lawn signs and brochures. Miranda does not get any money for gas or other expenses. Since Miranda is using her own property in relation to her volunteer services, the value of using the car and gas is neither a campaign contribution nor an election expense.

An individual who is self-employed, and provides free services for which they would normally charge, is **not a volunteer**. That individual is making a campaign contribution and the value of their services is an election expense of the candidate. Financial agents must therefore value, record and disclose that contribution and expense.

Example

Martin is a self-employed communications professional. A candidate wants to prepare for an interview and asks Martin to help as a favour. For a paying client, Martin would normally charge \$150 for three hours of work, but Martin provides the service for free.

Martin has made a campaign contribution of \$150, and the candidate has incurred an election expense of \$150. Both the contribution and the expense must be recorded and disclosed by the financial agent.

Campaign contributions

A campaign contribution is the value of any money, property or services provided without compensation to a candidate for campaign use. A campaign contribution can be made at any time.

A campaign contribution can be a donation of money or goods, advance, deposit or discount. Campaign contributions of money can be made by cash, cheque, credit card or electronic funds transfer.

If a candidate gives money to their own campaign it is a campaign contribution and must be recorded and disclosed in the same way as all other campaign contributions.

A candidate giving money to their own campaign is making a campaign contribution.

Who can make campaign contributions

Campaign contributions can only be made by eligible individuals and cannot be made by organizations or any other individuals.

An eligible individual is:

- a resident of British Columbia, and
- a Canadian citizen or a permanent resident

Campaign contribution limits

Eligible individuals are subject to a limit for campaign contributions made to each candidate during a calendar year. This limit includes any loans made by an eligible individual to a candidate. The campaign contribution limit for each calendar year can be viewed on the Elections BC website at elections.bc.ca.

Candidates making contributions from their personal funds that are **not endorsed** by an elector organization may provide an additional \$1,250 above the contribution limit in the calendar year of the election. They are subject to the regular campaign contribution limit in other years.

For candidates endorsed by an elector organization, the limit applies to the elector organization and all of its endorsed candidates in a jurisdiction. An eligible individual may not contribute

more than the annual limit, in total, to the elector organization and its endorsed candidates for each calendar year in each jurisdiction.

A group of candidates endorsed by the same elector organization may contribute a combined \$1,250 to their elector organization above their individual contribution limits.

When a candidate receives endorsement from an elector organization, the financial agent for the candidate must provide all campaign contribution information to the financial agent of the elector organization to ensure that contributions from eligible individuals do not exceed the limit.

Campaign contribution limits are adjusted either by regulation or by changes to the consumer price index (CPI). Adjusted amounts will be published on the Elections BC website and in the *B.C. Gazette*.

If a contributor has exceeded the contribution limit, the excess amount is a prohibited contribution. There are significant monetary penalties for exceeding a contribution limit.

Making and accepting campaign contributions

The following are rules for making and accepting campaign contributions:

- Campaign contributions must be made to the financial agent or an individual authorized by the financial agent.
- Only eligible individuals may make campaign contributions and financial agents and authorized individuals may only accept contributions from eligible individuals.
- Campaign contributions of money must be deposited into the campaign account.
- Financial agents and authorized individuals must ensure that contributions received from eligible individuals do not exceed the contribution limit.
- When accepting a campaign contribution, the financial agent, or authorized individual, must record the value, the date the contribution was made and the required contributor information.
- Contributors must provide information so that financial agents can meet their legal disclosure requirements.
- Donated (in-kind) property or services must be assigned a market value, recorded and disclosed in the same way as contributions of money.

Crowdfunding, or crowdsourcing, through the internet for campaign contributions is permitted. The crowdfunding system must require the contributor to provide the value, the date the contribution was made and the required contributor information, including their residential address, so the financial agent can record it. Anonymous contributions cannot be collected over the internet.

Foreign currency and cryptocurrency contributions must be valued at the market rate at the time and date of the contribution and are subject to the same contribution rules as any other contribution.

Anonymous contributions

Anonymous contributions of **\$50 or less** are allowed. However, an eligible individual can only give a total of \$50 in anonymous contributions to a single candidate. The financial agent must record the value and date of the contribution and how it was received.

An anonymous contribution of more than \$50 is prohibited. It is also prohibited to accept multiple anonymous contributions from the same eligible individual totalling more than \$50.

An anonymous contribution must be truly anonymous. This means that the financial agent or candidate does not know who made the contribution. It is not permissible for a contributor to ask that their contribution be anonymous. Anonymous contributions cannot be collected by crowdfunding or crowdsourcing over the internet.

Example

Candidate Ralph is hosting a social function and asks Michael, a volunteer for the campaign, to monitor a donation jar at the entrance. As attendees arrive, Michael observes that eight people make anonymous contributions totalling \$112, and no one donates more than \$50.

Are these anonymous contributions permissible?

Yes. They are permissible because no one has donated more than \$50.

Discounted property or services

If property or services are provided by an eligible individual to the candidate at less than market value, the eligible individual is making a campaign contribution. The campaign contribution is the difference between the price paid and the market value.

Market value is the lowest price charged for an equivalent amount of property or services in the market area at the time.

Donated property or services

Donated property or services, also called in-kind contributions, may only be given by eligible individuals and must be recorded as a campaign contribution. The value of an in-kind campaign contribution is its market value.

The value of a candidate's own property used in their own campaign is not a campaign contribution.

Example

Deanne donates wood for signs to Michelle's campaign. The value of the wood is \$500. Deanne is making a campaign contribution as an eligible individual.

What is the value of the contribution?

The value of the campaign contribution is \$500.

Capital assets

Capital assets may include buildings, computers, office furniture and equipment. When capital assets are donated by eligible individuals, the contribution is the market value of using the property.

Example

Miriam provides office furniture to Anne, a candidate, to use in her campaign office for one month. The furniture is normally rented for \$500 per month.

Is Miriam making a campaign contribution to Anne?

Yes. Miriam is making a campaign contribution as an eligible individual to Anne of \$500, the market value of renting the furniture for one month.

Required contributor information and other recording requirements for campaign contributions

Financial agents must keep accurate and detailed records of all financial transactions. Detailed records will make completing the campaign financing disclosure statements easier.

Financial agents must record the following for each campaign contribution:

- the full name and residential address of the contributor (and mailing address, if it is different),
- the value of the campaign contribution, and
- the date the campaign contribution was made.

A residential address is the eligible individual's home address. Mailing addresses such as a PO Box, work address or commercial address do not meet the recording requirements.

A contribution must come from a single eligible individual. If a contribution appears to come from multiple eligible individuals, the financial agent must determine which contributor made the donation and record that information.

Example

Josie receives a contribution by cheque from Sam and Pat Smith for \$300. Josie must determine which eligible individual made the contribution.

Scenario 1

Josie contacts Sam and Pat and asks which name should be recorded as the contributor. Sam tells Josie that the contribution was intended to come from both of them. Josie records a contribution of \$150 each from Sam Smith and Pat Smith.

Scenario 2

Sam tells Josie that the contribution was from Pat only. Josie records a \$300 contribution from Pat Smith.

Significant contributors

Significant contributors are eligible individuals who make campaign contributions of **\$100 or more** to the same candidate. The contributions could be either a single donation of \$100 or more, or multiple donations that total \$100 or more. This includes in-kind contributions.

Information about significant contributors must be disclosed in the candidate's disclosure statement. This includes:

- full name and residential address of contributor,
- value of contribution, and
- date of contribution.

Elections BC will obscure residential addresses of contributors prior to publishing disclosure statements.

Example 1

On September 1, Raj's uncle, an eligible individual, donates a \$50 gift certificate for use in a silent auction for Raj's campaign.

Is the uncle a significant contributor?

No. The value is less than \$100.

Example 2

On September 23, Raj's uncle gives Raj a \$75 cash campaign contribution.

Is the uncle now a significant contributor?

Yes. The total contributions from him are now \$100 or more.

\$50 in-kind donation + \$75 cash contribution = \$125 total contributions.

Prohibited contributions

It is an offence to make or knowingly accept a prohibited contribution. If the financial agent becomes aware that a contribution is prohibited, they must return the contribution, or an amount equal to its value, within 30 days. If the contribution cannot be returned (such as an anonymous contribution over \$50) the financial agent must send it to Elections BC.

Example 1

Rosalie receives an anonymous contribution of \$75 in an envelope. Rosalie keeps \$50 and sends the remaining \$25 to Elections BC.

Is this permissible?

No. All of the \$75 must be sent to Elections BC because it is an anonymous contribution over \$50.

Example 2

Carrie, an eligible individual, has already contributed the maximum annual amount to a candidate during the calendar year when she makes another contribution of \$300.

Is this permissible?

No. The candidate must return the \$300 to Carrie because it is a prohibited contribution.

Monetary penalties may be administered for financial agents that accept or fail to return prohibited contributions. These penalties may also be applied to individuals and organizations that make prohibited contributions.

Indirect contributions

Indirect campaign contributions are not allowed. This means that someone cannot give money or other property or services to a person for that person to make a campaign contribution.

Making a campaign contribution with someone else's money, property or services is also prohibited.

Contribution rules

It is important to know which contributions are acceptable, which are prohibited, and when money, property or services are not contributions.

Acceptable contributions	Prohibited	Not contributions
<ul style="list-style-type: none"> ▪ money given to a financial agent or an individual they have authorized ▪ non-monetary property and services ▪ money given by a candidate to their own campaign ▪ anonymous contributions of \$50 or less ▪ a person purchasing goods or services from the candidate for more than market value 	<ul style="list-style-type: none"> ▪ contributions made by organizations and ineligible individuals ▪ contributions that exceed the contribution limit ▪ giving a contribution to someone other than the financial agent or someone they have authorized ▪ making or accepting a campaign contribution, other than a permitted anonymous contribution, without providing or recording the required contributor information ▪ making or accepting indirect campaign contributions ▪ making or accepting an anonymous campaign contribution of more than \$50 	<ul style="list-style-type: none"> ▪ services provided by a volunteer including the use of their own property in that role ▪ transfers of money, property, or services between an elector organization and its endorsed candidates ▪ non-monetary property or services provided by a candidate for use in their own campaign ▪ candidate's surplus campaign funds from the last election returned by the jurisdiction ▪ free transmission of election advertising if offered equitably to all candidates ▪ publishing or broadcasting news, editorials, interviews, columns, letters, debates, speeches or commentaries for free in a periodical, radio or television program ▪ publications intended to be sold whether or not there was an election

An indirect contribution is a campaign contribution made with money or non-monetary property or services of another individual or organization. Indirect contributions are prohibited.

Example 1

Jane contributes cash to a candidate but is later reimbursed by her employer.

Did Jane make an acceptable campaign contribution?

No. This is a prohibited contribution because the employer has made an indirect contribution through Jane.

Example 2

John is a candidate and sets up his campaign office at home and uses his personal computer and office supplies to make brochures and signs.

Did John make a campaign contribution?

No. Property or services provided by a candidate for use in their own campaign is not a contribution.

Fundraising functions

A fundraising function includes a social function held by, or on behalf of, a candidate for the purpose of obtaining funds.

Tickets sold for a fundraiser may **only** be purchased by eligible individuals and they cannot be reimbursed for the purchase of tickets. The purchase of tickets by an eligible individual may or may not be a campaign contribution.

- If an eligible individual purchases more than \$50 worth of tickets, it is a campaign contribution.
- If an eligible individual purchases \$50 or less worth of tickets, it is not a campaign contribution.

Example 1

Sally, an eligible individual, buys five tickets for \$50 each to a candidate fundraising dinner.

5 tickets x \$50 per ticket = \$250

Has Sally made a campaign contribution?

Yes. Sally has made a campaign contribution because she purchased more than \$50 worth of tickets.

Example 2

Big Company buys two tickets for \$25 each to a luncheon held by a candidate.

2 tickets x \$25 per ticket = \$50

Is this permissible?

No. This is a prohibited contribution because organizations are not allowed to purchase tickets to fundraising functions. The \$50 must be returned to Big Company.

All money received at a fundraising function must be deposited into the campaign account. Candidates and financial agents are not permitted to use cash received at the function to pay for any expenses. They must deposit all income from the function into the campaign account and pay for costs of the function from the campaign account separately.

Example

Buck is a candidate who is his own financial agent. He hosts a burger and beer fundraiser at a pub for \$20 per meal. The pub collects \$400 and charges Buck \$200 to host the event. The pub gives Buck his \$200 profit, which Buck deposits into the campaign account.

Is this allowed?

No.

What should Buck have done?

Buck should have collected the entire \$400 from the pub and deposited it into the campaign account. Buck should have then paid the pub \$200 from the campaign account to cover the cost of the event.

Income from the sale of property or services may be a campaign contribution. If property or services are bought at a price higher than the market value, the difference between the price paid and the market value is a campaign contribution.

All money received must be deposited into the campaign account.

Candidates are not permitted to use lotteries, raffles or other gambling activities to raise campaign funds.

Example 1

To raise money for Martina's campaign, Jerry donates a TV with a market value of \$625. Jennifer buys the TV at Martina's fundraising auction for \$400.

How much is Jerry's campaign contribution?

The contribution of the TV is \$625 because that is its market value.

Has Jennifer made a campaign contribution?

No. Jennifer has not made a contribution as the amount paid was less than the market value of the TV.

What is the \$400 paid by Jennifer?

The \$400 paid by Jennifer must be deposited into the campaign account and reported as other income.

Example 2

Marvin, a candidate, hosts a silent auction and purchases a gift certificate for \$75. The gift certificate is sold to Kim for \$100.

Has Kim made a campaign contribution?

Yes. Kim has made a contribution because she paid more for the gift certificate than its market value.

How much is Kim's campaign contribution?

Kim's contribution is \$25 (price paid less the market value $\$100 - \$75 = \$25$). The remaining \$75 is reported as other income.

Loans or debts

Any loan or debt that remains unpaid for six months after it becomes due converts to a campaign contribution unless the creditor has started legal proceedings to recover it. Creditors keep their rights to collect the loan or debt past the six month period even if no action to collect is taken.

Prohibited contribution rules apply to loans or debts that become campaign contributions from organizations or eligible individuals if the total amount of their contributions exceed the contribution limit.

If a loan or debt becomes a campaign contribution after the disclosure statement is filed with Elections BC, the financial agent must file a supplementary report. See [page 52](#) for information on supplementary reports.

Permissible loans

Candidates may receive loans from eligible individuals and savings institutions for campaign use. A loan received from an eligible individual must be counted towards the contribution limit for that individual in the calendar year the loan was received.

Financial agents must record the following for each loan received:

- if the loan is received from an eligible individual, the full name and residential address of the lender,
- if the loan is received from a savings institution, the name of the savings institution,
- amount of the loan,
- date the loan was made,
- due date of the loan,
- interest rate of the loan, and
- if the loan is received from a savings institution, the [prime rate](#) of interest at the time the loan is made.

If a financial agent becomes aware that a loan has been accepted in contravention of LECFA, they must return the loan or pay the lender an amount equal to the loan within 30 days. There are monetary penalties for making or accepting prohibited loans.

Other income

Campaign funds that are not campaign contributions or permissible loans are called other income. Such deposits include:

- interest earned on the account,
- dividends of shares of a credit union,
- money earned through product sales ,
- fundraising income that is not a campaign contribution,
- surplus campaign funds from a previous election returned by the jurisdiction, and
- transfers.

Recording requirements for other income

The financial agent must record the amount, date and purpose of each deposit that goes into the campaign account.

All money received must be deposited into the campaign account.

Transfers

Transfers, both monetary and in-kind, are reported as other income.

Money given from a candidate's personal account is a campaign contribution, not a transfer.

Transfers include:

- movements of money between a candidate and their elector organization
- provision of property or services between a candidate and their elector organization

Transfers can be made at any time, including after General Voting Day.

Recording requirements for transfers

The information that must be recorded and reported for transfers depends on the specific circumstances of the transfer.

If a candidate sought endorsement from an elector organization but was not endorsed, the recording requirements still apply.

For transfers of money between a candidate and an elector organization, report:

- the date and dollar amount of the transfer
- the name of the elector organization

For in-kind transfers between a candidate and an elector organization, report:

- the date of the transfer
- the market value and a description of the transferred property or services
- the name of the elector organization

Example

XYZ Elector Organization provides election signs to its endorsed candidate, Irene, on August 31, 2018.

What must Irene report for this transfer?

Irene must report that the signs were received from XYZ Elector Organization on August 31, 2018. Irene must also determine and report the market value of the signs and report that value as an other income.

Expenses and expense limits

Election expenses

An election expense is the value of property or services used in an election campaign. This applies whether the item was used in the election period, the campaign period or both.

Election period expenses:

- For **general local elections**, the election period begins on January 1st and ends on the 29th day before General Voting Day (GVD).
- For a **by-election**, the election period begins on the day the office becomes vacant and ends on the 29th day before GVD.
- Election expenses used in the election period are election period expenses.

Campaign period expenses:

- The campaign period begins on the 28th day before GVD and ends at the close of voting on GVD.
- Election expenses used in the campaign period are campaign period expenses.

Election expenses used in both the election period and the campaign period are both election period expenses and campaign period expenses.

Goods produced by a candidate from their own property are not election expenses if the materials were already owned prior to their decision to run for office.

Examples of Expenses

The list below is of examples only and does not include every type of expense or election expense.

Election expenses	Election expenses that are not subject to limits	Not election expenses
<ul style="list-style-type: none"> ▪ campaign advertising (such as signs, brochures, newspaper ads, etc.) ▪ costs associated with transmitting election messages to the public (such as postage, website hosting, etc.) ▪ campaign signs, including signs reused or repurposed from previous elections ▪ professional photographs used in election advertising ▪ holding or attending campaign-related meetings, functions or events (such as costs associated with a campaign rally) ▪ paid research and opinion polling and campaigning (such as operating a phone bank) ▪ paid canvassing in person, by phone or over the internet ▪ campaign office costs ▪ bank fees 	<ul style="list-style-type: none"> ▪ sign, nomination or damage deposits ▪ candidate's personal expenses if paid or reimbursed from campaign account* ▪ legal or accounting services used to comply with LECFA ▪ financial agent services ▪ incidental expenses related to the campaign (such as payments made for the purposes of campaign fundraising) ▪ interest on a loan to a candidate for election expenses 	<ul style="list-style-type: none"> ▪ services provided or goods produced by a candidate from their own property (such as making brochures with materials already owned) ▪ services provided or goods produced by a volunteer from their own property (such as canvassing, installing signs, running social media campaign from their own computer, etc.) ▪ free media coverage (such as news stories, interviews, current affairs program, etc.) ▪ producing, promoting or distributing a publication if it was planned to be sold whether or not there was an election
<p>*Candidate personal expenses are:</p> <ul style="list-style-type: none"> ▪ travel to, within or from the election area where the candidate is running for office ▪ lodging, meals and other incidentals related to travelling ▪ child or family care if the candidate is usually responsible for the care ▪ expenses related to a disability of the candidate <p>All personal expenses must be reasonable.</p>		

Valuing expenses

The value of an election expense is the market value of the property or services used in an election campaign.

Valuation of re-used election signs and advertising materials

Signs or other advertising materials left over from previous elections may be re-used, but they must have a value attributed to them for campaign period expense limit purposes. This value is the market value of buying new materials of the same quality. A quote must be obtained to determine the current price of the goods of the same quality. If they are being used during the campaign period, the value must be reported in the disclosure statement as a campaign period expense subject to limits. If they are used in both periods they will be disclosed in both periods at their full value.

If there are additional costs to update old or re-used campaign goods, such as adding the sponsorship information, they are not included in the value obtained in the quote.

Example

Rafael reuses 500 signs from a previous election. He has a different financial agent than the last election so the signs need to be updated with the new financial agent's name and phone number. He has stickers printed with the new information at a cost of \$100.

Since the signs were purchased during the previous election, Rafael must determine the current market value of 500 signs of the same quality. Rafael calls a local print shop and learns that the lowest replacement cost for 500 signs of the same quality is \$2,000.

What is the value of the election expense?

The value of the election expense is \$2,000. As new signs would not require the stickers, the \$100 is already included in the market value.

If only a portion of property or services is used in an election, only that portion is an election expense. The unused portion is an intended election expense and is recorded as other expenses.

Example 1

Svetlana purchases 500 brochures for \$200 but only uses 250.

What is the value of the election expense?

Since Svetlana only used half of the brochures, the value of the election expense is \$100. The remaining \$100 is recorded as an intended election expense and reported as other expenses.

Example 2

A campaign worker is contracted to create a website at an hourly rate of \$20 for 25 hours. Hosting fees are \$10 per month. The website is public for eight months during the election period and all of the 29-day campaign period.

What is the value of the expense?

The value is calculated by multiplying the number of hours it took to create the website by the hourly rate of the worker and adding the hosting fees.

Election period expense

$\$500 (\$20 \text{ per hour} \times 25 \text{ hours}) + \$80 (\$10 \text{ per month} \times 8 \text{ months}) = \580

The value of the election period expense is \$580.

Campaign period expense

$\$500 (\$20 \text{ per hour} \times 25 \text{ hours}) + \$9.35 (\$10 \text{ per month} \times 29 \text{ days} / 31 \text{ days}) = \509.35

The value of the campaign period expense is \$509.35.

Expense limits

The Ministry of Municipal Affairs, the Ministry of Education and Child Care and the Ministry of Indigenous Relations and Reconciliation calculate the campaign period expense limits for candidates.

All candidates are subject to these expense limits, which are based on the office sought and the population of the election area.

An election area is the geographical area where the election is held.

Elections BC will publish the expense limits no later than May 31 in the year of general local elections.

For by-elections, the expense limits for the most recent general local elections apply.

If a candidate exceeds their expense limit:

- monetary penalties will apply
- they will lose their seat, if elected
- they commit an offence

To find the expense limit for your election area, go to the Elections BC website at elections.bc.ca.

Campaign financing arrangements

Campaign financing arrangements are only used by candidates endorsed by an elector organization.

All candidates who are endorsed by an elector organization must have a campaign financing arrangement (CFA) with their elector organization.

Elector organizations are not allowed to incur campaign period expenses unless they share a candidate's expense limit under a campaign financing arrangement.

A campaign financing arrangement is a written agreement between an elector organization and each endorsed candidate. The arrangement determines how much of the candidate's campaign period expense limit will be shared with the elector organization.

A campaign financing arrangement must be:

- on the regulated form,
- completed before the start of the campaign period,
- submitted to Elections BC, and
- signed by the candidate, the candidate's financial agent (if applicable) and the financial agent of the elector organization.

An endorsed candidate can make all, some or none of their expense limit available to their elector organization to spend on their campaign.

Campaign financing arrangements may be amended or terminated.

- An amendment to the amounts of expense limits available to the elector organization must be made **no later than** General Voting Day.
- A termination of a campaign financing arrangement must be done before the start of the campaign period.

Amendments and terminations to campaign financing arrangements must be submitted to Elections BC and completed on regulated forms.

Important note: a candidate or elector organization must notify their local election officer of a termination of endorsement prior to the start of the campaign period to remove the endorsement from the ballot.

Campaign financing arrangement forms can be found on the Elections BC website at elections.bc.ca.

Incurring and paying for expenses

All election expenses must:

- be approved by the financial agent before they are incurred,
- be paid for by a candidate, financial agent or an individual authorized in writing by the financial agent, and
- be paid or reimbursed from the campaign account, including if a candidate pays for an expense from their personal funds. Receipts must be submitted to the financial agent for reimbursement.

Shared election expenses

A shared election expense is when two or more candidates agree to participate in an election expense.

Each candidate's campaign must pay for their portion of the shared election expense. If one campaign pays for the expense, it must be reimbursed by the other candidates' campaigns. Candidates' campaigns are not allowed to pay for another campaign's election expense.

Example 1

Bill and Zara are both candidates acting as their own financial agents. They purchase 20 shared signs for \$500. Bill writes a cheque from his campaign account and pays the full amount directly to the supplier. Bill is then later reimbursed \$250 from Zara's campaign account.

Is this permissible?

Yes. Each candidate paid for their portion of the shared election expense.

Example 2

Candidates Julie, Jessica and Jack decide to host a campaign event together. The venue charges \$300. Julie has no campaign funds, so Jessica and Jack agree to split the cost and each pay the venue \$150.

Is this permissible?

No. Each candidate must pay for their portion of a shared election expense. Julie must reimburse Jessica and Jack \$50 each to cover Julie's portion.

Post-election expenses

Candidates are permitted to incur expenses after the close of voting that are incidental to their campaign, such as celebration parties and thank-you cards. These incidental expenses are not subject to expense limits but must be recorded and reported in the disclosure statement as other expenses.

Recording requirements for expenses

Financial agents must maintain accurate and detailed records of all expenses related to the campaign. The records must be complete enough to meet the disclosure requirements in LECFA including:

- total value and description of each election expense
- when each election expense was used (such as election period, campaign period or both)
- total value and description of each payment for other expenses
- total value and description of each other type of payment made from the campaign account, including fundraising expenses, intended election expenses, thank-you parties, etc.

Election expenses are broken down into the following categories:

Advertising:

- commercial canvassing in person, by telephone, or over the internet
- newspapers and periodicals
- promotional materials, including newsletters, brochures, buttons and novelty items
- radio
- search engine marketing and optimizations
- signs (including lumber, sign wires, etc.)

- reused signs
- social media
- television
- website displays
- other advertising (including business cards, promotional items, etc.)

Campaign administration:

- accounting services
- bank charges
- conventions, workshops and meetings
- donations and gifts
- fundraising functions
- furniture and equipment
- interest expense
- office rent, utilities, insurance and maintenance
- office supplies and stationary
- postage and courier
- professional services
- research and data, including election surveys and polls
- salaries and benefits
- social functions
- subscriptions and dues
- telecommunications and information technology
- travel
- other expenses

Recording shared election expenses

Detailed disclosure of shared election expenses is required. In order to meet these requirements, financial agents for candidates who participated in a shared election expense must record the following:

- the total value of the shared expense
- the value of their candidate's portion
- the names of the other participating candidates

They must also record and disclose, as applicable:

- the amount paid to the supplier
- the amount of each reimbursement received from other participating candidates
- the amount of each reimbursement paid to other participating candidates

To ensure information is consistent and disclosed correctly, Elections BC reconciles shared election expenses with the other participating candidates. Financial agents may wish to work with other participating financial agents to ensure their records and reports are accurate and consistent.

Election advertising

The definition of election advertising is broad and applies to advertising conducted by candidates, elector organizations and third party sponsors during the pre-campaign and campaign period. Advertising activities during the election period and prior to pre-campaign period are still advertising election expenses and must be recorded and disclosed, but they are not election advertising.

Election advertising is any transmission of a communication to the public during the pre-campaign period or campaign period that directly or indirectly promotes or opposes a candidate or an elector organization.

In the campaign period, election advertising includes communications that take a position on an issue associated with a candidate or elector organization.

With the exception of sponsorship information, Elections BC does not regulate the content of election advertising.

Election advertising does not include:

- messages on the internet that do not, and would not normally, have a placement cost, including free social media posts, websites and videos. Examples of free messages that are not election advertising include Facebook, Instagram and Snapchat posts, tweets, YouTube videos and websites. Although these messages are not election advertising, any costs related to their design or production are election expenses and must be disclosed accordingly.
- free personal or private communications (such as private letters, emails, in-person or telephone conversations, etc.)
- free media coverage (such as news stories, editorials, radio interviews, etc.)
- producing, promoting or distributing a publication if it was planned to be sold whether or not there was an election
- a communication by an individual or group sent directly to their members, employees or shareholders
- transmission by an individual, on a non-commercial basis, on the internet, or by telephone or text message, of their personal views.

Examples

Election advertising	Not election advertising
<ul style="list-style-type: none"> ▪ television, radio, newspaper or magazine advertisements ▪ signs, billboards, posters, bumper stickers or branded clothing or objects ▪ newsletters, brochures, mailing inserts or other advertising sent to the public ▪ ads on the internet with a placement cost (such as pay-per-click ads, Facebook ads, promoted posts, banner ads, pop-up ads, etc.) ▪ phone calls made using an automated system (e.g., robocalls) ▪ paid canvassing in person, by telephone or over the internet to attempt to influence how voters vote 	<ul style="list-style-type: none"> ▪ personal or private communications ▪ free media coverage (such as a candidate debate on a local news channel, news stories, radio interviews, etc.) ▪ a communication by an individual or group sent directly to their members, employees or shareholders ▪ any free communication on the internet (such as Facebook, Twitter, Instagram, Snapchat, YouTube, etc.) ▪ free person-to-person phone calls and text messages ▪ websites or blogs ▪ producing, promoting or distributing a publication if it was planned to be sold whether or not there was an election

Determining the sponsor of election advertising

The sponsor of election advertising is the candidate that is conducting the advertising. If two or more candidates conduct advertising together, they are co-sponsors.

Example

Amanda, Preet and Jeremy are campaigning together and decide to create a shared brochure. Preet designs and prints the brochure and provides several to each campaign to distribute.

Who is the sponsor of the advertising?

All candidates are co-sponsors of the advertising.

The candidate is still the sponsor even if:

- the advertising is provided to the candidate as a campaign contribution, or
- another individual or organization conducts advertising on behalf of the candidate.

Example

A local parents' group meets with Braeden, a candidate, and they decide, with the consent of Braeden's financial agent, that the group will create brochures on behalf of Braeden and distribute them door-to-door during the campaign period.

Who is the sponsor of the advertising?

Braeden is the sponsor. The local parents' group is working on behalf of Braeden to create and distribute the brochures. The cost of preparing and printing the brochures is a campaign period expense of Braeden.

Candidates and elector organizations must not sponsor election advertising with a third party sponsor and a third party sponsor must not sponsor election advertising on behalf of a candidate or elector organization.

Sponsorship information on election advertising

Sponsorship information, also known as an authorization statement, is required on most election advertising during the pre-campaign and campaign periods and must include:

- the name of the financial agent,
- the words "authorized by" in front of the financial agent's name, and
- a B.C. phone number, or B.C. mailing address or email address at which the financial agent can be contacted.

Although there are no size requirements for the sponsorship information, it must be clear and readable.

Sponsorship information must be on the election advertising itself and must be in English or understandable to readers of English. If the advertising is in another language, the sponsorship information must also be in that language or understandable to readers of that language.

If a person is paid to canvass voters, either in person, by telephone or over the internet, the canvasser must provide voters with the required sponsorship information.

There are monetary penalties for failing to include sponsorship information. See [page 56](#) for more information.

If the election advertising is co-sponsored by two or more candidates, the sponsorship information for each candidate's financial agent must be on the advertising.

Example 1

Election signs

One-sided election signs must have sponsorship information on the side that contains the advertising. It cannot only be on the back of the sign.

Two-sided election signs must have sponsorship information on at least one side. It is not required to be on both sides.

Example 2

Candidate sponsor

Authorized by Susan Wong, electsusan@campaign.ca

Example 3

Another language

Authorized by John Smith, financial agent 604-123-4567

जॉन स्मिथ, वित्तीय एजेंट द्वारा अधिकृत 604-123-4567

Example 4

Multiple candidates

Authorized by John Smith, 604-123-4567 and Susan Wong, electsusan@campaign.ca

Election advertising exempt from sponsorship information

Certain types of election advertising do not require sponsorship information:

- clothing
- novelty items (such as buttons, badges, pins, stickers, bumper stickers, wristbands)
- small items of nominal value that are intended for personal use (such as pens, mugs, magnets, key chains, notepads, business cards)

Sponsorship information for advertising on the internet

For internet advertising that has or would normally have a placement cost, the sponsorship information does not need to be on the ad if there is a link that takes the viewer to the website, landing page or profile page that contains it.

Where and when election signs may be placed

Elections BC does not regulate where and when signs may be placed. However, local governments have the authority to regulate the size, placement, maintenance and removal of signs and other forms of public advertising. Contact your local government for more information about election sign bylaws in your area.

The Ministry of Transportation and Infrastructure regulates sign placement on provincial highways. Please refer to the Ministry's policy at www.gov.bc.ca/electionsigns.

Important safety note: Placing election signs by digging or driving stakes into the ground can pose a safety hazard to sign installers and to underground infrastructure (such as gas lines and other utilities). Before placing election signs, you may wish to contact BC One Call at 1-800-474-6886 or see the website at www.bc1c.ca to determine if there are risks in your area. This service is free of charge and is not associated with Elections BC.

Authority to remove election advertising

If election advertising does not include the required sponsorship information, or is conducted by an unregistered third party sponsor, Elections BC may require that the advertising be:

- corrected
- discontinued
- covered
- obscured
- removed
- destroyed

Campaigning restrictions on General Voting Day

An individual or organization must not transmit election advertising to the public on General Voting Day (GVD) except:

- election advertising on the internet as long as the advertising was transmitted to the public before GVD and was not changed before the close of voting. For example, if advertising must be purchased on a monthly basis and GVD is included in that purchase and cannot be removed, then the advertising will be permitted. It is not permitted to schedule advertising for GVD, such as paid Facebook posts.
- advertising by means of signs, posters or banners
- distributing pamphlets
- advertising on the internet that is for the sole purpose of encouraging voters to vote

Permitted on General Voting Day	Not permitted on General Voting Day
<ul style="list-style-type: none"> ▪ using free social media ▪ free person-to-person interactions, such as phone calls, emails, text messages, etc. ▪ election advertising on the internet as long as the advertising was not changed on GVD or is solely to encourage voters to vote ▪ placing signs or distributing brochures outside of 100 metres of a voting place ▪ campaign meetings or rallies outside of 100 metres of a voting place 	<ul style="list-style-type: none"> ▪ scheduling paid ads on the internet including paid social media posts on Facebook, Twitter, Instagram, etc. ▪ automated voice calls (robocalls) and automated text messages ▪ placing signs or distributing brochures within 100 metres of a voting place ▪ television, radio or newspaper ads ▪ paid canvassing in person, by telephone or over the internet to attempt to influence how voters vote

Election advertising is never permitted within 100 metres of a voting place while voting is being conducted.

For more information about the 100 metre rule, please contact your local authority.

Determining the value of election advertising

The value of election advertising is an election expense. If used during the campaign period, the value is also a campaign period expense and is subject to the expense limit. The value of election advertising is the price paid for preparing and transmitting the advertising.

Since only eligible individuals may make campaign contributions, advertising suppliers such as newspapers, sign printers, etc. must not give discounts to candidates or elector organizations unless they are a sole proprietor.

The value of election advertising includes all property and services used in preparing and transmitting the advertising to the public (such as materials, transmission fees, design services, taxes, etc.).

Example 1

Pavel pays an agency \$500 to produce an advertisement and then pays a radio station \$150 per play. The ad is played 20 times during the campaign period.

What is the value of this election advertising?

The production cost plus the cost per play multiplied by the number of times played: $\$500 + \$3,000 (\$150 \times 20 \text{ plays}) = \$3,500$.

Example 2

Sabrina is a candidate and prepares a brochure at home and prints 500 copies at a local shop for \$0.25 per copy. The brochures are mailed to 500 different homes at a postage rate of \$1 per brochure.

What is the value of this election advertising?

$500 \text{ brochures} \times \$1.25 (\$0.25 \text{ printing} + \$1 \text{ postage per brochure}) = \625 .

The value of producing the brochure is not included in the value of the election advertising because it was made with Sabrina's own materials.

Election advertising offered for free equally to all candidates has a market value of zero. However, the value of preparing the advertising is still an election expense.

Example

A television station offers all candidates a free 15 second advertisement. Elizabeth pays an agency \$300 to produce an ad.

What is the value of this election advertising?

\$300. As the transmission was offered for free to all candidates, only the production cost is included in the value of the advertisement.

Third party advertising sponsor

It is an offence to conduct third party advertising before registering with Elections BC.

A candidate may also act as a third party advertising sponsor but not for the election in which they are running. This means that generally, a candidate can only be a third party sponsor outside their own jurisdiction. Candidates considering becoming third party sponsors should contact Elections BC and must register with Elections BC before conducting third party advertising.

Example

Barinder, a mayoral candidate in Vancouver, has a good friend and colleague running for council in Whistler. To advertise in support of that friend, Barinder must register as a third party sponsor before placing the election advertising.

Remember, candidate and elector organizations cannot sponsor election advertising with a third party sponsor and a third party sponsor must not sponsor election advertising on behalf of a candidate or elector organization.

For more information about third party advertising and requirements for third party sponsors, refer to the Guide for Local Elections Third Party Sponsors in B.C. available at elections.bc.ca.

Collecting information from an advertiser

For the purpose of administering compliance with LECFA, the B.C. Chief Electoral Officer may collect from an advertiser the following information in relation to election advertising that has been transmitted to the public:

- the name of the individual or organization that sponsored the advertising
- the name of the individual or organization that transmitted or arranged to have transmitted the advertising
- the date the advertising was ordered or requested
- the amounts and dates of payments, if any
- the dates on which the advertising was transmitted
- the actual or intended geographic distribution or availability of the advertising
- any other information prescribed by regulation

An advertiser is an individual or organization that has transmitted or arranged to have transmitted third party advertising to the public by any means during the past five years, or as defined by regulation.

Surplus campaign funds

Surplus campaign funds are the balance of money left in the campaign account after all financial transactions are completed. Candidates must record the amount of surplus campaign funds remaining and how they deal with them.

If the candidate contributed money to their own campaign, the financial agent can only repay the candidate up to the value of those contributions. After the candidate has been reimbursed, any remaining surplus campaign funds must be dealt with as follows:

- Under \$500: The financial agent must pay the amount to the candidate or deal with those funds as directed by the candidate.
- \$500 or more: The financial agent must pay the total amount of the surplus campaign funds (not just the amount over \$500) to the jurisdiction where the candidate ran.

The jurisdiction holds the funds and any accumulated interest in trust.

Surplus campaign funds held in trust by a jurisdiction

If a candidate who paid surplus funds to a jurisdiction seeks office in the same jurisdiction in the next general local election or an earlier by-election, the jurisdiction must pay the surplus campaign funds to the candidate's financial agent for use in the new election.

If the candidate does not run for office in the same jurisdiction in the next election, the funds become the jurisdiction's to be used at its discretion.

Disclosure statements

Financial agents are responsible for filing disclosure statements with Elections BC. A disclosure statement includes information on all campaign contributions, election expenses, transfers, surplus campaign funds and other transactions related to the campaign. A disclosure statement must be filed for every candidate. All disclosure statements must be completed on Elections BC forms.

Who must file

Financial agents are responsible for filing disclosure statements even if the candidate withdrew, was acclaimed, or had few or no financial transactions. Candidates also have a responsibility to ensure that their financial agents file their disclosure statements.

To ensure your report is received by Elections BC before the deadline, you may deliver it by:

- **Email (preferred):** forms may be filled out online and an electronic signature is acceptable. Fillable forms can be found [here](#) and should be sent to electoral.finance@elections.bc.ca.
- **Fax:** our toll-free fax number is 1-866-466-0665
- **Mail:** a postmark is not acceptable as proof of delivery by the deadline, so ensure you mail the report well before the deadline: PO Box 9275 Stn Prov Govt, Victoria, BC V8W 9J6.
- **Courier:** ensure that you submit the report early enough for it to be received by the deadline: Suite 100 – 1112 Fort Street, Victoria , BC V8V 3K8
- **Personally deliver the report:** to a Service BC office or Elections BC: Suite 100 – 1112 Fort Street, Victoria , BC V8V 3K8, Monday to Friday, 8:30 a.m. to 4:30 p.m. PST (Closed weekends and statutory holidays.)

Note: not all Service BC offices will accept this report. Please check their website before personally attending the office to ensure this service is available: servicebc.gov.bc.ca/locations.

Filing deadline

The filing deadline for disclosure statements is 4:30 p.m. (Pacific time), 90 days after General Voting Day.

The disclosure statement must be received and accepted by Elections BC by the filing deadline. A postmark is not acceptable as proof of delivery.

Disclosure statements filed by the filing deadline are accepted as long as the disclosure requirements are met. If a disclosure statement requires additional information to be accepted, Elections BC will contact the financial agent to give them an opportunity to make the required corrections. If a financial agent does not meet the 90 day deadline, they may file the disclosure statement under the late filing provisions discussed below.

The B.C. Chief Electoral Officer may grant extensions to the filing deadline in extraordinary circumstances. Requests for extensions must be made in writing to the B.C. Chief Electoral Officer before the 90 day filing deadline.

Late filing deadline

The late filing deadline is 4:30 p.m. (Pacific time), 120 days after General Voting Day (GVD). Disclosure statements submitted between 91 and 120 days after GVD must include a \$500 late filing fee.

It is an offence to not file a disclosure statement by the late filing deadline. There are significant penalties for committing offences.

Supplementary reports

If Elections BC advises a financial agent that a supplementary report is required, it must be submitted within 30 days of the notification. Elections BC will also inform the local chief election officer of any supplementary reports required.

A supplementary report must also be filed if a financial agent becomes aware that information previously disclosed has changed or does not completely and accurately disclose the information required.

A supplementary is a complete filing of all of the reporting forms. A supplementary report must:

- provide details about the addition, change or correction to the original disclosure statement
- include a description of the circumstances that led to filing the supplementary report
- be in a form approved by Elections BC

Requirement for retaining records

Campaign financing records must be retained in British Columbia until five years after General Voting Day. These records must include:

- copies of the disclosure statement forms
- records of contributions and required contributor information
- deposit slips
- expense receipts
- cheque registers
- transaction slips
- all other financial records of the campaign

Financial agents must keep all campaign financing records and other material related to the disclosure statement until all disclosure requirements have been fulfilled. After the disclosure requirements are met, the candidate becomes responsible for retaining records and materials.

Public information

Disclosure statements are made available on the Elections BC website after the filing deadline. They may also be viewed at the Elections BC office in Victoria. All residential addresses of significant contributors will be obscured prior to publication.

Local authorities must also provide public access to the disclosure statements.

Copies of disclosure statements may be obtained from either Elections BC or the local authorities for a fee.

Campaign financing penalties, offences and court orders for relief

Elections BC works closely with participants to help them understand and comply with the local elections campaign financing rules and regulations.

Campaign financing penalties and offences

Failing to comply with the campaign financing and election advertising rules in the [Local Elections Campaign Financing Act](#) (LECFA) may lead to significant penalties, including committing an offence for more serious matters of non-compliance.

There are also administrative penalties imposed by the B.C. Chief Electoral Officer for failing to comply with the campaign financing and election advertising rules. Administrative penalties include monetary penalties, loss of seat, automatic deregistration and disqualification.

A list of disqualified candidates and advertising sponsors is available on the Elections BC [website](#) and at the Elections BC office in Victoria.

Failing to file a disclosure statement

Candidates who fail to file a disclosure statement or supplementary report are disqualified from being nominated for, elected to or holding office on a local authority in B.C. until after the next general local elections. Elected candidates who fail to file will also lose their seats.

Candidates endorsed by elector organizations are also subject to these same penalties if the elector organization fails to file a disclosure statement or supplementary report.

It is also an offence to fail to file a disclosure statement or supplementary report and a candidate or financial agent who fails to file a report is liable to a fine of up to \$10,000 and/or imprisonment for up to two years.

Exceeding the expense limit

An elected candidate who exceeds their expense limit loses their seat. A candidate endorsed by an elector organization will also lose their seat if the total of the candidate's campaign period expenses and the elector organization's campaign period expenses attributed to the candidate exceed the candidate's expense limit.

All candidates who exceed their expense limit must pay a monetary penalty of up to two times the amount by which they exceeded their limit. If the penalty is not paid within 30 days, the candidate becomes disqualified from being nominated for, elected to or holding office on a local authority until after the next general local elections. However, if they pay the penalty, even after the 30 days, they will no longer be disqualified.

Monetary penalties are made payable to the Minister of Finance.

It is also an offence to exceed the expense limit and a candidate who exceeds the limit is liable to a fine of up to \$5,000 and/or imprisonment for up to one year.

Making or accepting prohibited campaign contributions

If the B.C. Chief Electoral Officer makes the determination that a candidate or registered elector organization accepted a campaign contribution that is not in compliance with LECFA, the B.C. Chief Electoral Officer must notify the individual or organization of non-compliance within seven days of making the determination, and the related penalty. This includes:

- Contributions from ineligible sources (e.g., from organizations or individuals who are not eligible individuals).
- Contributions that exceed the contribution limit.
- Contributions that have not been made through an appointed financial agent, or someone authorized in writing by the financial agent, or been properly recorded in order to allow compliance with LECFA.
- Indirect contributions.
- Anonymous contributions of more than \$50.

An individual or organization that makes or accepts a prohibited campaign contribution is liable to pay a monetary penalty of up to double the amount of the prohibited contribution, as determined by the B.C. Chief Electoral Officer.

An application to the Supreme Court for relief from the financial penalty must be made within 30 days after receiving notification from Elections BC of the non-compliance and related penalty.

Failing to return prohibited campaign contributions

If the B.C. Chief Electoral Officer makes the determination that a financial agent has failed to properly handle a prohibited contribution that was made or accepted in contravention of LECFA, the B.C. Chief Electoral Officer must notify the financial agent of non-compliance within seven days of making the determination, and the related penalty.

A financial agent that does not properly return or remit a prohibited contribution is liable to pay a monetary penalty of up to double the amount of the prohibited contribution, as determined by the B.C. Chief Electoral Officer.

An application to the Supreme Court for relief from the financial penalty must be made within 30 days after receiving notification from Elections BC of the non-compliance and related penalty.

Failing to include sponsorship information on election advertising

If the B.C. Chief Electoral Officer makes the determination that a candidate, registered elector organization or third party sponsor failed to include sponsorship information, also known as an authorization statement, on election advertising when required to under LECFA, the B.C. Chief Electoral Officer must notify the individual or organization of non-compliance within seven days of making the determination, and the related penalty.

An individual that does not include sponsorship information on election advertising when required is liable to pay a monetary penalty of up to \$5,000, as determined by the B.C. Chief Electoral Officer.

An organization that does not include sponsorship information on election advertising when required is liable to pay a monetary penalty of up to \$10,000, as determined by the B.C. Chief Electoral Officer.

An application to the Supreme Court for relief from the financial penalty must be made within 30 days after receiving notification from Elections BC of the non-compliance and related penalty.

Making or accepting prohibited loans

If the B.C. Chief Electoral Officer makes the determination that a candidate or registered elector organization accepted a loan that is not in compliance with LECFA, the B.C. Chief Electoral Officer must notify the individual or organization of non-compliance within seven days of making the determination, and the related penalty.

An individual or organization that makes or accepts a prohibited loan is liable to a monetary penalty of up to 100% of the amount of the loan, as determined by the B.C. Chief Electoral Officer.

An application to the Supreme Court for relief from the financial penalty must be made within 30 days after receiving notification from Elections BC of the non-compliance and related penalty.

Providing false or misleading information

Providing false or misleading information or making false or misleading statements under LECFA is an offence and individuals who commit such an offence are liable to a fine of up to \$10,000 and/or imprisonment for up to two years.

Candidates who are convicted of an offence for providing false or misleading information will lose their seat if they were elected. They will also be disqualified from being nominated for, elected to or holding office on a local authority until after the next general local elections.

Court orders for relief

Candidates or financial agents can apply to the Supreme Court for a court order for relief from disclosure requirements, expense limit penalties and administrative monetary penalties.

Candidates applying for court relief may want to consult independent legal counsel about the court process.

For details and timelines on filing for a court order for relief, see sections 66-72 of the [Local Elections Campaign Financing Act](#).

Disclosure Statement Completion Instructions

General instructions for all forms

The disclosure statement forms are available online at elections.bc.ca.

The following are some general instructions when completing all forms:

- Separate disclosure statements must be filed for each election where the candidate ran.
- Submit all relevant forms. Forms not relevant to the candidate's campaign do not need to be filed. If there is doubt whether a form should be filed, contact Elections BC.
- Complete the forms online or by hand (print neatly and in ink). The statements will be available for viewing in our office and on our Financial Reports and Political Contributions filing system ([FRPC](#)).
- Complete the detailed forms first then carry forward the totals to the summary forms.
- Ensure the candidate's name is on each page.
- Enter dates as YYYY/MM/DD – e.g., for October 15, 2022, enter 2022/10/15
- Number the pages of forms that have more than one page using the boxes in the top right corner of the forms – e.g., page 1 of 2, page 2 of 2, etc.
- Keep a copy of the report for your records. You may need to use the information for filing amendments or responding to questions from Elections BC. Financial records must be kept in B.C. for 5 years after the compliance deadline for filing the disclosure statement or supplementary report to which the records and material relate.

Note: It is acceptable to round cents to the nearest dollar. For example, \$23.65 could be entered as \$24, \$15.34 as \$15.

Submitting the Disclosure Statement

The campaign financing disclosure statement must be received by Elections BC before 4:30 p.m., Pacific time, on the filing deadline, 90 days from General Voting Day. The cover page (form 4300) must be signed by the candidate and the appointed financial agent in order for the report to be accepted as filed.

To ensure your report is received by Elections BC before the deadline, you may deliver it by:

- **Email (preferred):** forms may be filled out online and an electronic signature is acceptable. Fillable forms can be found [here](#) and should be sent to electoral.finance@elections.bc.ca.
- **Fax:** our toll-free fax number is 1-866-466-0665
- **Mail:** a postmark is not acceptable as proof of delivery by the deadline, so ensure you mail the report well before the deadline: PO Box 9275 Stn Prov Govt, Victoria, BC V8W 9J6.
- **Courier:** ensure that you submit the report early enough for it to be received by the deadline: Suite 100 – 1112 Fort Street, Victoria , BC V8V 3K8
- **Personally deliver the report:** to a Service BC office or Elections BC: Suite 100 – 1112 Fort Street, Victoria , BC V8V 3K8, Monday to Friday, 8:30 a.m. to 4:30 p.m. PST (Closed weekends and statutory holidays.)

Note: not all Service BC offices will accept this report. Please check their website before personally attending the office to ensure this service is available: servicebc.gov.bc.ca/locations.

4300 – Disclosure Statement Cover Page

The [4300 - Cover Page](#) must be completed for all disclosure statements filed, including amendments (supplementary reports). Please ensure that each relevant field is completed and correct.

- 1. Only add the amendment number if you are modifying an existing report. If it is your first time submitting this report, leave this blank.**
2. Enter the date of General Voting Day (YYYY/MM/DD).
3. Enter the candidate's mailing address, phone number and (if available) email address. Please note that the statement will be publically available so a mailing address, such as a PO Box or office address, instead of a home address may be preferred.
4. Enter the jurisdiction where the candidate sought office.
5. Enter the office sought by the candidate (councillor, mayor, board of education trustee, etc.).
6. Enter the election area where the candidate sought office.
7. If the candidate is endorsed by an elector organization, enter its ballot and legal names.
8. Tick this box if the candidate is their own financial agent.
9. Tick this box if the candidate is registered with Elections BC as a third party advertising sponsor. A separate disclosure statement must be filed for third party sponsors.
10. Unless the candidate is their own financial agent, enter the full name, mailing address, phone number and (if available) email address of the appointed financial agent. Please note that the statement will be publically available so a mailing address, such as a PO Box or office address, instead of a home address may be preferred.
11. Enter the date the financial agent was appointed. If others were previously appointed as financial agents for this election, provide their information on [Form 4312 – Former Financial Agents](#).
12. Carefully read the instructions for zero campaign activity. If all five criteria apply to the candidate, only the cover page is required to be completed and filed. If any of these five criteria do not apply, complete any other form(s) applicable to the campaign.
13. The declaration must be signed and dated by the candidate and, if applicable, the financial agent. If the candidate is their own financial agent, only one signature is required. Signing a false statement is a serious offence and is subject to significant penalties under section 65 of the [Local Elections Campaign Financing Act](#).

Amendment # **1** _____

GENERAL VOTING DAY (YYYY/MM/DD) 2			
CANDIDATE'S FULL NAME		BALLOT NAME (IF DIFFERENT)	
CANDIDATE'S MAILING ADDRESS 3		PHONE NUMBER	
CITY/TOWN	PROV.	POSTAL CODE	EMAIL (IF AVAILABLE)
JURISDICTION 4		OFFICE SOUGHT 5	
ELECTION AREA 6			
BALLOT NAME OF ENDORSING ELECTOR ORGANIZATION (IF APPLICABLE) 7			
LEGAL NAME OF ENDORSING ELECTOR ORGANIZATION (IF DIFFERENT)			
8 <input type="checkbox"/> Tick if candidate is their own financial agent		9 <input type="checkbox"/> Tick if candidate was also a third party sponsor	
FINANCIAL AGENT'S FULL NAME (IF NOT ACTING AS OWN) 10		EFFECTIVE DATE OF APPOINTMENT (YYYY/MM/DD) 11	
FINANCIAL AGENT'S MAILING ADDRESS		PHONE NUMBER	
CITY/TOWN	PROV.	POSTAL CODE	EMAIL (IF AVAILABLE)
ZERO CAMPAIGN ACTIVITY Candidates with zero campaign activity may file this form only. If any of the conditions are not met , file other forms applicable to the campaign.			12 <input type="checkbox"/> Tick if candidate had zero campaign activity
1. No income or deposits, including funds from the candidate, contributions, donations, gifts, loans, funds from previous elections, transfers, etc.			
2. No expenses, including signs reused from previous elections, campaign account fees, etc.			
3. Did not have a campaign account.			
4. Did not change financial agents during this election.			
NOTE - ENDORSED CANDIDATES MUST ALSO INCLUDE A COPY OF THEIR CAMPAIGN FINANCING ARRANGEMENT.			
DECLARATION: 13 I, the undersigned, declare that to the best of my knowledge and belief, this disclosure statement completely and accurately discloses the information required under the <i>Local Elections Campaign Financing Act</i> .			
SIGNATURE OF CANDIDATE		SIGNATURE OF FINANCIAL AGENT	
DATE (YYYY/MM/DD)		DATE (YYYY/MM/DD)	
WARNING: Signing a false declaration is a serious offence and is subject to significant penalties.			

Please submit your report to Elections BC: electoral.finance@elections.bc.ca

4301 – Campaign Financing Summary

The [4301 – Campaign Financing Summary](#) form is a summary of the income and expenses of the candidate's campaign. The information is carried forward from other disclosure statement forms. Complete this form after the totals from the related forms are calculated. Depending on the candidate's campaign, income may not equal expenses.

1. Enter the total value of campaign contributions received, as reported in box A on [Form 4302 – Summary of Campaign Contributions](#).
2. Enter the total value of all permissible loans received, as reported in box B on [Form 4304 – Permissible Loans Received](#).
3. Enter the total value of other income and transfers into the campaign account, as reported in box A on [Form 4305 – Other Income and Transfers Received](#).
4. Add the above three values and enter the total income of the campaign in this box.
5. Enter the total value of election period expenses, as reported in box A on [Form 4307 – Summary of Election Expenses](#).
6. Enter the total value of campaign period expenses, as reported in box B on Form 4307.
7. Enter the total value of election period expenses not subject to the limit, as reported in box D on Form 4307.
8. Enter the total value of campaign period expenses not subject to the limit, as reported in box E on Form 4307.
9. Enter the total value of other expenses and transfers from the campaign account, as reported in box A on [Form 4309 – Other Expenses and Transfers Given](#).
10. Enter the balance remaining in your campaign account(s) after payment of all election expenses, as reported in box A on [Form 4311 – Disbursement of Surplus Funds](#).
11. Add the above six values and enter the total expenses of the campaign in this box.
12. Enter the name and address of each savings institution with the campaign account(s).

NAME OF CANDIDATE

INCOME

Value of campaign contributions from all sources (box **A**, Form 4302)

1

Amount of all permissible loans received (box **B**, Form 4304)

2

Other income and transfers received (box **A**, Form 4305)

3

TOTAL INCOME (sum of above boxes)

4

EXPENSES

Election period expenses (box **A**, Form 4307)

5

Campaign period expenses (box **B**, Form 4307)

6

Election period expenses not subject to limits (box **D**, Form 4307)

7

Campaign period expenses not subject to limits (box **E**, Form 4307)

8

Other expenses and transfers given (box **A**, Form 4309)

9

Balance remaining in campaign account(s) after payment of all expenses (box **A**, Form 4311)

10

TOTAL EXPENSES (sum of above boxes)

11

Campaign Account(s) 12

NAME OF SAVINGS INSTITUTION

ADDRESS

NAME OF SAVINGS INSTITUTION

ADDRESS

4302 – Summary of Campaign Contributions

The [4302 – Summary of Campaign Contributions](#) form summarizes all campaign contributions the candidate received in relation to their campaign including in-kind contributions, anonymous contributions, the candidate's own funds, and contributions from fundraisers. The rules and requirements for reporting fundraising function income are listed earlier in the guide. Contributions of goods and services must be recorded at their current market value.

1. Enter the total number of eligible individuals who gave less than \$100. **Do not include the number of anonymous contributions received.**
2. Enter the total value of all contributions of less than \$100 received from eligible individuals. **Do not include the number of anonymous contributions received.** If a contributor made several contributions that total \$100 or more, they are significant contributions and should be recorded on [Form 4303 - Campaign Contributions with a Total Value of \\$100 or more](#).
3. Enter the total number of anonymous contributors.
4. Enter the total value of permissible anonymous contributions received in this box. An anonymous contribution greater than \$50 is prohibited and must be disclosed on [Form 4306 – Prohibited Campaign Contributions and Loans](#).
5. Enter the total value of all significant contributions received from eligible individuals as reported on Form(s) 4303.
6. Add the above values and enter the total amount of contributions received in box A.

SUMMARY OF CAMPAIGN CONTRIBUTIONS
LOCAL ELECTIONS CANDIDATE

NAME OF CANDIDATE

Campaign contributions include monetary and in-kind contributions.
Campaign contributions from the candidate must be reported in the same way as contributions from other sources.
Do not include anonymous contributions with contributions less than \$100.

Number of contributors who gave less than \$100

1

Total contributions of less than \$100

\$ **2**

Number of anonymous contributors

3

Anonymous contributions

\$ **4**

Total value of contributions of \$100 or more (box A, Form 4303)

\$ **5**

TOTAL CONTRIBUTIONS

\$ **6** | **A**

4303 – Campaign Contributions with a Total Value of \$100 or More

The [4303 – Campaign Contributions with a Total Value of \\$100 or More](#) form is used to disclose all contributors who made one or more campaign contributions to the candidate that total \$100 or more. If applicable, review the section on fundraising functions as income from these events may need to be disclosed on this form.

Note: signs the candidate reused from a previous election are not contributions.

Use additional pages as necessary.

1. Enter the full name of the contributor. **List only one individual per contribution.** If a contribution was received from two individuals, the financial agent must determine which individual contributed or split the amount between the individuals and report them as two separate contributions.
2. Enter the **residential** address of the contributor. All residential addresses will be obscured by Elections BC before the statement is published.
3. Enter the date each contribution was made. If a single contributor made multiple contributions on different dates, list each of the dates separately.
4. Enter the value of each contribution. If a single contributor made contributions on different dates, the value of each contribution must be listed separately.
5. Enter the total amount of all contributions from the contributor.
6. Enter the subtotal value of all significant contributions per page.
7. Enter the total value of all significant contributions listed on all 4303 pages.

NAME OF CANDIDATE

PAGE

OF

Attach additional forms if necessary.

1 FULL NAME OF CONTRIBUTOR	2 CONTRIBUTOR'S RESIDENTIAL ADDRESS				3 DATE RECEIVED (YYYY/MM/DD)	4 CONTRIBUTION AMOUNT	5 TOTAL OF CONTRIBUTOR'S CONTRIBUTIONS
	ADDRESS	CITY	PROV.	POSTAL CODE			
SUBTOTAL OF THIS PAGE						6	
TOTAL CONTRIBUTIONS FROM ALL FORM(S) 4303						7	
						A	

This form is available for public inspection.
Addresses will be obscured.
PLEASE KEEP A COPY FOR YOUR RECORDS

This information is collected under the authority of the Local Elections Campaign Financing Act and the Freedom of Information and Protection of Privacy Act. The information will be used to administer provisions under the Local Elections Campaign Financing Act. Questions can be directed to: Privacy Officer, Elections BC 1-800-661-8683, privacy@elections.bc.ca or PO Box 9275 Stn Prov Govt, Victoria BC V8W 9J6.

4304 – Permissible Loans Received

The [4304 – Permissible Loans Received](#) form is used to report all permissible loans made to the campaign. All loans received must be reported even if they were completely paid off or forgiven. Loans from the candidate are reported in the same way as loans from other sources. Complete one entry for each loan received. Use additional pages as necessary.

1. Enter the full name of the lender
2. Enter the residential address of the lender if the loan is from an eligible individual. All residential addresses will be obscured by Elections BC before the statement is published.
3. Enter the date the loan was received (YYYY/MM/DD).
4. Enter the date the loan is due to be fully paid back (YYYY/MM/DD).
5. Enter the original amount of the loan received.
6. Enter the amount of the loan that is outstanding as of the date the disclosure statement is submitted to Elections BC. If fully paid back, enter 0 in this field.
7. Enter the rate of interest being charged by the lender. Only eligible individuals are allowed to charge less than prime interest. If the loan is interest free enter 0 as the loan interest rate.
8. If the loan is from a savings institution enter the prime interest rate of the principal banker of the Province of B.C. at the time the rate of interest for the loan was set. Interest rates are on the Elections BC website at elections.bc.ca.
9. Enter the total of boxes A from all 4304 pages to show the total amount of all loans. This total will be recorded in box B. This value must be carried forward to [Form 4301 – Campaign Financing Summary](#).

NAME OF CANDIDATE	PAGE <input style="width: 40px;" type="text"/>
	OF <input style="width: 40px;" type="text"/>

Complete one entry for each permissible loan received. Attach additional forms if necessary.
Permissible loans from the candidate must be disclosed in the same way as permissible loans from other sources.

LOAN			
NAME OF LENDER 1			
RESIDENTIAL ADDRESS OF LENDER (IF INDIVIDUAL) 2			
LOAN DETAILS			
DATE RECEIVED (YYYY/MM/DD) 3	DATE DUE (YYYY/MM/DD) 4	\$ ORIGINAL AMOUNT OF LOAN 5	A
\$ AMOUNT OF LOAN OUTSTANDING 6	LOAN INTEREST RATE % 7	PRIME RATE* % 8	
Report all loan payments on Form 4309.			

LOAN			
NAME OF LENDER			
RESIDENTIAL ADDRESS OF LENDER (IF INDIVIDUAL)			
LOAN DETAILS			
DATE RECEIVED (YYYY/MM/DD)	DATE DUE (YYYY/MM/DD)	\$ ORIGINAL AMOUNT OF LOAN	A
\$ AMOUNT OF LOAN OUTSTANDING	LOAN INTEREST RATE %	PRIME RATE* %	
Report all loan payments on Form 4309.			

TOTAL AMOUNT OF ALL LOANS RECEIVED (Sum of all boxes A on Form(s) 4304)	9	B
---	----------	----------

RESIDENTIAL ADDRESS:
REQUIRED FOR INDIVIDUAL LENDERS ONLY

***PRIME RATE OF INTEREST:**
REQUIRED FOR LOANS FROM SAVINGS INSTITUTIONS – AVAILABLE ON ELECTIONS BC WEBSITE

4305 – Other Income and Transfers Received

The [4305 – Other Income and Transfers Received](#) form is used to report all money deposited into the campaign account that is not a campaign contribution or a loan. These include transfers from other campaign accounts of the candidate, transfers from elector organizations, surplus funds from a previous election that were returned by the jurisdiction, return of deposits (e.g., damage deposit), fundraising income not reported as a campaign contribution (e.g., ticket sales of \$50 or less to individuals, proceeds of sales from auctions or other fundraising activities), interest income from savings institutions and dividends of shares paid by credit unions. Use additional pages as necessary.

For each entry:

1. Enter the date (YYYY/MM/DD).
2. Enter a brief description.
3. Enter the amount of the deposit or the value of the transfer.
4. Add the amounts and enter the total into box A. This amount must be carried forward to [Form 4301– Campaign Financing Summary](#).

4306 – Prohibited Campaign Contributions and Loans

The [4306 – Prohibited Campaign Contributions and Loans](#) form is used to report any campaign contributions or loans that are prohibited under the [Local Elections Campaign Financing Act](#) (LECFA). This includes anonymous contributions over \$50, any non-anonymous contributions missing required contributor information, indirect contributions and any contributions or loans that exceed the contribution limit.

LECFA requires the candidate to return prohibited contributions and prohibited loans, or an amount equal to the value of the contribution or loan, to the contributor or lender within 30 days of becoming aware of the contravention. If this is not possible, the contribution or loan, or an amount equal to its value, must be remitted to Elections BC as soon as possible. Complete one entry for each prohibited contribution or prohibited loan received. Use additional pages as necessary.

Prohibited contribution

1. Indicate whether the prohibited contribution was received from an individual, an organization or anonymously, by checking the appropriate box.
2. Enter the date the prohibited contribution was received (YYYY/MM/DD).
3. Enter the value of the prohibited contribution. If the contribution was goods or services, enter the current market value.
4. Enter the date the contribution was returned to the contributor or the date it was remitted to Elections BC (YYYY/MM/DD).
5. Enter a brief description of how the prohibited contribution was received. This description should explain why the contribution was prohibited.
6. Enter the full name of the contributor.
7. If the prohibited contribution was received from an organization, enter the address of the organization.

Prohibited Loan

8. Enter a brief description of how the prohibited loan was received. This description should explain why the loan was prohibited.
9. Enter the date the loan was returned to the lender (YYYY/MM/DD).
10. Enter the full name of the lender.
11. Enter the date the prohibited loan was received (YYYY/MM/DD).
12. Enter the date the prohibited loan is due to be fully paid back (YYYY/MM/DD).
13. Enter the original amount of the loan received.
14. Enter the rate of interest being charged by the lender. If the loan is interest free, enter 0 in this field.
15. If the loan is from a savings institution enter the prime interest rate of the principal banker of the Province of B.C. at the time the rate of interest for the loan was set. Interest rates are on the Elections BC website at elections.bc.ca.

NAME OF CANDIDATE	PAGE <input style="width: 30px;" type="text"/>
	OF <input style="width: 30px;" type="text"/>

Complete one entry for each prohibited campaign contribution or loan received. Attach additional forms if necessary.

PROHIBITED CONTRIBUTION				
1 RECEIVED FROM	2 DATE RECEIVED (YYYY/MM/DD)	3 \$ VALUE	4 DATE RETURNED (YYYY/MM/DD)	OR DATE REMITTED TO ELECTIONS BC (YYYY/MM/DD)
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> ORGANIZATION <input type="checkbox"/> ANONYMOUS				
DESCRIPTION OF HOW THE PROHIBITED CONTRIBUTION WAS RECEIVED 5				
FULL NAME OF INDIVIDUAL OR ORGANIZATION 6				
ADDRESS OF ORGANIZATION, IF APPLICABLE 7				

PROHIBITED LOAN		
DESCRIPTION OF HOW THE PROHIBITED LOAN WAS RECEIVED 8	9 DATE RETURNED TO LENDER (YYYY/MM/DD)	
NAME OF LENDER 10		
DATE RECEIVED (YYYY/MM/DD) 11	DATE DUE (YYYY/MM/DD) 12	\$ ORIGINAL AMOUNT OF LOAN 13
LOAN INTEREST RATE % 14	PRIME RATE* % 15	

***PRIME RATE OF INTEREST:**
REQUIRED FOR LOANS FROM SAVINGS INSTITUTIONS – AVAILABLE ON ELECTIONS BC WEBSITE

4307 – Summary of Election Expenses

The [4307 – Summary of Election Expenses](#) form is used to report all election expenses incurred by the campaign. There are two types of election expenses based on when the expense was used: election period and campaign period expenses.

For general local elections, the election period begins on January 1st and ends on the 28th day before General Voting Day (GVD). For a by-election, the election period begins on the day of the office vacancy and ends on the 28th day before GVD.

For both types of events, the campaign period begins on the 28th day before GVD and ends at the close of voting. Campaign period expenses are subject to an expense limit under the [Local Elections Campaign Financing Act](#).

Note: If goods and services were used in both periods, their full value must be reported in both periods.

For any election expenses used that do not fit into the listed classes, provide a brief description in the “Other expenses” field.

1. Enter the values of each class of expense used during the election period.
2. Enter the total of all election period expenses into box A. This value must be carried forward to [Form 4301– Campaign Financing Summary](#).
3. Enter the values of each class of expense used during the campaign period.
4. Enter the total of all campaign period expenses into box B. This value must be carried forward to Form 4301.
5. Enter the candidate’s campaign period expense limit in box C, if not already completed. Expense limits are available on the Elections BC [website](#).
6. Enter the values of each class of expenses that are not subject to the limit used during the election period.
7. Enter the total of all expenses that are not subject to the limit from election period expenses into box D. This value must be carried forward to Form 4301.
8. Enter the values of each class of expenses not subject to the limit used during the campaign period.
9. Enter the total of all expenses not subject to the limit from campaign period expenses into box E. This value must be carried forward to Form 4301.

4308 – Shared Election Expenses

The [4308 – Shared Election Expenses](#) form is used to report expenses that were shared with other candidates. Each candidate must pay their portion of the shared expense. If a candidate paid more than their share to the supplier, they must be reimbursed the difference by the other candidate(s).

Complete a separate form for each unique group of candidates that shared election expenses. Use additional pages as necessary.

1. Enter the total value of the shared election period expenses.
2. Enter the candidate's portion of the shared election period expenses. Ensure this is also reported as an election period expense on [Form 4307 – Summary of Election Expenses](#).
3. Enter the total amount the candidate paid the supplier directly for the shared election period expenses, if applicable.
4. Enter the total value of the shared campaign period expenses.
5. Enter the candidate's portion of the shared campaign period expenses. Ensure this is also disclosed as a campaign period expense on Form 4307.
6. Enter the total amount the candidate paid the supplier directly for the shared campaign period expenses, if applicable.
7. Enter the full names of all other candidates that shared the expense(s).
8. Enter the value of reimbursements paid to other candidates for the shared election period expenses which required repayment.
9. Enter the value of reimbursements received from other candidates for the shared election period expenses which required repayment.
10. Enter the value of reimbursements paid to other candidates for the shared campaign period expenses which required repayment.
11. Enter the value of reimbursements received from other candidates for the shared campaign period expenses which required repayment.

NAME OF CANDIDATE

PAGE

OF

Report the total value of all shared election expenses in the applicable column for each period. Use a separate form for each unique group of candidates that shared election expenses. Attach additional forms if necessary.

ELECTION PERIOD

CAMPAIGN PERIOD

Total value of shared election expenses

1

4

Candidate's portion of shared election expenses

2

5

Amount paid to supplier(s) (if applicable)

3

6

Note - ensure only your portion of shared election expenses is reported on Form 4307.

Provide the full names of other candidates the election expenses were shared with and the amounts of reimbursements either received from other candidates for their portion or paid to other candidates for your portion.

ELECTION PERIOD

CAMPAIGN PERIOD

FULL NAME(S) OF OTHER CANDIDATE(S)	Amount of reimbursement		Amount of reimbursement	
	\$ Paid	\$ Received	\$ Paid	\$ Received
7	8	9	10	11

4309 – Other Expenses and Transfers Given

The [4309 – Other Expenses and Transfers Given](#) form is used to report all transfers and payments from the campaign account that are not reported on [Form 4307 – Summary of Election Expenses](#) or [Form 4311 – Disbursement of Surplus Funds](#). These include transfers to other campaign accounts of the candidate, transfers to elector organizations, fundraising costs, payment of deposits (e.g., damage deposits), loan payments, and intended election expenses that were not used. Use additional pages as necessary.

For each other expense or transfer given:

1. Enter the date (YYYY/MM/DD).
2. Enter a brief description of the expense or transfer.
3. Enter the amount of the payment or the transfer.
4. Add the amounts and enter the total value into box A. This amount must be carried forward to [Form 4301– Campaign Financing Summary](#).

4310 – Fundraising Function

The [4310 – Fundraising Function](#) form is used if the candidate held a fundraising function. Complete a separate form for each function.

1. Enter the date of the fundraising function.
2. Enter a brief description of the fundraising function. If the candidate held a joint function, list the other candidate(s).

Note: Tickets and entry fees for fundraising functions may or may not be campaign contributions depending on different circumstances.

Section A – Fundraising income reported as campaign contributions

Tickets and entry fees are campaign contributions if an eligible individual purchased more than \$50 worth of tickets.

Amounts in this section are reported on [Form 4302 – Summary of Campaign Contributions](#). If applicable, they are also reported on [Form 4303 – Campaign Contributions with a Total Value of \\$100 or More](#).

3. Enter the number of tickets sold to eligible individuals of more than \$50 worth of tickets.
4. Enter the amount of money charged per ticket.
5. Enter the total amount of money collected from ticket sales reported as campaign contributions.
6. Tick this box if the tickets were sold at different prices.
7. Enter the number of eligible individuals that purchased more than \$50 worth of tickets.

Note: Other income from fundraising functions may also be campaign contributions. Goods and services donated at functions such as auctions, garage sales and bake sales are campaign contributions. If the goods and services are bought at the function for a price higher than the market value, the difference between the price paid and the market value is a campaign contribution.

8. Enter a description of the income received that was a campaign contribution. For multiple sources of income, provide a brief description of the goods or services.
9. Enter the total value of other campaign contributions received.

Section B – Fundraising income not reported as campaign contributions

Tickets and entry fees are not campaign contributions if an eligible individual purchased \$50 or less worth of tickets.

- 10.** Enter the number of tickets that were sold to eligible individuals for \$50 or less.
- 11.** Enter the amount of money charged per ticket.
- 12.** Enter the total amount of money collected from ticket sales not reported as campaign contributions. This amount is disclosed on [Form 4305 – Other Income and Transfers Received](#).
- 13.** Tick this box if the tickets were sold at different prices.
- 14.** Enter the number of eligible individuals that purchased \$50 or less worth of tickets.

Some other income from fundraising functions are not campaign contributions, such as goods and services bought at the function at or below their market value

- 15.** Enter a description of the income received that was not a campaign contribution. For multiple sources of income, provide a brief description of the goods or services.
- 16.** Enter the total value of other income received.

Section C – Cost of function

The total cost of fundraising functions is not an election expense but is reported on [Form 4309 – Other Expenses and Transfers Given](#). Costs of functions include goods and services purchased such as food, drinks, prizes, decorations, venue rental, advertising, staffing, entertainment, etc.

- 17.** Enter the total cost of the fundraising function.

NAME OF CANDIDATE	PAGE <input style="width: 40px;" type="text"/>
	OF <input style="width: 40px;" type="text"/>

Complete a separate form for each function.

1 DATE OF FUNCTION (YYYY/MM/DD)	2 DESCRIPTION OF FUNDRAISING FUNCTION (IF JOINT FUNCTION, LIST OTHER CANDIDATE(S))
--	---

A – FUNDRAISING INCOME REPORTED AS CAMPAIGN CONTRIBUTIONS
All income reported as campaign contributions must also be included on Form 4302 and, if applicable, Form 4303.

TICKET SALES (includes function entry fees)

	NUMBER OF TICKETS SOLD		CHARGE PER TICKET		TOTAL CHARGES COLLECTED	TICK IF CHARGE PER TICKET VARIES
	#		\$		\$	✓
Purchases by eligible individuals of more than \$50 worth of tickets	3 <input style="width: 60px;" type="text"/>	x	4 <input style="width: 60px;" type="text"/>	=	5 <input style="width: 60px;" type="text"/>	6 <input style="width: 40px;" type="checkbox"/>
Number of eligible individuals that purchased tickets	7 <input style="width: 60px;" type="text"/>					

OTHER CAMPAIGN CONTRIBUTIONS
(i.e., goods and services that are donated for the function or sold at the function for more than their market value)

DESCRIPTION	\$ VALUE
8 <input style="width: 95%;" type="text"/>	9 <input style="width: 60%;" type="text"/>

B – FUNDRAISING INCOME NOT REPORTED AS CAMPAIGN CONTRIBUTIONS
All income not reported as campaign contributions must also be included on Form 4305.

TICKET SALES (includes function entry fees)

	NUMBER OF TICKETS SOLD		CHARGE PER TICKET		TOTAL CHARGES COLLECTED	TICK IF CHARGE PER TICKET VARIES
	#		\$		\$	✓
Purchases by eligible individuals of \$50 or less worth of tickets	10 <input style="width: 60px;" type="text"/>	x	11 <input style="width: 60px;" type="text"/>	=	12 <input style="width: 60px;" type="text"/>	13 <input style="width: 40px;" type="checkbox"/>
Number of eligible individuals that purchased tickets	14 <input style="width: 60px;" type="text"/>					

OTHER INCOME NOT REPORTED AS CAMPAIGN CONTRIBUTIONS
(i.e., goods and services sold at the function for their market value or less)

DESCRIPTION	\$ VALUE
15 <input style="width: 95%;" type="text"/>	16 <input style="width: 60%;" type="text"/>

C – COST OF FUNCTION
The total cost of all fundraising functions must also be included on Form 4309.

The cost of a fundraising function includes goods and services such as food, drinks, prizes, decorations, venue rental, advertising, staffing, entertainment, etc.

	17 \$ TOTAL COST OF FUNCTION
--	-------------------------------------

4311 – Disbursement of Surplus Funds

The [4311 – Disbursement of Surplus Funds](#) form is used to report how funds remaining in the campaign account were disbursed after the election and payment of all expenses.

1. Enter the balance remaining in the campaign account after all expenses have been paid. This value must be carried forward to [Form 4301 – Campaign Financing Summary](#).
2. Enter the total value of all monetary contributions the candidate made to their own campaign. Do not include contributions of goods or services.
3. If the candidate made contributions of money to their campaign, they can be paid back up to the total amount of those contributions from funds remaining in the campaign account after the payment of all expenses. In section A enter the payment date and amount, if applicable.
4. If the amount remaining in the campaign account is \$500 or more after the payment of all expenses and reimbursements to the candidate for their contributions, the balance must be paid to the jurisdiction where the candidate ran. In section B enter the payment amount and date, if applicable.
5. If the amount remaining in the campaign account is less than \$500 after the payment of all expenses and reimbursements to the candidate for their contributions, the balance must be disbursed as directed by the candidate. In section C enter the payment amount, date and a brief description of how the funds were disbursed, if applicable.

NAME OF CANDIDATE

Balance remaining in campaign account(s) after payment of all expenses **1** A

Total amount of campaign contributions from candidate **2**

A If the candidate made campaign contributions of money to their own campaign, they can be paid back for those amounts from the balance remaining in the campaign account(s). Enter the payment to the candidate below and go to B.

	DATE (YYYY/MM/DD)	\$ AMOUNT
3		

B If the amount remaining in the campaign account(s) is \$500 or more after payment of all expenses, and the candidate has been paid back (if applicable), the funds must be paid to the jurisdiction where the candidate ran for election. Enter the payment below. If the amount remaining in the campaign account(s) is less than \$500 skip this section and go to C.

	DATE (YYYY/MM/DD)	\$ AMOUNT
4		

C If the amount remaining in the campaign account(s) is less than \$500 after the payment of all expenses, and the candidate has been paid back (if applicable), the funds must be disbursed as directed by the candidate. Enter this disbursement below, including a description of how the funds were disbursed.

DATE (YYYY/MM/DD)	DESCRIPTION	\$ AMOUNT
5		

4312 – Former Financial Agents

The [4312 – Former Financial Agents](#) form is for reporting information about other individuals previously appointed as a financial agent for this election. Do not complete this section if the candidate was the previous financial agent.

1. Enter the effective date of appointment for each previous financial agent.
2. Enter the full name, mailing address, phone number and (if available) email address for each previous financial agent. Please note that the statement will be publically available so a mailing address, such as a PO Box or office address, instead of a home address may be preferred.

NAME OF CANDIDATE

FORMER FINANCIAL AGENTS				
Enter the information below for any former financial agents during this election. Do not enter financial agent information from previous elections, or the name of the candidate if they previously acted as their own financial agent.				
EFFECTIVE DATE OF APPOINTMENT (YYYY/MM/DD)				
①				
FINANCIAL AGENT'S FULL NAME				
FINANCIAL AGENT'S MAILING ADDRESS			PHONE NUMBER	
②				
CITY/TOWN	PROV.	POSTAL CODE	EMAIL (IF AVAILABLE)	
EFFECTIVE DATE OF APPOINTMENT (YYYY/MM/DD)				
FINANCIAL AGENT'S FULL NAME				
FINANCIAL AGENT'S MAILING ADDRESS			PHONE NUMBER	
CITY/TOWN	PROV.	POSTAL CODE	EMAIL (IF AVAILABLE)	

Resources

Election legislation

Printed versions of local election legislation — including the [Local Government Act](#), the [Local Elections Campaign Financing Act](#), the [Vancouver Charter](#), the [Community Charter](#), the [School Act](#) and the [Offence Act](#) — are available at public libraries in communities throughout B.C. Printed versions are also available from Crown Publications, Queen's Printer for British Columbia, at:

Mailing address:

563 Superior Street, Victoria, B.C. V8V 1T7

Phone: 250-387-6409

Toll Free: 1-800-663-6105

Fax: 250-387-1120

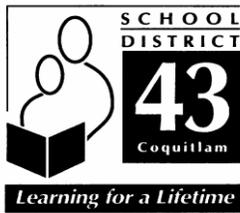
Email: crownpub@gov.bc.ca

Website: crownpub.bc.ca

BC Laws

BC Laws provides free public online access to the current laws of British Columbia. This unofficial current consolidation of B.C. statutes and regulations is updated continually as new and amended laws come into force. Electronic versions of the [Local Government Act](#), the [Local Elections Campaign Financing Act](#), the [Vancouver Charter](#), the [Community Charter](#), the [School Act](#) and the [Offence Act](#) are available online at bclaws.ca.





BOARD OF EDUCATION Schedule of Board Meetings 2024-25

Regular Public Board Meetings commence at 7:00 pm
 Special Public Board Meetings commence at 6:30 pm unless otherwise stated
 Additional meetings shall be at the call of the Board Chair

MONTH	BOARD MEETING
2024	
September	Tuesday, September 24
October	Tuesday, October 22
November	Tuesday, November 26
2025	
January	Tuesday, January 14
February	Tuesday, February 11
	Tuesday, February 18 (Special Public Meeting)
March	Tuesday, March 11
April	Tuesday, April 15
	Tuesday, April 22 (Special Public Meeting)
	Tuesday, April 29
May	Tuesday, May 13
June	Tuesday, June 17

Please refer to the District website for further information: <http://www.sd43.bc.ca/Board>

Section 2

Bylaws & Legislation

- 2.1 City of Coquitlam Election Administration and Procedures
Bylaw No. 5069, 2021
- 2.2 City of Coquitlam Bylaw Notice Enforcement Amendment
Bylaw No. 4507, 2014
- 2.3 City of Coquitlam Policy - Use of City Facilities and Resources
for Political Activity
- 2.4 *Local Government Act – Part 3 Electors and Elections*
- 2.5 *Local Elections Campaign Financing Act, 2014*
- 2.6 School District No. 43 (Coquitlam) Trustee Elections Bylaw No.
2022

BYLAW NO. 5069, 2021

The Council of the City of Coquitlam, in a meeting lawfully assembled, enacts as follows:

1. Name of Bylaw

1.1 This Bylaw is cited as *Election Administration and Procedures Bylaw No. 5069, 2021*.

2. Repeal of Existing Bylaws

2.1 *Election Administration and Procedures Bylaw No. 4504, 2014* and *Election Administration and Procedures Amendment Bylaw 4875, 2018* are hereby repealed.

3. Schedules

3.1 The following Schedules are attached to this Bylaw:

Schedule "A" – Sample Ballot

Schedule "B" – Permitted Locations for the Posting of Election Signs on Public Property

4. Interpretation

4.1 In this Bylaw, unless the context requires otherwise:

ACCEPTABLE MARK means a completed area which the vote counting unit is able to identify, which has been made by the elector in the space provided on the ballot opposite the name of any candidate, or opposite either "yes" or "no" on any matter for which the assent or the opinion of the electors is required or sought.

- ASSENT VOTING** means voting on a matter referred to in section 170 of the *Local Government Act*.
- AUTOMATED VOTE COUNTING SYSTEM** means a system that counts and records votes and processes and stores election results which comprises:
- (a) a number of ballot scan vote counting units, each of which rests on a two compartment ballot box, one of which is for voted ballots and returned ballots that have been reinserted using the ballot override procedure and the other being an emergency ballot compartment which is for the temporary storing of ballots on which an elector had indicated a choice during such time as the vote counting unit is not functioning; and
 - (b) a number of portable ballot boxes into which ballots on which an elector has indicated a choice are deposited by electors in cases where a vote tabulating unit is not being used, for counting after the close of voting on General Voting Day.
- BALLOT** means a ballot card, printed on one or both sides, designed for use in an automated vote counting system, which shows:
- (a) the names of all candidates for all contested offices in the election; and
 - (b) all of the choices on all of the questions on which the assent or opinion of the electors is sought, if applicable.
- BALLOT RETURN OVER-RIDE PROCEDURE** means the use, by an election official, of a procedure on a vote counting unit, which causes the unit to accept a returned ballot
- CAMPAIGN HEADQUARTERS** means a building or portion of a building which is used by a candidate or an agent of a candidate as part of an election campaign and where the candidate's campaign staff are normally present and the public may enter to obtain information about the candidate.
- CITY** means the City of Coquitlam.
- COUNTING CENTRE** means the area designated by the Chief Election Officer for the conduct of vote accumulation.

ELECTION	means an election for the number of persons required to fill a local government office and/or Board of School Trustees, or a matter requiring assent voting or where opinion of the electors is required or sought.
ELECTION HEADQUARTERS	means Coquitlam City Hall, 3000 Guildford Way, Coquitlam.
ELECTION SIGN	means a sign promoting a political candidate, party or cause in relation to a federal, provincial, municipal or school trustee election or question put to the electorate.
ELECTOR	means a resident elector or non-resident property elector of the jurisdiction as defined under the <i>Local Government Act</i> .
EMERGENCY BALLOT COMPARTMENT	means a separate designated compartment in the ballot box under each vote counting unit for the temporary deposit of ballots on which an elector has indicated a choice if the vote counting unit ceases to function.
GENERAL LOCAL ELECTION	means the elections held for the Mayor, Councillors and School Trustees of the municipality which must be held in the year 2014 and in every fourth year after that.
GENERAL VOTING DAY	means: <ul style="list-style-type: none">(a) for a general local election, the date set under Section 52(2) of the <i>Local Government Act</i>.(b) for other elections, the date set under sections 54(5), 55(1)(a) or 152(5) of the <i>Local Government Act</i>;(c) for assent voting, the date set under section 174 of the <i>Local Government Act</i>.
JURISDICTION	means, in relation to an election, the municipality for which it is held.
LOCAL GOVERNMENT	means, in relation to a municipality, the Council.

- MEMORY CARD** means a computer hardware cartridge which is inserted into the vote counting unit and into which is pre-programmed:
- (a) the names of all candidates for each contested office in the election;
 - (b) if applicable, with alternatives for each question; and
 - (c) to record and retain information on the number of acceptable marks made for each candidate or for each question.
- MEMORY CARD BACKUP** means a secondary computer hardware cartridge which is inserted into the vote counting unit and into which is pre-programmed:
- (a) the names of all candidates for each contested office in the election;
 - (b) if applicable, with alternatives for each question; and
 - (c) to record and retain information on the number of acceptable marks made for each candidate or for each question.
- MOBILE PUBLIC ADDRESS SYSTEM** means a sound amplification system, either by megaphone or electronically, used while mounted on a motor vehicle, trailer, or other such vehicle to disseminate the spoken word and/or music to the public.
- PORTABLE BALLOT BOX** means a ballot box which is used in the election where a vote counting unit is not being used at the time of voting.
- RESULTS TAPE** means the printed record generated from a vote counting unit at the close of voting on General Voting Day, which shows the number of votes for each candidate for each contested office in the election, and the number of votes for or against each matter for which the assent of the electors or opinion is required or sought, if applicable.
- RETURNED BALLOT** means a ballot that was inserted into the vote counting unit but rejected by the vote counting unit, with an explanation of the ballot marking error that caused the unit not to accept the ballot.
- SECRECY SLEEVE** means an open-ended folder or envelope used to cover ballots to conceal the choices made by an elector.
- SIGN AREA** means the total area within the outer edge of the frame or border of a sign, but where a sign has no frame, border or background, the area of the sign will be the area contained within the shortest line surrounding

the whole group of letters, symbols, or figures; includes all sign faces in computation.

SPOILED BALLOT

means a ballot:

- (a) on which an elector has not correctly marked a choice of a candidate;
- (b) on which an elector has not correctly marked an answer to a question;
- (c) or to which damage has occurred so as to prevent the vote counting unit from reading the ballot.

**VOTE
ACCUMULATION
EQUIPMENT**

means a tabulation device which reads the recorded votes contained within each memory card, and which automatically accumulates the totals of those recorded votes to produce a final vote count for all of the offices on the ballot, and on each of the matters for which the assent of the electors is required or sought, if applicable.

**VOTE COUNTING
UNIT**

means the device into which a person inserts a ballot, which scans each ballot, and which counts and records the number of votes for each candidate and for and against each matter for which the assent or opinion of the electors is required or sought if applicable.

VOTED BALLOT

means a ballot on which an elector has made acceptable marks and which the vote counting unit has successfully read and deposited into a ballot box.

ZEROS TAPE

means a printed record:

- (a) generated from a vote counting unit before the acceptance of any ballot at the opening of the voting places, or at the beginning of any recount procedure; and
- (b) which indicates as "zero" the number of votes for each candidate and, if applicable, the number of votes for or against each question.

5. Provincial List of Electors Authorization

- 5.1 As authorized by section 76 of the *Local Government Act*, the provincial list of voters as of 52 days before General Voting Day and prepared under the *Election Act* shall become the register of resident electors for the City for an election.

6. Voting Division Establishment

- 6.1 For an election, one municipal voting division is established, namely all property within the City of Coquitlam as described in the Order in Council Number 280, approved and ordered February 13, 1986.

7. Advance Voting Opportunity Establishment

- 7.1 The additional required advance voting opportunity shall be held on the seventh day before General Voting Day for a General Local Election and by-election.
- 7.2 The Chief Election Officer is authorized to establish additional advance voting opportunities for each election or assent voting, to be held in advance of general voting day and subject to the *Local Government Act*, to designate the voting places and establish the date and voting hours for these voting opportunities.

8. Special Voting Opportunity Establishment

- 8.1 The Chief Election Officer is authorized to establish special voting opportunities for each election, and to designate the locations, the date and the voting hours for these voting opportunities.
- 8.2 The Chief Election Officer is authorized to limit the number of candidate representatives who may be present at a special voting opportunity to one (1) representative per candidate.
- 8.3 Electors may only vote at a special voting opportunity if they are residents of the facility at which the special voting opportunity is being held.
- 8.4 Vote counting units will not be used at special voting opportunities. Portable ballot boxes will be used to house voted ballots. Portable ballot boxes will be emptied by the Chief Election Officer or designate after the close of voting on general voting day using the same procedures for emptying the emergency ballot compartment as outlined in Section 12.12.3.

9. Electronic Access to Nomination Documents Authorization

- 9.1 As authorized by section 89(8) of the *Local Government Act*, public access to nomination documents will be made available via the internet or other electronic means.
- 9.2 The minimum number of qualified nominators for a nomination for office is 10.

10. Electronic Access to Disclosure Statements and Supplementary Reports Authorization

- 10.1 As authorized by section 59(1) the *Local Elections Campaign Financing Act*, public access to disclosure statements and signed declarations, and supplementary reports and signed declarations, will be made available via the internet or other electronic means.

11. Resolution of Tie Votes After Judicial Recount

- 11.1 If, at the completion of a judicial recount, the Chief Election Officer cannot declare the results of an election because there is an equality of valid votes for two or more candidates, the Chief Election Officer must arrange for determination of the results by a lot in accordance with section 151 of the *Local Government Act*.

12. Automated Vote Counting System Authorization and Procedures

12.1 Authorization

- 12.1.1 Authorization is given for the conducting of a General Local Election, by-election and assent voting, including voting at any additional general voting opportunities, advance voting opportunities, and special voting opportunities, if applicable, using an automated vote counting system.

12.2 Programming the Vote Counting Unit

- 12.2.1 The Chief Election Officer must ensure the vote counting unit is programmed to return to the elector any ballot that the elector has:
- (a) marked with more candidates than the election calls for, or with more choices in other voting than are available;
 - (b) not marked; or

- (c) marked such that the vote counting unit is unable to tabulate the markings accurately.

12.3 Testing the Vote Counting Unit

- 12.3.1 Before voting day, the Chief Election Officer must test each vote counting unit to ascertain that it can accurately count the votes cast for all the offices and all questions, and the conduct of the test must include:
 - (a) loading memory cards into the vote counting unit;
 - (b) processing a pre-audited group of ballots that have recorded on them a predetermined number of valid votes for each candidate and each question, and that must include for each office one or more ballots:
 - (i) that have votes in excess of the number allowed by law, and
 - (ii) that have no votes recorded;
 - (c) assigning a logical sequence of valid votes which may be readily identified to each candidate for each office and for or against each question; and
 - (d) comparing the output of the processing against the pre-audited results.

12.4 Investigating Vote Counting Unit Errors

- 12.4.1 If the Chief Election Officer detects any errors in the test referred to in section 12.3 the Chief Election Officer must:
 - (a) ascertain the cause of the error;
 - (b) correct the error; and
 - (c) repeat the test until the Chief Election Officer is able to certify an errorless count.

12.5 Sealing Memory Card

- 12.5.1 Upon successful completion of the test referred to in section 12.3, the Chief Election Officer must seal the memory card in the vote counting unit.

12.6 Printing Zeros Tape

- 12.6.1 One hour or less before the opening of a voting place, the presiding election official, in front of all scrutineers present, must cause the vote counting unit to print a zeros tape. Where one (1) machine is used for multiple advance voting opportunities the zeros tape will be generated prior to the first opportunity where a given machine is used. For special voting opportunities where mobile ballot boxes are used, the Chief Election Officer, in front of another election official and any scrutineers present, will generate a zeros

tape for the machine to be used to tally the special voting opportunity ballots.

12.7 Affixing Zeros Tape

12.7.1 If the totals are zero for all candidates and questions, the presiding election official must ensure that the zero tape remains affixed to the vote counting unit until printing of the final results after closing of the voting place.

12.8 Totals Not Zero

12.8.1 If the totals are not zero for all candidates and questions, the presiding election official must:

- (a) notify the Chief Election Officer or appointed election official immediately; and
- (b) conduct the poll using the emergency ballot compartment of the ballot box until repair or replacement of the vote counting unit occurs.

12.9 Automated Voting Procedures

12.9.1 As soon as an elector enters the voting place they must be instructed to proceed to the election official(s) responsible for issuing ballots, who:

- (a) must ensure that the elector:
 - (i) is qualified to vote in the election;
 - (ii) signs the appropriate voting book; and
- (b) upon fulfillment of the requirements of clause (a) must:
 - (i) offer a demonstration of how to use the automated vote counting system; and
 - (ii) provide a ballot to the elector, a secrecy sleeve to the elector if requested, and any further instructions the elector requests.

12.9.2 Upon receiving a ballot, the elector must immediately proceed to a voting booth to mark the ballot.

12.9.3 The elector may vote only by making an acceptable mark on the ballot:

- (a) beside the name of each candidate of choice, up to the maximum number of candidates to be elected for each of the offices of Mayor, Councillor, and School Trustee, whichever is applicable; and

(b) if applicable, beside either “yes” or “no” in the case of each bylaw or other matter on which the assent or opinion of the electors is sought.

12.9.4 Once the elector has finished marking the ballot, the elector may place the ballot into a secrecy sleeve, if applicable, then proceed to the vote counting unit and, under the supervision of the election official in attendance, must insert the ballot directly (including from a secrecy sleeve, if applicable) into the vote counting unit without the acceptable marks on the ballot being exposed.

12.9.5 Any ballot accepted by the vote counting unit is valid and any acceptable marks contained on such ballots will be counted in the election, subject to any determination made under a judicial recount.

12.9.6 Once the ballot has been inserted into the vote counting unit and the vote counting unit indicates that the ballot has been accepted, the elector must immediately leave the voting place.

12.9.7 A sample ballot to be used in a General Local Election or a by-election conducted under an automated vote counting system is attached as “Schedule A” to this Bylaw.

12.10 Return of Ballot and Ballot Errors

12.10.1 If the vote counting unit returns the ballot to the elector because the ballot has an ambiguous mark, or a misread or invalid mark, the election official stationed at the ballot box must:

- (a) advise the elector to take back the ballot;
- (b) request that the elector remain at the ballot box until the issue is resolved;
- (c) determine the reason why the vote counting unit returned the ballot;
- (d) advise the elector why the vote counting unit returned the ballot;
- (e) request the elector review the ballot; and
- (f) advise the elector to correct the ballot so the vote counting unit can read it, or, if necessary, obtain a new ballot through the spoiled ballot procedures.

12.10.2 If the elector:

- (a) declines the opportunity to correct a returned ballot or obtain a replacement ballot for a spoiled ballot; and

- (b) has not damaged the ballot to the extent that re-insertion of the ballot into the vote counting unit is impossible, the election official must:
 - (i) attempt to have the vote counting unit accept the ballot using the ballot override procedure; and
 - (ii) if the ballot override procedure is not an option, walk the elector over to the presiding election official to submit the ballot as a spoiled ballot.

- 12.10.3 If the vote counting unit registers an error on the ballot because ballot is over voted or blank, the election official stationed at the ballot box must:
- (a) request that the elector remain at the ballot box until the issue is resolved;
 - (b) determine the reason why the vote counting unit is registering an error;
 - (c) advise the elector why the vote counting unit is registering an error and explain the choices they have;
 - (d) request the elector either:
 - (i) press the return button which will return the ballot and allow the elector to correct any mistakes made on the ballot, or, if necessary, obtain a new ballot; or
 - (ii) press the cast button which will result in only valid votes being counted.

12.11 Replacement of Spoiled Ballot

- 12.11.1 If:
- (a) before inserting the ballot into the vote counting unit, an elector determines that a mistake has been made when marking the ballot, or
 - (b) the ballot has been inserted into the vote counting unit and returned by the unit,
- the elector may request a replacement ballot by advising the election official in attendance.
- 12.11.2 Upon being advised of a request for a replacement ballot, the presiding election official must:
- (a) issue a replacement ballot to the elector;
 - (b) mark the returned ballot as spoiled; and
 - (c) retain all such spoiled ballots separately from all other ballots in an envelope marked "Spoiled Ballots."
- 12.11.3 If the elector declines the opportunity to obtain a replacement ballot and has not damaged the ballot to the extent that it cannot be reinserted into the vote counting unit, the election official must, using the ballot return over-ride procedure, if applicable, reinsert the returned ballot into the vote counting unit to count any acceptable marks.

12.12 Malfunction of Vote Counting Unit

- 12.12.1 During any period that a vote counting unit is not functioning, the election official supervising the unit must direct electors to insert their ballots into the emergency ballot compartment.
- 12.12.2 Where a vote counting unit which was not functioning:
- (a) becomes operational, or
 - (b) is replaced with another vote counting unit
- the ballots in the emergency ballot compartment must, as soon as the voting place is closed, and prior to generating the results tape, be removed by an election official, and, under the supervision of the presiding election official, be inserted into the vote counting unit to be counted.
- 12.12.3 Any ballots which were temporarily stored in the emergency ballot compartment during a period when the vote counting unit was not functioning, which are returned by the vote counting unit when being

counted, must through the use of the ballot return over-ride procedure, and under the supervision of the presiding election official, be reinserted into the vote counting unit to ensure that any acceptable marks are counted. If the ballot is damaged to the extent that it cannot be reinserted into the vote counting unit, the presiding election official will treat the ballot as spoiled and follow the spoiled ballot procedures set out in section 12.11.2(b) and (c).

12.13 Advance Voting Opportunity Procedures

- 12.13.1 Vote counting units are to be used at each advance voting opportunity and voting procedures at advance voting opportunities must follow those described in section 12.9 to 12.11.
- 12.13.2 During any period that a vote counting unit being used at an advance voting opportunity is not functioning, the provisions of section 12.12 will apply.
- 12.13.3 At the close of voting at each advance voting opportunity, the presiding election official must ensure that:
 - (a) no additional ballots are inserted into the vote counting unit or emergency ballot compartment;
 - (b) the vote counting unit and ballot box are sealed to prevent insertion of any ballots;
 - (c) the results tape in the vote counting unit is not generated;
 - (d) the memory card of the vote counting unit is secured; and
 - (e) the vote counting unit, together with the memory card and all other election materials, is returned to election headquarters.
- 12.13.4 The presiding election official must, at the close of voting at the final advance voting opportunity:
 - (a) ensure that any remaining ballots in the emergency ballot compartment are inserted into the vote counting unit;
 - (b) secure the vote counting unit so that no more ballots can be inserted;
 - (c) ensure that the results tape in the vote counting unit is not generated; and
 - (d) deliver the vote counting unit, together with the memory card and all other election materials, to the Chief Election Officer at election headquarters.

12.14 Procedures After the Close of Voting on General Voting Day

- 12.14.1 After the close of voting on General Voting Day at voting opportunities where a vote counting unit was used in the election, but excluding advance and special voting opportunities, each presiding election official shall:
- (a) ensure that any remaining ballots in the emergency ballot compartment are inserted into the vote counting unit;
 - (b) secure the vote counting unit so that no more ballots can be inserted;
 - (c) generate two copies of the results tape from the vote counting unit;
 - (d) have the alternate presiding election official, or other designated election official, deliver the vote counting unit, along with one copy of the results tape, to the Chief Election Officer (or designate) at election headquarters immediately;
 - (e) Account for the unused, spoiled and voted ballots and complete and sign the Ballot Account in duplicate;
 - (f) Package and seal separately the unused, spoiled and voted ballots and place them, along with the following items, into the ballot box for return to election headquarters that evening:
 - (i) one copy of the Ballot Account
 - (ii) once copy of the results tape
 - (iii) any keys used for the vote counting unit, if applicable
 - (iv) the voting books, if applicable any solemn declarations taken and any signed written statements required by or under Part 3 of the Local Government Act in relation to voting proceedings
 - (g) Seal the Ballot Box; and
 - (h) Transport the Ballot Box to election headquarters.
- 12.14.2 At the close of voting on general voting day the Chief Election Officer shall direct the Deputy Chief Election Officer, or other designated election official, to proceed with generating the results tapes for the advance voting opportunities, after which the provisions of section 12.14 of this Bylaw, so far as applicable, shall apply.
- 12.14.3 At the close of voting on general voting day all portable ballot boxes used in the election will be opened under the direction of the Chief Election Officer and all ballots shall be removed and inserted into a vote counting unit to be counted, after which the provisions of section 12.14 of this Bylaw, so far as applicable, shall apply.

12.15 Testing of Automated Vote Accumulation Equipment

12.15.1 No later than the first day of advance voting, the Chief Election Officer must test the automated vote accumulation equipment to ascertain that it can accurately accumulate the votes cast for all offices and other voting.

12.16 Safeguards During Testing or Actual Vote Accumulation

12.16.1 Whenever testing or actual vote accumulation is to occur, the Chief Election Officer must put in place adequate safeguards to ensure:

- (a) isolation from all other applications or programs of the system used for the processing and tabulation of votes; and
- (b) that no remote devices will be capable of gaining access to the system.

12.17 Conduct of Testing

12.17.1 The testing referred to in section 12.15.1 must include:

- (a) loading the required accumulation programs into the computer for use in the accumulation of votes;
- (b) processing a pre-audited group of memory cards which have recorded on them a number of predetermined valid votes for each candidate and, if applicable, for or against each question; and
- (c) manually comparing the output of the processing against the pre-audited results.

12.18 Error in Testing

12.18.1 If the Chief Election Officer detects any errors in the test, the Chief Election Officer must:

- (a) ascertain the cause of the error;
- (b) correct the error; and
- (c) repeat the test until the Chief Election Officer is able to certify an errorless count.

12.19 Testing Certification

12.19.1 The Chief Election Officer must certify all tests as correct before certification of any election returns as official.

12.20 Accumulation of Vote Totals

- 12.20.1 After the close of voting on general voting day, the Chief Election Officer must:
- (a) upon arrival at the counting centre, receive the vote counting unit and presiding election official's results tape from the presiding election official;
 - (b) review the ballot account prepared under section 12.14;
 - (c) inspect the vote counting unit to ensure that the memory card is in place, and that the seal has not been broken;
 - (d) break the memory card seal, and remove the memory card from the vote counting unit;
 - (e) insert the memory card into a memory card reader in order to accumulate the vote totals;
 - (f) if a memory card fails to transfer the vote totals, obtain the vote totals from the memory card back-up; and
 - (g) if the main memory card and memory card back-up both fail to transfer the vote totals, obtain the vote totals from the results tape, and manually input the totals into the automatic accumulating equipment.

12.21 Manual Counting

- 12.21.1 If it becomes impracticable to count all or part of the ballots with the automatic vote counting system, or it would otherwise impact the integrity of the election, each as determined in the sole discretion of the Chief Election Officer, the Chief Election Officer may order the manual counting of the cards, following, to the extent practicable, sections 138, 139, and 140 of the Local Government Act.

12.22 Recount Procedure

- 12.22.1 If a recount is required, it shall be conducted under the direction of the Chief Election Officer using the automated vote counting system and generally in accordance with the following procedure:
- (a) the memory cards of all vote counting units will be cleared;
 - (b) vote counting units will be designated for each voting place;

- (c) a results tape must be generated to ensure that no votes are recorded for any candidate in the election, or beside any of the choices in the case of each bylaw or other matter on which the consent or opinion of the electors is sought.
- (d) all ballots will be removed from the sealed ballot boxes;
- (e) all ballots, except spoiled ballots, will be reinserted in the appropriate vote counting units under the supervision of the Chief Election Officer; and
- (f) any ballots returned by the vote counting unit during the recount process must, through the use of the ballot return over-ride procedure, be reinserted into the vote counting unit to ensure that any acceptable marks are counted.

13. Advertising by Federal, Provincial, Municipal, School Trustee Candidates and Third-Parties

13.1 Mobile Public Address Systems

- 13.1.1 No person shall advertise a candidate or assent voting issue by way of the use of a mobile public address system, save for at an outdoor rally or meeting provided that the mobile address system remains in a stationary position.

13.2 Election signs

- 13.2.1 Election Signs for federal, provincial, municipal, and school trustee elections are permitted provided that:
 - (a) in the case of provincial or federal elections, the signs are not erected more than thirty (30) days prior to the election or event and are removed within four (4) days after the election;
 - (b) in the case of municipal and school trustee elections, the signs are not erected more than twenty-one (21) days prior to the general local election or event and are removed within four (4) days after the election;
 - (c) the sign has only two sides, or faces, and each side or face of the sign area does not exceed 0.61 metres by 0.61 metres (2 ft by 2 ft);
 - (d) the signs at these locations not exceed 2 metres in height, as measured from the grade on the site on which the sign is placed to the top of the sign or its supporting structure;
 - (e) the signs are not illuminated, animated, rotating, flashing or have moving lights or other electrical features;

- (f) the sign does not have attachments such as balloons, kites, an electronic message centre or inflatable devices;
 - (g) the sign is self-supporting and is not attached to any City property such as fences, trees, street light poles or traffic signal poles;
 - (h) the placement of the sign does not interfere with traffic sightlines at street intersections or with the safety of cyclists and pedestrians; and
 - (i) The sign is not placed within one metre (3.28 feet) of a fire hydrant.
- 13.2.2 The placement of election signs are permitted on private property with the consent of the owner or occupant of the property.
- 13.2.3 Election signs are not permitted anywhere on public property, save for the locations identified in "Schedule B" to this Bylaw.
- 13.2.4 Election Signs are not permitted on any vehicles or trailers attached to vehicles.
- 13.2.5 The number of election signs per candidate, per location, both public and private, is restricted to one.
- 13.2.6 Regulations regarding the size, placement and permitted dates for posting election signs apply to those posted on private property as well as public.
- 13.2.7 In accordance with section 44 of the *Local Elections Campaign Financing Act* election signs must identify the name of the candidate's financial agent, indicate that the sign was authorized by the identified financial agent or sponsor and provide a British Columbia telephone number, British Columbia mailing address or email address at the which the financial agent or sponsor may be contacted regarding the sign.
- 13.2.8 The Chief Election Officer, or any person acting under the Chief Election Officer's direction, may remove any election sign that the Chief Election Officer, or any person acting under the Chief Election Officer's direction, has reasonable grounds to believe is erected, or in place, in contravention of this Bylaw or other enactment.
- 13.2.9 Election signs that have been removed in accordance with section 13.2.8 will be stored for a period of one week after general voting day and the candidate or their agent may claim the sign(s) during that period, following which the material may be destroyed or otherwise disposed of by the Chief Election Officer or any person acting under the Chief Election Officer's direction without notice and without compensation to the owner of the sign.

13.3 Use of City of Coquitlam logo

- 13.3.1 Other than as authorized in writing by the City, no person shall embed or place on any election sign or other election advertising a logo, trademark or official mark, in whole or in part, owned or licensed by the City.

14 Campaign Headquarters

14.1 Election Signs at Campaign Headquarters

- 14.1.1 Candidates may post at their Campaign Headquarters, in the window or on the face of the building or unit, larger election signs than what are permitted under section 13.2.1(c).
- 14.1.2 Despite section 13.2.5, candidates are permitted to affix more than one election sign to their Campaign Headquarters.
- 14.1.3 Despite section 13.2.1(e), candidates may have a back lit sign (the sign is illuminated from a light source within the sign) on their campaign headquarters “storefront” (the portion of the building’s façade that hosts the Campaign Headquarter’s principal entrance).
- 14.1.4 In addition to those signs normally associated with the occupation of the building, and signs that are affixed to the campaign headquarters as per section 14.1.2, section 13.2.5 of this Bylaw applies.

15. Severability

- 15.1 If any section, subsection, clause or phrase of this Bylaw is, for any reason, held to be invalid by a court of competent jurisdiction, it will be deemed to be severed and the remainder of the Bylaw will remain valid and enforceable in accordance with its terms.

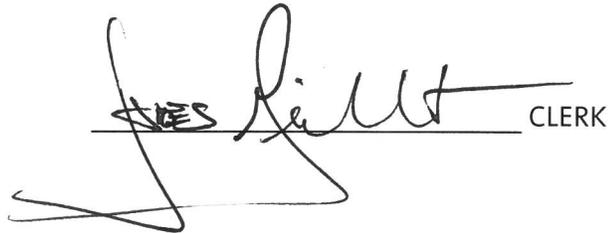
READ A FIRST TIME this 1st day of November, 2021.

READ A SECOND TIME this 1st day of November, 2021.

READ A THIRD TIME this 1st day of November, 2021.

GIVEN FOURTH AND FINAL READING and the Seal of the Corporation affixed this 15th day of November, 2021.


Richard Lewis MAYOR


James Hill CLERK

SCHEDULE "A" – SAMPLE BALLOT



City of Anywhere
2018 Municipal Sample Ballot
Monday, January 1st, 2018

To vote, fill in the oval next to your choice(s), like this: or: Use only the marking pen provided.

Office of Mayor Vote for no more than ONE (1)	Office of Councillor Vote for no more than SIX (6)	Office of School Trustee Vote for no more than SEVEN (7)
Jennifer ABEL <input type="checkbox"/>	Amanda AMMAR <input type="checkbox"/>	Gillian APPS <input type="checkbox"/>
Jamie BENN <input type="checkbox"/>	Alexandre BILODEAU <input type="checkbox"/>	Andrew BYRNES <input type="checkbox"/>
Jeff CARTER <input type="checkbox"/>	Patrick CHAN <input type="checkbox"/>	Charle COURNOYER <input type="checkbox"/>
Sidney CROSBY <input type="checkbox"/>	Will CROTHERS <input type="checkbox"/>	Douglas CSIMA <input type="checkbox"/>
Marie-Ève DROLET <input type="checkbox"/>	Matt DUCHENE <input type="checkbox"/>	Meagan DUHAMEL <input type="checkbox"/>
Ryan FRY <input type="checkbox"/>	Robyn GAYLE <input type="checkbox"/>	Charles HAMELIN <input type="checkbox"/>
Dan HAMHUIS <input type="checkbox"/>	Jayna HEFFORD <input type="checkbox"/>	Megan HEINICKE <input type="checkbox"/>
Émilie HEYMANS <input type="checkbox"/>	Jan HUDEC <input type="checkbox"/>	Kaillie HUMPHRIES <input type="checkbox"/>
Haley IRWIN <input type="checkbox"/>	Brianne JENNER <input type="checkbox"/>	Devon KERSHAW <input type="checkbox"/>
Mikaël KINGSBURY <input type="checkbox"/>	Kaylyn KYLE <input type="checkbox"/>	Charline LABONTÉ <input type="checkbox"/>
Geneviève LACASSE <input type="checkbox"/>	Kaitlyn LAWES <input type="checkbox"/>	Jesse LUMSDEN <input type="checkbox"/>
Valérie MALTAIS <input type="checkbox"/>	Diana MATHESON <input type="checkbox"/>	Scott MOIR <input type="checkbox"/>
Andréanne MORIN <input type="checkbox"/>	Dylan MOSCOVITCH <input type="checkbox"/>	Heather MOYSE <input type="checkbox"/>
Rick NASH <input type="checkbox"/>	Marie-Eve NAULT <input type="checkbox"/>	Emily NISHIKAWA <input type="checkbox"/>
Mark OLDERSHAW <input type="checkbox"/>	Corey PERRY <input type="checkbox"/>	Brittany PHELAN <input type="checkbox"/>
Tim RANDALL <input type="checkbox"/>	Kevin REYNOLDS <input type="checkbox"/>	Sophie SCHMIDT <input type="checkbox"/>
Desiree SCOTT <input type="checkbox"/>	Christine SINCLAIR <input type="checkbox"/>	Cody SORENSEN <input type="checkbox"/>
Marianne ST-GELAIS <input type="checkbox"/>	Melissa TANCREDI <input type="checkbox"/>	Benjamin THOMSEN <input type="checkbox"/>
Jonathan TOEWS <input type="checkbox"/>	Chelsea VALOIS <input type="checkbox"/>	Tonya VERBEEK <input type="checkbox"/>
Tessa VIRTUE <input type="checkbox"/>	Kirsten WALL <input type="checkbox"/>	Tara WATCHORN <input type="checkbox"/>

SCHEDULE "B"
PERMITTED LOCATIONS FOR THE POSTING OF ELECTION SIGNS ON PUBLIC PROPERTY

1. West side of Coast Meridian Road between Devonshire Avenue & Highland Drive (low signs only – maximum 3ft high)
2. Southeast corner of David Avenue & Shaugnessy Street
3. North side of David Avenue between Pinetree Way & Johnson Street (access from path via Waterford Place)
4. Southwest corner of Glen Drive & Johnson Street
5. South side of Barnet Highway – East of Bond Street (*after* entrance to 2714 Barnet Highway; low signs only – maximum 3 ft high)
6. Southwest corner of Mariner Way & Dewdney Trunk Road
7. Southwest corner of Lougheed Highway & Dewdney Trunk Road (at Sharpe Street)
8. Northwest corner of Como Lake Avenue and Mariner Way
9. Northwest corner Lougheed Highway and King Edward Street
10. Lougheed Highway across from Colony Farm

Schedule "B"

Pursuant to Bylaw Notice Enforcement Bylaw No 3749, 2006.

I, _____ (name), of _____
_____ (address), acknowledge receipt of bylaw notice(s) # _____
_____ (the "Bylaw Notice"), and wish to enter into a Compliance Agreement
whereby I agree to fulfill certain conditions, in exchange for a reduced penalty.

Specifically, I agree to pay the reduced penalty of \$ _____ on or before _____.

Further, I agree to comply with the following terms and conditions of this Agreement:

1. On or before _____ I will _____

_____ ; and
2. On or before _____ I will _____

I understand that this agreement is binding on me for one year from the date of this Agreement.

I also understand that if I breach a term of this Agreement, or fail to observe or perform the above terms and conditions, the City's Screening Officer may rescind this Agreement. I understand that if this Agreement is rescinded, I will have 14 days to dispute the Screening Officer's decision to rescind the Agreement, and that if I do not dispute this decision in that time, the full penalty stated in the Bylaw Notice of \$ _____ will be immediately due and payable and subject to all fees and penalties as if the Bylaw Notice was not disputed.

Signature of Bylaw Notice Recipient

Signature of Screening Officer

Date

Date

BYLAW NO. 4507, 2014

A Bylaw to amend Bylaw Notice Enforcement Bylaw No. 3749, 2006

WHEREAS:

- A. Council of the City of Coquitlam enacted the City of Coquitlam Bylaw Notice Enforcement Bylaw No. 3749, 2006 (the “Enforcement Bylaw”); and
- B. It is necessary to amend the Enforcement Bylaw to remove from Schedule “A” references to the *Election Administration and Procedure Bylaw No. 3932, 2008* which has been repealed, and to add to Schedule “A” contraventions under the newly enacted *Election Administration and Procedures Bylaw No. 4504, 2014*,

NOW THEREFORE, the Council of the City of Coquitlam, in an open meeting lawfully assembled, ENACTS AS FOLLOWS:

Part 1: Interpretation

1. Name of Bylaw

This Bylaw may be cited for all purposes as the *Bylaw Notice Enforcement Amendment Bylaw No. 4507, 2014*.

2. Amendments

- 2.1 Schedule “A” of the Enforcement Bylaw is amended by deleting that section of the Schedule relating to the *Election Administration and Procedure Bylaw No. 3932, 2008*, and replacing it with the following:

Election Administration and Procedures Bylaw No. 4504, 2014

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
DESCRIPTION	SECTION NO. IN BYLAW	DISCOUNTED PENALTY IN \$ (within 14 days)	FULL PENALTY IN \$ (after 14 days)	COMPLIANCE AGREEMENT DISCOUNT (where compliance agreement entered in accordance with section 8(a)(iii) of this bylaw)
Unpermitted advertising with mobile public address system	13.1.1	125	250	n/a

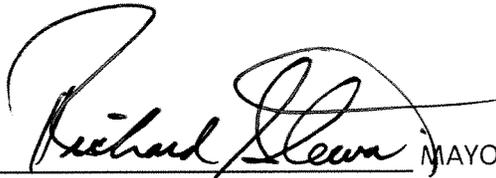
Provincial or Federal election sign erected more than 30 days before election or event	13.2.1 (a)	125	250	n/a
Provincial or Federal election sign not removed within 4 days of election or event	13.2.1(a)	125	250	n/a
Municipal or School Trustee sign erected more than 21 days before election or event	13.2.1(b)	125	250	n/a
Municipal or School Trustee sign not removed within 4 days of election or event	13.2.1(b)	125	250	n/a
Sign has more than two sides or faces	13.2.1(c)	125	250	n/a
Sign area exceeded	13.2.1(c)	125	250	n/a
Sign illuminated, animated, rotating, flashing or has moving lights or electrical features	13.2.1(d)	125	250	n/a
Sign with attachments	13.2.1(e)	125	250	n/a
Sign not self- supporting/ is attached to City property	13.2.1(f)	125	250	n/a
Placement of sign interferes with sightlines or safety	13.2.1(g)	125	250	n/a
Sign within 1 metre of fire hydrant	13.2.1(h)	125	250	n/a
Placement of election sign on private property without owner/occupant consent	13.2.2	125	250	n/a
Unlawful placement of election sign on public property	13.2.3	125	250	n/a
Election sign attached to vehicle or trailer	13.2.4	125	250	n/a
More than one election sign in a location	13.2.4	125	250	n/a
Unauthorized use of City of Coquitlam logo	13.3.1	125	250	n/a

READ A FIRST TIME this 7th day of July, 2014.

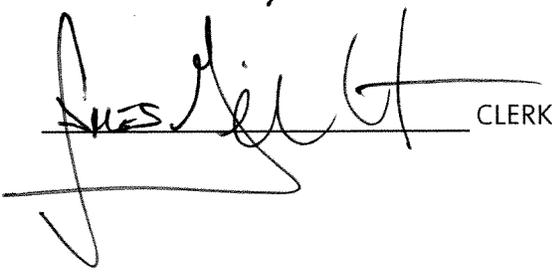
READ A SECOND TIME this 7th day of July, 2014.

READ A THIRD TIME this 7th day of July, 2014.

GIVEN FOURTH AND FINAL READING and the Seal of the Corporation affixed this 21st day of July, 2014.



MAYOR



CLERK

CITY OF COQUITLAM

Policy and Procedure Manual

USE OF CITY RESOURCES AND FACILITIES FOR POLITICAL ACTIVITY

Chapter:

Section:

Issue Date: July 7, 2014

Revision Date:

POLICY:

City facilities (save for City Hall) may be rented for political events, including campaign events, under the same terms and conditions as the general public, in accordance with:

- The Parks, Recreation and Culture Service's Department's Facility Allocation Policy;
- Any usual license, invoice, rental agreement or facility use license;
- Any associated fees set out by third parties or the City;

Political activities may be conducted at such rented or permitted facilities during the rental period and must be contained to the specific area (room) that has been rented. Candidates or their supporters are not permitted to actively campaign through such actions as distributing or displaying campaign materials or other forms of direct engagement in the common areas of the City facility (save for the placement of brochures in the candidate brochure racks provided for candidates' use at the Coquitlam Public Libraries – as noted in the "Procedures" section of this Policy).

City personnel, equipment, postage, letterhead or official stationery, and funding, are not to be used for promotion or opposition of any candidate, political party, or slate of candidates for an office or a particular issue on a ballot. This does not preclude the use of City staff and City equipment in connection with the rental of the City facilities in the same manner as would be available to the general public in connection with the rental of City facilities.

Political activities will not be permitted in a City facility being used for an advance voting, assent voting or other voting opportunity on the same day(s) as the facility is being used for that purpose.

REASON FOR THE POLICY:

To limit the use of City property to its intended purpose of conducting official City business and to provide a consistent approach and direction to City employees on how City resources and facilities can and cannot be used during local government, school trustee, provincial and federal election campaigns or campaigns concerning a question on the ballot.

The City must balance the need for freedom of assembly of candidates and its legal responsibility to not provide an unfair advantage to any candidate, political party, third party sponsor or registrant or supporter of a question on a ballot during an election

CITY OF COQUITLAM

Policy and Procedure Manual

REFERENCE:

Election Administration and Procedure Bylaw No. 4504, 2014 (Part 13: Advertising by Federal, Provincial, Municipal, or School Trustee Candidates).

Parks, Recreation and Culture Services Department's "Facility Allocation Policy".

DEFINITIONS:

The following definitions shall apply to the policy related to the use of City facilities for political activity:

CAMPAIGN MATERIALS shall mean any materials used to solicit votes for a candidate(s) or question on the ballot including but not limited to literature (i.e. brochures), banners, posters, pictures, buttons, clothing or other paraphernalia.

CITY FACILITIES shall mean any building, grounds or vehicles owned, operated, controlled or maintained by the City and includes the following locations: libraries, leisure facilities, parks, City Hall, Seniors Centres, the Works Yard and the Animal Shelter.

POLITICAL ACTIVITY shall include any and all activities, whether such efforts are undertaken individually or in concert with others, done for the purpose of supporting or opposing any candidate, party or issue in an election or done to influence the results of that election. This includes activities such as handing out campaign materials (i.e. flyers, buttons) and holding up placards or posting signs.

Political activity does not include the appearance of elected officials, candidates or their supporters at an event in their professional or personal capacity without the display of any signage or graphic which identifies the individual as a candidate and without the solicitation of votes.

POLITICAL EVENTS shall include any and all meetings, fundraisers, gatherings, or other such events organized or conducted for the purpose of supporting or opposing any candidate for public office, any issue which is or may be scheduled to appear on a ballot, or any political party or organization.

CITY OF COQUITLAM

Policy and Procedure Manual

PROCEDURES:

The following forms of political activity shall be prohibited at all times on City property unless otherwise permitted by policy:

- (a) Distribution of campaign material, including cards, brochures and other materials defined by law as political advertising to patrons or employees (save for the candidate brochure racks provided for use by candidates at the City's public libraries during general local elections);
- (b) Placement of political signs in City buildings or elsewhere on City property (See *Election Administration and Procedure Bylaw No. 4504, 2014*);
- (c) Personal appearances of candidates or advocates/opponents of an issue before the electorate unless in a private rented space in accordance with this policy.

Candidates or their agents or supporters wishing to rent space at a City facility shall follow the same procedures as would the general public.

This policy shall not be interpreted to prohibit the distribution or use of newspapers, magazines or programs for City sponsored activities that contain paid political advertising, where the distribution or use of such items is primarily for purposes that are generally of a nonpolitical nature.

LOCAL GOVERNMENT ACT

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LOCAL GOVERNMENT ACT
CHAPTER 1 [RSBC 2015]

[includes 2016 Bill 4, c. 19 (B.C. Reg. 248/2024) amendments (effective August 1, 2024)]

PART 3 – Electors and Elections

Part 3: Division 1 – General

Definitions in relation to this Part

47. In this Part:

"additional advance voting opportunity" means a voting opportunity under section 108;

"additional general voting opportunity" means a voting opportunity under section 106;

"advance voting opportunity" means a required advance voting opportunity or an additional advance voting opportunity;

"candidate"

(a) means a person who is declared to be a candidate under section 97 [*declaration of candidates*], and

(b) for the purposes of Division 7 [*Candidate Endorsement by Elector Organization*], includes a person who is seeking endorsement or is proposed to be endorsed under that Division;

"candidate representative" means an official agent or a scrutineer appointed under section 102;

"election" means an election for the number of persons required to fill a local government office;

"election area" means the municipality, neighbourhood constituency, regional district electoral area or other area for which an election is held under this Act or other local elections legislation;

"election proceedings" means nomination, voting or counting proceedings under this Part;

"elector organization" means an organization that endorses a candidate under Division 7;

"endorsement" , in relation to a candidate, means the endorsement of the candidate by an elector organization under Division 7;

"endorsement documents" means documents required to be filed by an elector organization under section 93 [*endorsement documents*];

"general voting" means voting proceedings at required general voting opportunities and additional general voting opportunities and, if applicable, those proceedings as adjourned under section 62;

"held at the same time" , in relation to elections and assent voting, means being held at the same time in accordance with the rules established by section 6 [*when elections, or elections and assent voting, are considered to be held at the same time*] of the *Local Elections Campaign Financing Act*;

"judicial recount" means a judicial recount under Division 15 [*Judicial Recount*];

"neighbourhood constituency" means an election area established as a neighbourhood constituency under section 53;

LOCAL GOVERNMENT ACT

"**nomination deposit**" means a nomination deposit required by bylaw under section 88 [*nomination deposits*];

"**nomination documents**" means the documents required by section 87 (1) and (2);

"**nomination period**" means the period referred to in section 84 [*nomination period*] or, if applicable, as extended under section 62 [*adjournment of election proceedings*];

"**official agent**" means an official agent appointed under section 102 (1) (a) [*appointment of candidate representatives*] to represent a candidate;

"**presiding election official**" means, in relation to election proceedings, the chief election officer or the election official appointed under section 58 (3) (a) to act as presiding election official for those proceedings;

"**required advance voting opportunity**" means a voting opportunity under section 107;

"**required general voting opportunity**" means a voting opportunity on general voting day at a voting place under section 105;

"**residential address**" includes an indication of the area in which a person lives if no other specific designation is reasonably available;

"**solemn declaration**" means a declaration on oath or by solemn affirmation in accordance with section 51;

"**special voting opportunity**" means a voting opportunity under section 109;

"**voting compartment**" means an area described in section 123 (3) [*area where voters can mark their ballots screened from observation by others*];

"**voting day**" means the general voting day for an election, a day on which an advance voting opportunity for the election is offered or a day on which a special voting opportunity for the election is offered;

"**voting hours**" means the time during which voting is permitted on a voting day;

"**voting opportunity**" means an opportunity referred to in section 104 [*voting opportunities for electors*] for some or all electors of an election area to vote in an election for the election area;

"**voting place**" means a place where voting proceedings at general voting or an advance voting opportunity are conducted.

RS2015-1-47 (B.C. Reg. 257/2015).

(SUB) Time not extended for voting days

Jan
01/19

48. Sections 25 (3) and (4) and 25.5 (1) and (2) of the *Interpretation Act*, extending a time period if the time for doing an act expires or falls on a holiday or on a day when a business office is not open during regular business hours, do not apply to a voting day.

2018-5-11 (B.C. Reg. 272/2018).

This Act prevails in relation to use of information

49. To the extent of any inconsistency or conflict with the *Freedom of Information and Protection of Privacy Act*, Parts 3 [*Electors and Elections*] and 4 [*Assent Voting*] of this Act apply despite that Act.

RS2015-1-49 (B.C. Reg. 257/2015); RS1996-323-35.

Public notice requirements

(SUB)
Feb
28/22

50. (1) If this Act requires notice to be given in accordance with this section, the notice must be published in accordance with section 94 [*requirements for public notice*] of the *Community Charter*.
- (2) Notices to which this section applies may be combined as long as the requirements of all applicable sections are met.

RS2015-1-50 (B.C. Reg. 257/2015); 2021-30-19 (B.C. Reg. 17/2022).

Solemn declarations

51. (1) If this Part requires a solemn declaration to be made, the declaration must be
- (a) made on oath or by solemn affirmation,
 - (b) made before a commissioner for taking affidavits for British Columbia or a person authorized by this Part to take the oath or solemn affirmation, and
 - (c) signed by the person making the oath or solemn affirmation and by the person before whom it is made.
- (2) If a regulation under section 168 [*election regulations*] applies, the declaration must be made in a form prescribed by the regulation.

RS2015-1-51 (B.C. Reg. 257/2015).

Part 3: Division 2 – Arrangements for Elections

General local elections every 4 years

(AM)
Nov
25/21

52. (1) Elections for the mayor and all councillors of each municipality and elections for the electoral area directors of each regional district, to be known collectively as a general local election, must be held in the year 2014 and in every fourth year after that.
- (2) General voting day for a general local election must be the third Saturday of October in the year of the election.

(AM)
Nov
25/21

RS2015-1-52 (B.C. Reg. 257/2015); 2021-30-41, Sch 1.

Municipal elections at large unless neighbourhood constituency established

53. (1) Unless a bylaw under subsection (2) applies, every council member must be elected from the municipality at large.
- (2) A council may, by bylaw, provide that all or some of the councillors be elected on a neighbourhood constituency basis.
- (3) A bylaw under subsection (2) must establish the areas that are to be neighbourhood constituencies and provide for an orderly transition to election on this basis.
- (4) The authority under subsection (2) applies despite the letters patent for the municipality, but a bylaw under that subsection must be approved by the Lieutenant Governor in Council before it is adopted.
- (5) If a neighbourhood constituency is established,
- (a) the only persons who may vote as electors of the neighbourhood constituency are
 - (i) resident electors of the municipality who meet the qualifications of section 65 [*resident electors*] in relation to the area of the neighbourhood constituency, and
 - (ii) non-resident property electors of the municipality who meet the qualifications of section 66 [*non-resident property electors*] in relation to the area of the neighbourhood constituency, and

- (b) except as permitted at an additional general voting opportunity or a special voting opportunity, the electors of the neighbourhood constituency may vote on general voting day only at the voting places for that neighbourhood constituency.
- (6) The notice of election under section 99 [*notice of election by voting*] for an election on the basis of a neighbourhood constituency must include the following additional information:
 - (a) the boundaries of the neighbourhood constituency;
 - (b) the voting place on general voting day for the neighbourhood constituency;
 - (c) a description of the qualifications established by subsection (5) (a) that entitle an elector to vote for a council member to represent the neighbourhood constituency.

RS2015-1-53 (B.C. Reg. 257/2015).

By-elections

- 54.** (1) Subject to this section, an election must be held to fill a vacancy in an elected local government office that occurs in any of the following circumstances:
- (a) the person elected or appointed to the office dies before taking office;
 - (a.1) the office becomes vacant under section 82.1 [*disqualification – indictable offence*];
 - (b) the office is declared vacant on an application under section 153 [*application to court respecting validity of election*], or a candidate affected by the application renounces claim to the office under subsection (9) of that section;
 - (c) the person holding the office dies;
 - (d) the person holding the office resigns from office;
 - (e) the office becomes vacant under Division 7 [*Challenge of Council Member Qualification for Office*] of Part 4 of the *Community Charter* as it applies in relation to that office;
 - (f) the office becomes vacant under any of the following sections of the *Local Elections Campaign Financing Act*:
 - (i) section 64 (2) (a) [*candidate penalties for failure to disclose*];
 - (ii) section 65 (1) (a) [*candidate penalties for false or misleading disclosure*];
 - (iii) section 65.1 (1) [*endorsed candidate penalties for elector organization failing to file disclosure documents or disclosing false or misleading information*];
 - (iv) section 68.01 (3) [*candidate penalties for exceeding expense limits or amount available*].
 - (2) A local government may decide that a by-election is not to be held if the vacancy occurs after June 1 in the year of a general local election that will fill the office.
 - (3) In addition to the authority under subsection (2), a council may decide that a by-election is not to be held if all the following circumstances apply:
 - (a) the vacancy occurs after January 1 in the year of a general local election that will fill the office;
 - (b) the vacancy is not in an office elected on the basis of a neighbourhood constituency;
 - (c) the number of remaining council members is at least one greater than the quorum for the council, as set under section 129 (1) [*quorum for conducting business*] of the *Community Charter*.
 - (4) As soon as practicable after a vacancy occurs for which an election under this section is to be held, the local government must
 - (a) appoint a chief election officer for the election, and

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- (b) notify the minister of the election.
- (4.1) As soon as practicable after the appointment under subsection (4) (a), the chief election officer must notify the BC chief electoral officer of the election.
- (5) The chief election officer must set a general voting day for the election, which must be on a Saturday no later than 80 days after the date the chief election officer was appointed.
- (6) If the number of members of a local government is reduced to less than a quorum, the minister may either
 - (a) order that the remaining members of the local government constitute a quorum until persons are elected and take office to fill the vacancies, or
 - (b) appoint qualified persons to fill the vacancies until persons are elected and take office to fill them.
- (7) A person elected in a by-election holds office until the end of the term of the office in respect of which the election was held.

RS2015-1-54 (B.C. Reg. 257/2015); 2016-9-41; 2022-15-16.

Minister may arrange for election to be conducted

55. (1) If an election is not held or a vacant office is not otherwise filled as required under this Act, the minister may
- (a) set a general voting day for the election, appoint a chief election officer and otherwise arrange for the election to be conducted, or
 - (b) order the designated local government officer to arrange for the election to be conducted.
- (2) If considered necessary in relation to an election under subsection (1), the minister may make orders to provide for the conduct of the election and for the governing of the municipality or regional district until the candidates elected in that election take office, including orders that provide for exceptions to provisions of this Act and regulations or bylaws under this Act.
- (3) The general voting day for an election under this section must be on a Saturday set by the minister or by the chief election officer in accordance with the directions of the minister.

RS2015-1-55 (B.C. Reg. 257/2015).

Election bylaws

56. (1) This section applies to a bylaw under
- (a) this Part,
 - (b) section 330 [*regulation of signs and advertising*] of this Act, or
 - (c) section 8 (4) [*fundamental powers – signs and advertising*] of the *Community Charter*.
- (2) Unless otherwise provided,
- (a) in order for a bylaw referred to in subsection (1) to apply in relation to a general local election, the bylaw must be adopted at least 56 days before the first day of the nomination period of the general local election, and
 - (b) in order for a bylaw referred to in subsection (1) to apply in relation to an election under section 54 [*by-elections*], the bylaw must be adopted at least 42 days before the first day of the nomination period for the election.

RS2015-1-56 (B.C. Reg. 257/2015).

Costs of elections

57. (1) The costs of an election, including the costs of registration of electors for the election, are the responsibility of the municipality or regional district for which the election is held unless otherwise agreed.
- (2) The costs of an election may be shared under an agreement between the local government and another local government, the council of the City of Vancouver or a board of education for the conduct of the election by one party for the other or in conjunction with an election of the other.
- (3) A local government that is a party to an agreement under subsection (2) may, by bylaw, provide that the bylaws of the other party respecting elections apply to elections conducted under the agreement.
- (4) An agreement referred to in subsection (2) may provide for a party to conduct only some of the election proceedings for or in conjunction with the other party.
- (5) If an agreement referred to in subsection (4) applies to an election, the election is valid despite the agreement and any bylaws in relation to it having the effect of creating differences in election proceedings between different parts of the election area for which an election is held.
- (6) Without limiting subsection (4), an agreement referred to in that subsection may allow a local government to restrict the persons who may vote at the election proceedings conducted under the agreement to persons who are entitled to be registered as electors in relation to a specified part of the election area for which the election is held.
- (7) If a restriction under subsection (6) applies, on any day on which an advance voting opportunity conducted under the agreement is open to electors of only part of the election area for which the election is held, an advance voting opportunity must be open to all electors of that election area on the same day.
- (8) So long as any required advance voting opportunities are provided, no bylaw is necessary for an advance voting opportunity required by subsection (7), and the voting opportunity may be held at the place and for the voting hours established by the chief election officer.
- (9) The chief election officer must give notice of a voting opportunity to which subsection (8) applies in any manner the chief election officer considers appropriate.
- (10) The notice under subsection (9) must include the date, place and voting hours for the voting opportunity.

RS2015-1-57 (B.C. Reg. 257/2015).

Part 3: Division 3 – Election Officials Appointment and Authority

Appointment of election officials

58. (1) For the purposes of conducting an election, the local government must appoint a chief election officer and a deputy chief election officer.
- (2) The chief election officer must appoint election officials required for the administration and conduct of the election.
- (3) Without limiting the generality of subsection (2), the chief election officer must appoint the following:
- (a) presiding election officials for election proceedings where the chief election officer is not acting as presiding election official;
 - (b) election officials to act as alternate presiding election officials for election proceedings;
 - (c) election officials required to assist the presiding election official at election proceedings.

- (4) The chief election officer may delegate the authority under subsection (3) (c) to the presiding election official for the election proceedings.
- (5) The chief election officer may appoint peace officers as election officials to assist presiding election officials in fulfilling their duty to maintain peace and order at the election proceedings for which they are responsible.
- (6) If an election official is absent or unable to act, a person appointed as deputy chief election officer or appointed under this section as alternate for the official must perform the duties and has the powers of the official.
- (7) A candidate, candidate representative or financial agent may not be appointed as an election official.
- (8) Before assuming duties, an election official must make a solemn declaration that the person
 - (a) will faithfully and impartially exercise the powers and perform the duties of the position to which the election official is appointed,
 - (b) has not received and will not accept any inducement
 - (i) to exercise the powers or perform the duties of the position otherwise than impartially and in accordance with this Act, or
 - (ii) to otherwise subvert the election,
 - (c) will preserve the secrecy of the ballot in accordance with section 123 [*voting to be by secret ballot*], and
 - (d) is not and will not become a candidate, candidate representative or financial agent while holding the position of an election official.

RS2015-1-58 (B.C. Reg. 257/2015).

Chief election officer duties and powers

59. (1) In addition to all other duties established by this Part and the *Local Elections Campaign Financing Act*, the chief election officer must do the following:
- (a) ensure that a sufficient number of ballots are prepared for an election by voting;
 - (b) ensure that each voting place
 - (i) is supplied with sufficient numbers of ballots, ballot boxes and voting books, and
 - (ii) has an area that may be used as a voting compartment;
 - (c) take all reasonable precautions to ensure that a person does not vote more than once in an election;
 - (d) do all other things necessary for the conduct of an election in accordance with this Part, the *Local Elections Campaign Financing Act* and any bylaws and regulations under this Part or that Act.
- (2) In addition to all other powers given by this Part, the chief election officer may do one or more of the following:
- (a) exercise any power conferred on a presiding election official in relation to the election proceedings for which the presiding election official is responsible;
 - (b) as an exception to the restrictions on where an elector may vote when municipal voting divisions are established, authorize an election official to vote at the voting place at which the official is working;
 - (c) take solemn declarations where these are required under this Part or the *Local Elections Campaign Financing Act*;

- (d) delegate to other election officials the chief election officer's duties and powers under this Part or the *Local Elections Campaign Financing Act*, subject to any restrictions or conditions specified by the chief election officer;
- (e) apply to the minister for an order under section 167 [*ministerial orders in special circumstances*] of this Act or section 99 [*ministerial orders in special circumstances*] of the *Local Elections Campaign Financing Act*.

RS2015-1-59 (B.C. Reg. 257/2015).

Presiding election official duties and powers

60. (1) In addition to other responsibilities established by this Part, a presiding election official for election proceedings must
- (a) ensure, so far as possible, that this Part and the regulations and bylaws under it are being complied with, and
 - (b) take all reasonable precautions to keep the ballots and ballot boxes secure from persons not entitled to have access to them.
- (2) In addition to other powers conferred by this Part, a presiding election official may
- (a) take solemn declarations required by this Part in relation to the election proceedings for which the presiding election official is responsible, and
 - (b) if section 163 (4) (b) or (c) [*campaigning materials near voting place*] is being contravened, enter on the property where the materials that are the subject of the contravention are located and remove or cover them or otherwise obscure them from view, or authorize another person to do so.

RS2015-1-60 (B.C. Reg. 257/2015).

Keeping order at election proceedings

61. (1) A presiding election official must maintain peace and order so far as reasonably possible at the election proceedings for which the presiding election official is responsible.
- (2) For the purposes of this section, the presiding election official may do one or more of the following:
- (a) restrict or regulate the number of persons admitted at any time to the place where the proceedings are being conducted;
 - (b) order a person to leave the place where the proceedings are being conducted and the immediate vicinity of that place, if any of the circumstances referred to in subsection (5) (a) to (d) occur;
 - (c) order the removal of a person ordered to leave if that person does not comply;
 - (d) require the assistance of peace officers or of persons present at the place where the proceedings are being conducted.
- (3) A person ordered to leave under subsection (2) (b) must leave the place and the immediate vicinity of the place at which the election proceedings are being conducted and must not return while these election proceedings are being conducted unless permitted to do so by the presiding election official.
- (4) The authority under subsection (2) must not be used to prevent an elector otherwise entitled to vote at the place from exercising the right to vote.
- (5) The presiding election official may require a person to provide identification and the person must comply with that requirement if, in the opinion of the presiding election official, that person

- (a) is present at a place when not permitted to be present under this Act,
- (b) is disturbing the peace and order of the proceedings,
- (c) is interfering with the conduct of the proceedings, or
- (d) is contravening any provision of this Part or of a regulation or bylaw under this Part.

RS2015-1-61 (B.C. Reg. 257/2015).

Adjournment of election proceedings

62. (1) Election proceedings may be adjourned by the presiding election official in accordance with this section if that official considers that the health or safety of persons is at risk, or that the integrity of the proceedings is at risk.
- (2) Election proceedings may be adjourned
- (a) temporarily to another time on the same day or another time on the same day at another place specified by the presiding election official, or
 - (b) to a day, time and place to be set by the chief election officer.
- (3) The presiding election official must notify the chief election officer as soon as possible of any adjournment and must follow any directions the chief election officer considers appropriate in the circumstances.
- (4) While proceedings are adjourned, the presiding election official must make all reasonable efforts to ensure that the election materials are secured and that the integrity of the election is not compromised.
- (5) The presiding election official must give notice to persons affected by an adjournment as directed by the chief election officer or, in the absence of direction, in any manner the official considers appropriate.
- (6) Proceedings that are recommenced after an adjournment must continue for such a period that the total time for the proceedings is the same regardless of the adjournment.
- (7) If voting proceedings are adjourned, the counting of the vote must not be started until the close of voting at the adjourned proceedings.

RS2015-1-62 (B.C. Reg. 257/2015).

Exceptional assistance in election proceedings

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63. (1) The provisions of this section are exceptions for allowing persons to exercise their rights under this Part in circumstances where they would otherwise be unable to do so.
- (2) If a person is required by this Part to sign a document and is unable to do so, the presiding election official or an election official authorized by the presiding election official may either sign on behalf of the person or have the person make the person's mark and witness that mark.
- (AM)
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- (3) If a person is required by this Part to make a solemn declaration or to provide information to an election official and requires the assistance of a translator to do this, the presiding election official must permit another person to act as translator so long as that person first makes a solemn declaration that the person is able to make the translation and will do so to the best of that person's abilities.
- (4) The obligation to provide a translator rests with the person who is required to make the solemn declaration or provide the information and, if that person does not provide a translator, that person must be considered to have refused to make the solemn declaration or provide the information.

Part 3: Division 4 – Electors and Registration of Electors

Who may vote at an election

64. (1) In order to vote at an election for a municipality or electoral area, a person
- (a) must meet the requirements of section 65 (1) (a) to (e) [*resident electors*] or 66 (1) (a) to (g) [*non-resident property electors*] at the time of voting,
 - (b) must not be disqualified by this Act or any other enactment from voting in the election or be otherwise disqualified by law, and
 - (c) must be registered as an elector of the municipality or electoral area.
- (2) The following persons are disqualified from voting at an election:
- (a) a person who has not completed the sentence for an indictable offence, unless the person is released on probation or parole and is not in custody;
 - (b) a person who is involuntarily confined to a psychiatric or other institution as a result of being acquitted of or found not criminally responsible for an offence under the *Criminal Code* on account of mental disorder;
 - (c) a person who has contravened section 161 (3) [*accepting inducements to vote*] in relation to the election.
- (3) For clarification, no corporation is entitled to be registered as an elector or have a representative registered as an elector and no corporation is entitled to vote.
- (4) A person must not vote at an election unless entitled to do so.

RS2015-1-64 (B.C. Reg. 257/2015).

Resident electors

65. (1) In order to be registered as a resident elector of a municipality or electoral area, a person must meet all the following requirements on the day of registration:
- (a) the person must be
 - (i) an individual who is 18 years of age or older on the day of registration, or
 - (ii) if an election is in progress for the municipality or electoral area, an individual who will be 18 years of age or older on general voting day for the election;
 - (b) the person must be a Canadian citizen;
 - (c) the person must have been a resident of British Columbia, as determined in accordance with section 67 [*rules for determining residence*], for at least 6 months immediately before the day of registration;
 - (d) the person must be a resident of the municipality or electoral area, as determined in accordance with section 67;
 - (e) the person must not be disqualified under this or any other enactment from voting in an election or be otherwise disqualified by law.
- (2) *Repealed.* [2021-5-71]

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RS2015-1-65 (B.C. Reg. 257/2015); 2021-5-71.

Non-resident property electors

66. (1) In order to be registered as a non-resident property elector of a municipality or electoral area, a person must meet all the following requirements on the day of registration:
- (a) the person must not be entitled to register as a resident elector of the municipality or electoral area;
 - (b) the person must be
 - (i) an individual who is 18 years of age or older on the day of registration, or
 - (ii) if an election is in progress for the municipality or electoral area, an individual who will be 18 years of age or older on general voting day for the election;
 - (c) the person must be a Canadian citizen;
 - (d) the person must have been a resident of British Columbia, as determined in accordance with section 67, for at least 6 months immediately before the day of registration;
 - (e) the person must have been a registered owner of real property in the municipality or electoral area for at least 30 days immediately before the day of registration;
 - (f) the only persons who are registered owners of the real property, either as joint tenants or tenants in common, are individuals who are not holding the property in trust for a corporation or another trust;
 - (g) the person must not be disqualified under this Act or any other enactment from voting in an election or be otherwise disqualified by law.
- (2) A person may register as a non-resident property elector only in relation to one parcel of real property in a municipality or electoral area.
- (3) If the boundaries of a municipality or electoral area are extended or if a new municipality is incorporated, a person is deemed to have satisfied the requirement of subsection (1) (e) if, for at least 30 days before the person applies for registration as a non-resident property elector, the person has been a registered owner of property within the area that is included in the municipality or electoral area or that becomes the new municipality.
- (4) For the purposes of this section, the registered owner of real property means whichever of the following is applicable:
- (a) the owner of a registered estate in fee simple of the property, unless another person holds an interest in the property referred to in paragraph (b), (c) or (d);
 - (b) the holder of the last registered agreement for sale, unless another person holds an interest in the property referred to in paragraph (c) or (d);
 - (c) the tenant for life under a registered life interest in the property, unless another person holds an interest in the property referred to in paragraph (d);
 - (d) the holder of a registered lease of the property for a term of at least 99 years.
- (5) If there is more than one individual who is the registered owner of real property, either as joint tenants or tenants in common, only one of those individuals may register as a non-resident property elector under this section in relation to the real property.
- (6) If the land title registration of the real property in relation to which a person is registering under this section indicates that there is more than one individual who is the registered owner of the real property, the person registering must do so with the written consent of the number of those individuals who, together with the person registering, are a majority of those individuals.
- (7) A registered owner who has consented to the registration of another registered owner of the property may withdraw the consent by delivering a written withdrawal to the municipality or regional district.

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- (8) Once a withdrawal of consent has been delivered in accordance with subsection (7), the person registered as the non-resident property elector in relation to the property ceases to be entitled to be registered and vote as such if the number of individuals referred to in subsection (6) falls below a majority of the registered owners, with this effective
- (a) for the next election, in the case of a withdrawal delivered at least 52 days before general voting day for the election, and
 - (b) following the next election, in the case of a withdrawal delivered less than 52 days before general voting day for the election.

RS2015-1-66 (B.C. Reg. 257/2015); 2017-10-28.

Rules for determining residence

67. (1) The following rules apply to determine the area in which a person is a resident:
- (a) a person is a resident of the area where the person lives and to which, whenever absent, the person intends to return;
 - (b) a person may be the resident of only one area at a time for the purposes of this Part;
 - (c) a person does not change the area in which the person is a resident until the person has a new area in which the person is a resident;
 - (d) a person does not cease being a resident of an area by leaving the area for temporary purposes only.
- (2) As an exception to subsection (1), if
- (a) a person establishes for the purposes of attending an educational institution a new area in which the person is a resident, and
 - (b) the new area is away from the usual area in which the person is a resident,

the person may choose for the purposes of this Part either the usual area or the new area as the area in which the person is a resident.

RS2015-1-67 (B.C. Reg. 257/2015).

When a person may register as an elector

68. (1) A person may register as an elector
- (a) at the time of voting in accordance with section 72 [*resident elector registration*] or 73 [*non-resident property elector registration*], or
 - (b) by advance registration in accordance with section 71, if this is available.
- (2) If a bylaw under section 76 [*Provincial list of voters as register of resident electors*] is in effect for a municipality or electoral area, a person entitled to register as a resident elector of the municipality or electoral area may effectively register as such by registering as a voter under the *Election Act* in sufficient time to have the person's name appear on the Provincial list of voters that becomes, under the bylaw, the register of resident electors for the municipality or electoral area.

RS2015-1-68 (B.C. Reg. 257/2015).

Voting day registration only

69. A local government may, by bylaw, limit registration of electors to registration at the time of voting.

RS2015-1-69 (B.C. Reg. 257/2015).

Application for registration

70. (1) An application for registration as an elector must include the following information:
- (a) in the case of registration as a resident elector,
 - (i) the full name of the applicant,
 - (ii) the residential address of the applicant, and the mailing address if this is different, and
 - (iii) either the birth date or the last 6 digits of the social insurance number of the applicant;
 - (b) in the case of registration as a non-resident property elector,
 - (i) the full name of the applicant,
 - (ii) the address or legal description of the real property in relation to which the person is registering and the mailing address of the applicant, and
 - (iii) either the birth date or the last 6 digits of the social insurance number of the applicant;
 - (c) a declaration that the applicant meets the requirements of section 64 (1) (a) and (b) *[qualifications for voting]* to be registered as an elector;
 - (d) any other information required by regulation under section 168 *[election regulations]* to be included.
- (2) An application must
- (a) be signed by the applicant and by a witness to the signature of the applicant, and
 - (b) include the residential address of the witness, if this is not a person authorized by the chief election officer or by the designated local government officer.
- (3) For the purpose of subsection (1), an address of an applicant that indicates the area in which the applicant is resident within the meaning of section 67 is sufficient if, in the opinion of the person authorized to receive the application, it indicates the location for the purpose of determining whether the applicant is resident in the municipality or electoral area.
- (4) In the case of an application for registration as a non-resident property elector, the application must be accompanied by
- (a) proof satisfactory to the person receiving the application that the applicant is entitled to register in relation to the real property referred to in subsection (1) (b), and
 - (b) if applicable, the written consent from the other registered owners of the real property required by section 66 (6).

RS2015-1-70 (B.C. Reg. 257/2015).

How to register in advance

71. (1) If a bylaw under section 69 *[voting day registration only]* does not apply, advance registration must be available in accordance with this section.
- (2) Subject to the closed period under subsection (4), if advance registration is available for a municipality or electoral area, a person may register as an elector by delivering an application and accompanying documents in accordance with section 70
- (a) at the local government offices during its regular office hours,
 - (b) at a special registration opportunity under subsection (6), or

- (c) at other times and places authorized by the designated local government officer.
- (3) Advance registration required under subsection (1) must be available to both resident electors and non-resident property electors unless deemed registration of resident electors under section 76 [*Provincial list of voters as register of resident electors*] is in effect.
- (4) Advance registration closes 53 days before general voting day and does not reopen until the Monday after the close of general voting, subject to any extension of this closed period in relation to an election under section 152 [*runoff election if tie vote after judicial recount*].
- (5) At least 6 days but not more than 30 days before the start of the closed period under subsection (4), the designated local government officer must give public notice of the close of advance registration in accordance with section 50 [*public notice requirements*].
- (6) For the purpose of encouraging persons to register as electors,
 - (a) a local government may direct the designated local government officer to arrange an enumeration of the municipality or regional district, and
 - (b) that officer may arrange other special opportunities for persons to apply to register as electors.
- (7) The designated local government officer must ensure that application forms are available from the local government offices during its regular office hours at any time when advance registration as an elector is permitted.

RS2015-1-71 (B.C. Reg. 257/2015).

How to register as a resident elector at the time of voting

72. (1) A person may register as a resident elector immediately before voting by
- (a) either
 - (i) delivering an application in accordance with section 70 [*application for registration*] to the election official responsible at the place where the person is voting, or
 - (ii) providing to that official the information required under that section in the manner established by the chief election officer, and
 - (b) satisfying that official of the applicant's identity and place of residence in accordance with subsection (2).
- (2) For the purposes of subsection (1) (b), an individual may either
- (a) produce to the election official at least 2 documents that provide evidence of the applicant's identity and place of residence, at least one of which must contain the applicant's signature, or
 - (b) produce to the election official at least 2 documents that provide evidence of the applicant's identity, at least one of which must contain the applicant's signature, and make a solemn declaration as to the applicant's place of residence within the meaning of section 67 [*rules for determining residence*].
- (3) Documents accepted under subsection (2) must either be documents prescribed as acceptable under section 168 [*election regulations*] or provide evidence satisfactory to the election official respecting the matter.
 - (4) The election official registering an elector under this section must note on the application the nature of the documents produced for the purposes of subsection (1) (b).
 - (5) The election official responsible for receiving applications under subsection (1) is the presiding election official or another election official designated by the presiding election official.

RS2015-1-72 (B.C. Reg. 257/2015).

How to register as a non-resident property elector at the time of voting

73. (1) A person may register as a non-resident property elector immediately before voting by
- (a) either
 - (i) delivering an application in accordance with section 70 [*application for registration*] to the election official responsible at the place where the person is voting, or
 - (ii) providing to that official the information required under that section in the manner established by the chief election officer,
 - (b) satisfying that official of the applicant's identity in accordance with subsection (2), and
 - (c) providing to that official the materials described in section 70 (4).
- (2) For the purposes of subsection (1) (b), an individual must produce to the election official at least 2 documents that provide evidence of the applicant's identity, at least one of which must contain the applicant's signature.
- (3) Section 72 (3) to (5) [*requirements in relation to registration of resident electors*] applies for the purposes of this section.

RS2015-1-73 (B.C. Reg. 257/2015).

Effect of registration

74. (1) Unless
- (a) a bylaw under section 69 [*voting day registration only*] applies, or
 - (b) all or the applicable part of the register of electors is cancelled,
- a person registered as an elector continues to be an elector of the municipality or electoral area as long as the person meets the requirements for registration.
- (2) If a bylaw under section 69 applies, registration as an elector is effective only for the elections for which the voting is being conducted at that time.

RS2015-1-74 (B.C. Reg. 257/2015).

Register of electors

75. (1) Subject to section 76 [*Provincial list of voters as register of resident electors*], if advance registration is available for a municipality or electoral area, a register of electors for the municipality or electoral area must be maintained.
- (2) The designated local government officer is responsible for maintaining the register of electors.
- (3) The register of electors must separately record resident electors and non-resident property electors of the municipality or electoral area and, for each elector, must record the name of the elector and the address or addresses of the elector required to be included on an application under section 70 [*application for registration*].
- (4) For the purposes of recording the address or addresses of a resident elector under subsection (3), the register of electors may record only the residential address of the elector as required to be included on an application under section 70.
- (5) For the purposes of maintaining the register of electors, the designated local government officer

- (a) must add to the register persons who have registered in accordance with
 - (i) section 71 [*advance registration*],
 - (ii) section 72 [*registration as resident elector at time of voting*], or
 - (iii) section 73 [*registration as non-resident property elector at time of voting*],
 - (b) may add to the register persons who meet the requirements of section 65 (1) [*resident elector qualifications*] to be registered as resident electors of the municipality or electoral area, as evidenced by a current Provincial list of voters under the *Election Act*,
 - (c) may add to the register persons who meet the requirements of section 65 (1) to be registered as resident electors of the municipality or electoral area, as evidenced by registration under section 172 [*who may vote at assent voting*],
 - (d) despite section 74 (2) [*time limited registration*], for a new register established after a bylaw under section 69 [*voting day registration only*] ceases to be in force, may add to the register
 - (i) persons whose names were included in the previous register, and
 - (ii) persons who registered for elections conducted in the municipality or electoral area while the bylaw was in force,
 - (e) if all or part of a register is cancelled under subsection (8) or section 76, may add to the new register persons whose names were included in the cancelled register,
 - (f) on evidence satisfactory to that official, may delete from the register the names of persons who have died or who are no longer qualified as electors, and
 - (g) on evidence satisfactory to that official, may amend the register to show correctly the information to be included in the register.
- (6) A person whose name is added to the register under subsection (5) (b), (c), (d) or (e) is deemed to have registered as an elector, as recorded in the register, and section 74 (1) applies to the registration.
- (7) The designated local government officer may authorize a person to assist in that officer's duties under this section and may authorize the person to exercise the officer's powers under this section.
- (8) The local government or the minister may order the cancellation of an existing register of electors, or a portion of it, and direct the preparation of a new register.

RS2015-1-75 (B.C. Reg. 257/2015).

Provincial list of voters as register of resident electors

76. (1) Instead of maintaining an ongoing register of resident electors, a local government may, by bylaw, provide that the most current available Provincial list of voters prepared under the *Election Act* is to be the register of resident electors.
- (2) A bylaw under subsection (1) must require that the Provincial list of voters becomes the register of resident electors no later than 52 days before general voting day for any election to which the bylaw applies.
- (3) If a bylaw under subsection (1) applies,
- (a) any previous register of resident electors of the municipality or electoral area is cancelled, effective at the time the Provincial list of voters becomes the register,
 - (b) a person who, on the basis of the Provincial list of voters, appears to meet the qualifications to be registered as a resident elector of the municipality or electoral area is deemed to be registered as such an elector, and

- (c) the local government may have, but is not required to have, advance registration under section 71 for resident electors.

RS2015-1-76 (B.C. Reg. 257/2015).

List of registered electors

77. (1) If a register of electors is required under section 75, the designated local government officer must prepare a list of registered electors for the municipality or electoral area, to be used for the purposes of administering an election.
- (2) The list of registered electors must give the names and addresses of all persons included on the register of electors at the time the list is prepared and must indicate whether a person is a resident elector or a non-resident property elector.
- (3) From the forty-sixth day before general voting day until the close of general voting, a copy of the list of registered electors as it stands at the beginning of that period must be available for public inspection at the local government offices during its regular office hours.
- (4) Before inspecting the list of registered electors, a person other than a local government officer or employee acting in the course of duties must sign a statement that the person will not inspect the list or use the information included in the list except for the purposes of this Part.
- (5) The designated local government officer must ensure that the statements referred to in subsection (4) are kept until after general voting day for the next general local election.
- (6) At least 6 days but not more than 30 days before the first day on which the list of registered electors is required to be available under subsection (3), notice must be given in accordance with section 50 *[public notice requirements]* that
- (a) a copy of the list of registered electors will be available for public inspection at the local government offices during its regular office hours from the date specified in the notice until the close of general voting for the election,
- (b) an elector may request that personal information respecting the elector be omitted from or obscured on the list in accordance with section 78 *[protection of privacy]*, and
- (c) an objection to the registration of a person as an elector may be made in accordance with section 79 *[objection to elector registration]* before 4 p.m. on the thirty-sixth day before general voting day.
- (7) The list of registered electors must be updated to reflect the changes to the register of electors made after any objections under section 79 have been dealt with.
- (8) Each person who has been nominated in accordance with section 89 *[nomination by delivery of nomination documents]* is entitled, for use by the person for the purposes of the election, to
- (a) one copy of the list of registered electors without charge, and
- (b) on payment to the municipality or regional district of the reasonable costs of reproduction, other copies as requested by the person.
- (9) Before receiving a list of registered electors, a person referred to in subsection (8) must sign a statement that the person will not inspect the document or use the information in it except for the purposes of this Part.
- (10) Despite section 95 (3) of the *Community Charter* and section 27 (7) of the *Interpretation Act*, a person who is entitled to inspect a copy of the list of registered electors under subsection (3) of this section is not entitled to obtain a copy of the list.

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RS2015-1-77 (B.C. Reg. 257/2015); 2021-30-41, Sch 1.

Protection of privacy

- 78.** If requested by an elector in order to protect the privacy or security of the elector, the chief election officer must amend a list of registered electors that is to be available for public inspection, or that is to be provided under section 77 (8) [*list provided to candidates*], by omitting or obscuring the address of the elector or other information about the elector.

RS2015-1-78 (B.C. Reg. 257/2015).

Objection to elector registration

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- 79.** (1) The registration of a person whose name appears on the list of registered electors under section 77 (3) may be objected to in accordance with this section.
- (2) An objection must be received by the designated local government officer, or a person authorized for this purpose by that officer, before 4 p.m. on the thirty-sixth day before general voting day.
- (3) An objection may be made only by a person entitled to be registered as an elector of the municipality or electoral area for which the registration is questioned.
- (4) An objection may be made only on the basis
- (a) that the person whose name appears has died, or
 - (b) that, at the time of the objection, the person is not qualified to be registered as an elector of the municipality or electoral area.
- (5) An objection must be made in writing, signed by the person making it and include the following:
- (a) the name and address, as shown in the list of registered electors, of the person against whose registration the objection is made;
 - (b) the basis of the objection, including a statement of the facts that the objector believes support this;
 - (c) the name and address of the person making the objection.
- (6) On receiving an objection, the designated local government officer must make a reasonable effort to notify the person against whom the objection is made of
- (a) the objection,
 - (b) the name of the person who made the objection, and
 - (c) the basis on which the objection is made.

RS2015-1-79 (B.C. Reg. 257/2015); 2021-30-41, Sch 1.

Resolving objections to registration

- 80.** (1) An objection under section 79 on the basis of death must be resolved by the designated local government officer in accordance with the following:
- (a) that official must have a search made of the records under the *Vital Statistics Act*;
 - (b) if a record of death is found and that official is satisfied that it applies to the person whose registration is being objected to, that official must remove the person's name from the register of electors;
 - (c) if a record of death is not found and that official is unable to contact the person, the official must proceed in accordance with subsection (2) (c) and (d).
- (2) An objection on the basis that a person is not entitled to be registered as an elector must be resolved by the designated local government officer in accordance with the following:
- (a) if, after receiving notice of the objection, the person provides proof satisfactory to that official of the person's entitlement to be registered or makes a solemn declaration as to that entitlement, the person's name is to stay on the register of electors;

- (b) if, after receiving notice of the objection, the person does not provide proof of entitlement or make a solemn declaration as to entitlement, that official must remove the person's name from the register of electors;
- (c) if that official is unable to contact the person, that official must require the person who made the objection to provide proof satisfactory to that official of the basis of the objection and, if this is done, must remove the name from the register of electors;
- (d) if the person who made the objection does not provide satisfactory proof as required by paragraph (c), the name is to stay on the register of electors.

RS2015-1-80 (B.C. Reg. 257/2015).

Part 3: Division 5 – Qualifications for Office

Who may hold office on a local government

81. (1) A person is qualified to be nominated for office, and to be elected to and hold office, on a local government if at the relevant time the person meets all the following requirements:

- (a) the person must be an individual who is, or who will be on general voting day for the election, 18 years of age or older;
- (b) the person must be a Canadian citizen;
- (c) the person must have been a resident of British Columbia, as determined in accordance with section 67, for at least 6 months immediately before the relevant time;
- (d) the person must not be disqualified under this Act or any other enactment from voting in an election in British Columbia or from being nominated for, being elected to or holding the office, or be otherwise disqualified by law.

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(2) Without limiting subsection (1) (d), the following persons are disqualified from being nominated for, being elected to or holding office on a local government:

- (a) a person who is a judge of the Court of Appeal, Supreme Court or Provincial Court;
- (b) a person who is disqualified under section 82 as an employee of a local government, except as authorized under that section;

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(b.1) a person who is disqualified from holding office under section 82.1;

(c) a person who is disqualified under any of the following provisions of this Act, including as the provisions apply under section 6 (6) [*application to trustees*] of the *Islands Trust Act*:

- (i) section 202 (4) [*failure to make oath or affirmation of office*];
- (ii) section 204 (1) [*unexcused absence from board meetings*];

(d) a person who is disqualified under any of the following provisions of the *Community Charter*:

- (i) Division 6 [*Conflict of Interest*] of Part 4 [*Public Participation and Council Accountability*], including as it applies under section 205 (1) [*application to regional district directors*] of this Act and under section 6 (7) [*application to trustees*] of the *Islands Trust Act*;
- (ii) section 120 (1.1) [*failure to make oath of office*];
- (iii) section 125 (5) [*unexcused absence from council meetings*];
- (iv) section 191 (3) [*unauthorized expenditures*];

(e) a person who is disqualified under any of the provisions referred to in paragraph (c) or (d) as the provision applies under another enactment;

- (f) a person who is disqualified from holding office on the council of the City of Vancouver under any of the provisions of the *Vancouver Charter* referred to in section 38 (2) (c) or (d) [*disqualifications from holding office*] of that Act;
- (g) a person who is disqualified from holding office under
 - (i) Division 18 [*Election Offences*] of this Part as it applies to elections or voting under this Act or any other Act, or
 - (ii) Division (17) of Part I of the *Vancouver Charter* as it applies to elections or voting under that Act or any other Act;
- (h) a person who is disqualified under the *Local Elections Campaign Financing Act* from holding office on a local authority;
- (i) a person who is disqualified under any other enactment.

RS2015-1-81 (B.C. Reg. 257/2015); 2016-9-42; 2022-15-17.

Disqualification of local government employees

82. (1) For the purposes of this section, "employee" means
- (a) an employee or salaried officer of a municipality or regional district, or
 - (b) a person who is within a class of persons deemed by regulation under section 168 [*election regulations*] to be employees of a specified municipality or regional district,
- but does not include a person who is within a class of persons excepted by regulation under section 168.
- (2) Unless the requirements of this section are met, an employee of a municipality is disqualified from being nominated for, being elected to or holding office
 - (a) as a member of the council of the municipality, or
 - (b) as a member of the board of the regional district in which the municipality is located.
 - (3) Unless the requirements of this section are met, an employee of a regional district is disqualified from being nominated for, being elected to or holding office
 - (a) as a member of the board of the regional district, or
 - (b) as a member of the council of a municipality, including the City of Vancouver, that is within the regional district.
 - (4) Before being nominated for an office to which subsection (2) or (3) applies, the employee must give notice in writing to the employee's employer of the employee's intention to consent to nomination.
 - (5) Once notice is given under subsection (4), the employee is entitled to and must take a leave of absence from the employee's position with the employer for a period that, at a minimum,
 - (a) begins on the first day of the nomination period or the date on which the notice is given, whichever is later, and
 - (b) ends, as applicable,
 - (i) if the person is not nominated before the end of the nomination period, on the day after the end of that period,
 - (ii) if the person withdraws as a candidate in the election, on the day after the withdrawal,
 - (iii) if the person is declared elected, on the day the person resigns in accordance with subsection (8) or on the last day for taking office before the person is disqualified for a failure to take the oath of office within the time specified by an enactment that applies to the person,

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- (iv) if the person is not declared elected and an application for judicial recount is not made, on the last day on which an application for a judicial recount may be made, or
 - (v) if the person is not declared elected and an application for judicial recount is made, on the date when the results of the election are determined by or following the judicial recount.
- (6) If agreed by the employer, as a matter of employment contract or otherwise, the leave of absence under this section may be for a period longer than the minimum required by subsection (5).
- (7) Sections 54 [*duties of employer in relation to leave*] and 56 [*employment deemed continuous while on leave*] of the *Employment Standards Act* apply to a leave of absence under this section.
- (8) Before making the oath of office, an employee on a leave of absence under this section who has been elected must resign from the person's position with the employer.
- (9) At the option of the employee, a resignation under subsection (8) may be conditional on the person's election not being declared invalid on an application under section 153 [*application to court respecting validity of election*].

RS2015-1-82 (B.C. Reg. 257/2015); 2023-10-513.

(ADD) **Disqualification – indictable offence**

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- 82.1** (1) A person who is convicted of an indictable offence is disqualified from being nominated for, being elected to or holding office on a local government from the date of the conviction until the date on which the person is sentenced.
- (2) If a person elected or appointed to office on a local government is convicted of an indictable offence, the person's office becomes vacant on the date of the conviction.
- (3) For certainty, a person whose office becomes vacant under subsection (2) and whose conviction is overturned on appeal is not entitled, if the term of office for which the person was elected has not ended, to take office for the unexpired part of the term.

2022-15-18.

Only one elected office at a time in the same local government

- 83.** (1) At any one time a person may not hold more than one elected office in the same local government.
- (2) At any one time a person may not be nominated for more than one elected office in the same local government.
- (3) A current member of a local government may not be nominated for an election under section 54 [*by-elections*] for another office in the same local government unless the person resigns from office within 14 days after the day on which the chief election officer is appointed.

RS2015-1-83 (B.C. Reg. 257/2015).

Part 3: Division 6 – Nomination of Candidates

Nomination period

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- 84.** (1) The period for receiving nominations begins at 9 a.m. on the forty-sixth day before general voting day and ends at 4 p.m. on the thirty-sixth day before general voting day.

- (2) If the first day of the nomination period would otherwise fall on a holiday, the nomination period begins on the next day that is not a holiday.
- (3) If the last day of the nomination period would otherwise fall on a holiday, the nomination period ends on the last day before that day that is not a holiday.

RS2015-1-84 (B.C. Reg. 257/2015); 2021-30-41, Sch 1.

Notice of nomination

85. (1) At least 6 days but not more than 30 days before the nomination period begins, the chief election officer must issue a notice of nomination under this section in accordance with section 50 *[public notice requirements]*.
- (2) The notice must include the following information:
- (a) the offices for which candidates are to be elected;
 - (b) the dates, times and places at which nominations will be received;
 - (c) how interested persons can obtain information on the requirements and procedures for making a nomination;
 - (c.1) the expense limits,
 - (i) made publicly available under section 63.03 of the *Local Elections Campaign Financing Act*, that apply to the election area, or
 - (ii) if the election is a by-election, that apply to the election area under section 63.04 of the *Local Elections Campaign Financing Act*;
 - (c.2) the third party advertising limits,
 - (i) made publicly available under section 41.3 (2) of the *Local Elections Campaign Financing Act*, that apply to the election area, or
 - (ii) if the election is a by-election, that apply to the election area under section 41.4 of the *Local Elections Campaign Financing Act*;
 - (d) any other information required to be included by regulation under section 168 *[election regulations]*.
- (3) The notice may include any other information the chief election officer considers appropriate.
- (4) The chief election officer may provide for additional notice of the call for nominations to be given to the public.

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RS2015-1-85 (B.C. Reg. 257/2015); 2016-9-43.

Nomination of candidates

86. (1) A nomination for office as a member of a local government must be made in accordance with section 87, separately for each candidate,
- (a) by at least 2 qualified nominators of the municipality or electoral area for which the nomination is made, or
 - (b) if a bylaw under subsection (2) of this section applies, by at least the minimum number of such persons as set by the bylaw.
- (2) A local government may, by bylaw, set the minimum number of qualified nominators as follows:
- (a) in relation to a municipality or electoral area that has a population of 5 000 or more, the minimum number of qualified nominators may be set at either 10 or 25;

- (b) in relation to a municipality or electoral area that has a population of less than 5 000, the minimum number of qualified nominators may be set at 10.
- (3) In order to be qualified as a nominator, a person
- (a) must be an elector of the municipality or electoral area for which the nomination is made, and
 - (b) in the case of a nomination for an office to be filled on a neighbourhood constituency basis, must also be qualified as a resident elector or non-resident property elector in relation to the area of the neighbourhood constituency.
- (4) A person may subscribe as nominator to as many nomination documents as, but not more than, the number of persons who are to be elected to fill the office for which the election is being held.
- (5) Even if one or more of the nominators are not qualified in accordance with this section, a nomination is valid as long as the nomination is made by at least the minimum number of qualified nominators.

RS2015-1-86 (B.C. Reg. 257/2015).

Nomination documents

87. (1) A nomination for local government office must be in writing and must include the following:
- (a) the full name of the person nominated;
 - (b) the usual name of the person nominated, if the full name of the person is different from the name the person usually uses and the person wishes to have the person's usual name on the ballot instead;
 - (c) the office for which the person is nominated;
 - (d) the residential address of the person nominated, and the mailing address if this is different;
 - (e) the names and residential addresses of the nominators and, if a nominator is a non-resident property elector, the address of the property in relation to which the nominator is such an elector;
 - (f) a statement signed by the nominators that, to the best of their knowledge, the person nominated is qualified under section 81 [*who may hold office on a local government*] to be nominated;
 - (g) if applicable, the name of the elector organization that proposes to endorse the person nominated.
- (2) For a nomination to be accepted for filing, a nomination must be accompanied by the following:
- (a) a statement signed by the person nominated consenting to the nomination;
 - (b) a solemn declaration in accordance with subsection (3) of the person nominated, either made in advance or taken by the chief election officer at the time the nomination documents are delivered;
 - (c) as applicable, a signed declaration of the person nominated
 - (i) that the person is acting as the person's own financial agent, or
 - (ii) identifying the person who is appointed under the *Local Elections Campaign Financing Act* to act as financial agent for the person nominated;
 - (d) the written disclosure required by section 2 (1) of the *Financial Disclosure Act*.

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- (3) For the purposes of subsection (2) (b), the person nominated must make a solemn declaration

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- (a) that the person is qualified under section 81 to be nominated for the office,
- (b) that, to the best of the person's knowledge and belief, the information provided in the nomination documents is true,
- (c) that the person fully intends to accept the office if elected, and
- (d) that the person
- (i) is aware of the *Local Elections Campaign Financing Act*,
 - (ii) understands the requirements and restrictions that apply to the person under that Act, and
 - (iii) intends to fully comply with those requirements and restrictions.

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- (4) A person must not consent to be nominated knowing that the person is not qualified to be nominated.

RS2015-1-87 (B.C. Reg. 257/2015); 2021-5-72 (B.C. Reg. 281/2021); 2023-10-514.

Nomination deposits

88. (1) The local government may, by bylaw, require that a nomination for mayor, councillor or electoral area director be accompanied by a nomination deposit.
- (2) The amount of a required nomination deposit may be different for the different offices referred to in subsection (1), but must not be greater than \$100.
- (3) A nomination deposit must be held by the chief election officer to be dealt with as follows:
- (a) if the person nominated is not declared to be a candidate under section 97 [*declaration of candidates*], the deposit is to be returned to the person or to the financial agent for the person;
 - (b) in the case of a person declared to be a candidate, if the candidate disclosure statement required under the *Local Elections Campaign Financing Act* for the person is filed in accordance with section 47 (1) [*time limit for filing on time*] of that Act, the deposit is to be returned to the person or the financial agent for the person;
 - (c) in the case of a person declared to be a candidate, the deposit is to be returned to the person or the financial agent for the person if the required candidate disclosure statement is not filed as referred to in paragraph (b), but
 - (i) an application for relief in relation to the disclosure statement is made under Division 2 [*Court Orders for Relief in Relation to Disclosure Requirements*] of Part 6 of the *Local Elections Campaign Financing Act*,
 - (ii) the court provides relief in relation to forfeiture of the deposit, and
 - (iii) if applicable, there is compliance with the court order;
 - (d) in other cases, the deposit is forfeited and is to be paid to the local government.

RS2015-1-88 (B.C. Reg. 257/2015).

Nomination by delivery of nomination documents

89. (1) In order to make a nomination,
- (a) the nomination documents required by section 87, and
 - (b) if applicable, the nomination deposit required under section 88

must be received before the end of the nomination period by the chief election officer or a person designated by the chief election officer for this purpose.

- (2) The obligation to ensure that the nomination documents and nomination deposit are received in accordance with this section rests with the person being nominated.
- (3) For the purposes of subsection (1), the nomination documents and nomination deposit
 - (a) must be received at the local government offices during its regular office hours, and
 - (b) may be received at other times and places as specified by the chief election officer.
- (4) Nomination documents may be delivered
 - (a) by hand, by mail or by other delivery service, or
 - (b) by fax or email, with originals to follow.
- (5) If the originals of nomination documents delivered by fax or email are not received by the chief election officer before the end of the twenty-ninth day before general voting day, the person nominated is deemed to have withdrawn from being a candidate in the election.
- (6) After receiving nomination documents, the chief election officer must review the list under section 60 [*Elections BC to maintain disqualification lists*] of the *Local Elections Campaign Financing Act* to determine whether an application must be made under section 91 (5) [*challenge required if candidate appears to be disqualified*] of this Act.
- (7) Nomination documents delivered to the chief election officer
 - (a) must be available for public inspection in the local government offices during its regular office hours from the time of delivery until 30 days after the declaration of the election results under section 146, and
 - (b) if a bylaw under subsection (8) applies, must be made available to the public in accordance with the bylaw.
- (8) A local government may, by bylaw, provide for public access to nomination documents, during all or part of the period referred to in subsection (7) (a), in any manner the local government considers appropriate, including by the internet or other electronic means.
- (9) A person who inspects or otherwise accesses nomination documents under this section must not use the information included in them except for the purposes of this Act or purposes authorized by section 63 [*restrictions on use of personal information*] of the *Local Elections Campaign Financing Act*.

RS2015-1-89 (B.C. Reg. 257/2015); 2021-30-41, Sch 1.

Other information to be provided by candidate

90. (1) A person who is nominated for local government office must, before the end of the nomination period, provide the following to the chief election officer:
 - (a) a telephone number at which the person may be contacted;
 - (b) an email address at which the person may be contacted, unless the person does not have such an address;
 - (c) an address for service at which notices and other communications under this Act or other local elections legislation will be accepted as served on or otherwise delivered to the person;
 - (d) as applicable,
 - (i) a statement that the person is acting as the person's own financial agent, or
 - (ii) the information and material required under section 17 (5) [*candidate financial agent appointment documents*] of the *Local Elections Campaign Financing Act*;

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- (e) any other information or material required by regulation under section 168 [*election regulations*].
- (2) If the information and material required under subsection (1) are not received by the chief election officer before the end of the nomination period, the person nominated is deemed to have withdrawn from being a candidate in the election.
- (3) If there is any change in the information or related material required to be provided under subsection (1), the person nominated must provide updated information and material as follows:
 - (a) to the chief election officer if the change occurs before the declaration of the results of the election;
 - (b) to the BC chief electoral officer if the change occurs after the declaration of those results.

RS2015-1-90 (B.C. Reg. 257/2015); 2023-10-515.

Challenge of nomination

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91. (1) A nomination may be challenged only by an application to the Provincial Court in accordance with this section.
- (2) The time period during which a challenge may be made is between the time of the delivery of the nomination documents in accordance with section 89 and 4 p.m. on the fourth day after the end of the nomination period.
- (3) A challenge may be made only by
 - (a) a person who is an elector of the municipality or electoral area for which the election is being held,
 - (b) another nominee in the same election, or
 - (c) the chief election officer.
- (4) A challenge may be made only on one or more of the following bases:
 - (a) that the person is not qualified to be nominated or elected;
 - (b) that the nomination was not made in accordance with sections 86 to 89;
 - (c) that the usual name given under section 87 (1) (b) in the nomination documents is not in fact the usual name of the person.
- (5) The chief election officer must commence a challenge under this section if, on a review under section 89 (6) [*review of disqualification list*], it appears to the chief election officer that a person is disqualified from being nominated.
- (6) The document filed with the court to commence a challenge must briefly set out the facts on which the challenge is based and must be supported by affidavit as to those facts.
- (7) At the time a challenge is commenced, a time must be set for the hearing that is adequate to allow the court to give its decision on the matter within the time limit set by subsection (9).
- (8) The person making a challenge must
 - (a) immediately give notice of the challenge to the chief election officer and the person whose nomination is challenged, and
 - (b) within 24 hours of filing the document commencing the application, serve on these persons that document, the accompanying affidavit and a notice of the time set for the hearing.
- (9) Within 72 hours of the end of the period for commencing a challenge, the court must hear and determine the matter and must issue an order, as applicable,
 - (a) confirming the person as a candidate or declaring that the person is no longer a candidate, or

- (b) declaring that the person is or is not entitled to have the usual name indicated in the nomination documents used on the ballot.
- (10) The court may order that the costs of a challenge, within the meaning of the Supreme Court Civil Rules, be paid in accordance with the order of the court.
- (11) The decision of the court on a challenge under this section is final and may not be appealed.

RS2015-1-91 (B.C. Reg. 257/2015); 2021-30-41, Sch 1.

Part 3: Division 7 – Candidate Endorsement by Elector Organization

Candidate endorsement by elector organization may be included on ballot

- (REP)
Dec
01/21
(SUB)
Dec
01/21
92. (1) Subject to this section, an incorporated or unincorporated organization may endorse a candidate in an election and have that endorsement included on the ballot for the election if
- (a) the organization makes the endorsement in accordance with section 93, and
 - (b) the candidate consents to the endorsement.
 - (c) *Repealed.* [2021-5-73 (B.C. Reg. 281/2021)]
- (2) To be qualified to endorse a candidate, an organization must be registered under Division 6 [*Registration of Elector Organizations*] of Part 2 [*Candidate and Elector Organization Campaign Financing*] of the *Local Elections Campaign Financing Act*.
- (3) An organization must not endorse more candidates in an election for a particular office than there are positions to be filled for that office.
- (4) A candidate must not consent to endorsement by more than one organization in relation to the same election for the same office.

RS2015-1-92 (B.C. Reg. 257/2015); 2021-5-73 (B.C. Reg. 281/2021).

Endorsement documents

- (AM)
Dec
01/21
93. (1) An organization must file the following with the chief election officer and the BC chief electoral officer before the end of the nomination period in order to endorse a candidate:
- (a) a statement of the following:
 - (i) the full name of the candidate to be endorsed by the elector organization and, if applicable, the usual name that is to be used on the ballot;
 - (ii) the legal name of the organization, if applicable;
 - (iii) the usual name of the organization, if this is different from its legal name or if it has no legal name;
 - (iv) any abbreviations, acronyms and other names used by the elector organization;
 - (v) which name, abbreviation or acronym the elector organization wishes to have included on the ballot;
 - (vi) the name and required contact information of the authorized principal official of the organization;
 - (b) written consent of the candidate to the endorsement.
 - (c) and (d) *Repealed.* [2021-5-74 (B.C. Reg. 281/2021)]
- (2) to (5) *Repealed.* [2021-5-74 (B.C. Reg. 281/2021)]
- (AM)
Dec
01/21
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01/21
(REP)
Dec
01/21

- (6) Section 89 (7) to (9) [*public access to nomination documents*] applies in relation to endorsement documents.

RS2015-1-93 (B.C. Reg. 257/2015); 2021-5-74 (B.C. Reg. 281/2021).

(REP) **Repealed**

Dec
01/21

- 94.** *Repealed.* [2021-5-75 (B.C. Reg. 281/2021)]

Withdrawal of endorsement on ballot

(AM)
Nov
25/21
(AM)
Mar
30/23

- 95.** An elector organization endorsement must not appear on a ballot if, before 4 p.m. on the twenty-ninth day before general voting day,
- (a) the candidate withdraws the candidate's consent to have the elector organization endorsement appear on the ballot by delivering a signed withdrawal to the chief election officer by that time, or
 - (b) the elector organization withdraws its endorsement of the candidate by delivering to the chief election officer by that time a written withdrawal signed by the authorized principal official of the elector organization.

RS2015-1-95 (B.C. Reg. 257/2015); 2021-30-41, Sch 1; 2023-10-516.

(REP) **Repealed**

Dec
01/21

- 96.** *Repealed.* [2021-5-76 (B.C. Reg. 281/2021)]

Part 3: Division 8 – Declaration of Candidates

Declaration of candidates

(AM)
Nov
25/21

- 97.** (1) Immediately following the end of the nomination period, the chief election officer must declare as candidates for an elected office all persons who have been nominated for the office.
- (2) If there are fewer persons declared as candidates than there are to be elected, additional nominations must be received by the chief election officer from the time of the declaration under subsection (1) up until 4 p.m. on the third day after the end of the nomination period.
- (3) If reasonably possible, the chief election officer must give notice to the public of an extended time for receiving nominations under subsection (2).
- (4) At the end of the time for receiving additional nominations under subsection (2), the chief election officer must declare as candidates for an elected office all additional persons who have been nominated for the office.

RS2015-1-97 (B.C. Reg. 257/2015); 2021-30-41, Sch 1.

Declaration of election by voting or acclamation

- 98.** (1) At 4 p.m. on the Monday following the last day for determining a challenge under section 91 [*challenge of nomination*], the chief election officer must declare the election in accordance with this section.
- (2) If there are more candidates for an office than there are to be elected for the office, the chief election officer must declare that an election by voting is to be held.
- (3) If no more candidates for an office are nominated than there are to be elected for that office, the chief election officer must declare the candidate or candidates elected by acclamation.

Notice of election by voting

99. (1) At least 6 days but not more than 30 days before general voting day for an election by voting under section 98 (2), the chief election officer must issue a notice of election in accordance with section 50 [*public notice requirements*].
- (2) The notice must include the following information:
- (a) the offices for which persons are to be elected;
 - (b) the usual names and residential addresses of the candidates for each office;
 - (c) the date of general voting day, the voting places for required general voting opportunities and the voting hours for those places;
 - (d) the documents that will be required in order for a person to register as an elector at the time of voting;
 - (e) if applicable, information required to be included under section 53 (6) regarding neighbourhood constituencies or section 113 (5) regarding municipal voting divisions.
- (3) The notice may also include any other information the chief election officer considers appropriate.
- (4) The chief election officer may provide for additional notice of the election to be given to the public.
- (5) For the purposes of including the residential address of a candidate in a notice under this section, an address that indicates the municipality or electoral area in which the candidate is resident is sufficient.
- (6) If requested by a candidate in sufficient time to reasonably have this done, the residential address of the candidate included in a notice under this section must be limited to the municipality or electoral area in which the candidate is resident.

Appointment if insufficient number of candidates are elected

100. (1) If there are fewer candidates declared elected by acclamation under section 98 than there are to be elected, the local government must appoint a person to each vacant office,
- (a) in the case of a general local election, within 30 days after the first meeting of the local government at which the persons elected in the election are holding office, and
 - (b) in any other case, within 30 days after the first meeting of the local government after the declaration of the election results.
- (2) If a local government fails to make an appointment required by subsection (1), or if there is no quorum of the local government able to make the appointment, the minister must appoint a person to each vacant office.
- (3) A person appointed under this section
- (a) must be qualified under section 81 to hold the office, and
 - (b) must reside in the municipality, electoral area or neighbourhood constituency, as applicable, at the time of appointment.
- (4) A person appointed as a member of a local government under this section or any other provision of this Act has the same rights, duties and powers as a person elected as a member.

- (5) An enactment that applies to an elected member of a local government applies to a person appointed under this section in the same manner as if the person had been elected at the election in relation to which the appointment is made.

RS2015-1-100 (B.C. Reg. 257/2015).

Part 3: Division 9 – Candidates and Representatives

Withdrawal, death or incapacity of candidate

(AM)
Nov
25/21

- 101.** (1) At any time up until 4 p.m. on the twenty-ninth day before general voting day, a person who has been nominated may withdraw from being a candidate in the election by delivering a signed withdrawal to the chief election officer, which must be accepted if the chief election officer is satisfied as to its authenticity.
- (2) After the time referred to in subsection (1), a candidate may withdraw only by delivering to the chief election officer a signed request to withdraw and receiving the approval of the minister.
- (3) For the purposes of subsection (2), the chief election officer must notify the minister of a request to withdraw as soon as practicable after receiving it.
- (4) The chief election officer must notify the minister if, between the declaration of an election by voting under section 98 (2) and general voting day for the election,
- (a) a candidate dies, or
 - (b) in the opinion of the chief election officer, a candidate is incapacitated to an extent that will prevent the candidate from holding office.
- (5) On approving a withdrawal under subsection (2) or being notified under subsection (4), the minister may order
- (a) that the election is to proceed, subject to any conditions specified by the minister, or
 - (b) that the original election is to be cancelled and that a new election is to be held in accordance with the directions of the minister.

RS2015-1-101 (B.C. Reg. 257/2015); 2021-30-41, Sch 1.

Appointment of candidate representatives

- 102.** (1) A candidate may appoint
- (a) one individual to act as official agent of the candidate, to represent the candidate from the time of appointment until the final determination of the election or the validity of the election, as applicable, and
 - (b) scrutineers, to represent the candidate by observing the conduct of voting and counting proceedings for the election.
- (2) An appointment as a candidate representative must
- (a) be made in writing and signed by the person making the appointment,
 - (b) include the name and address of the person appointed, and
 - (c) be delivered to the chief election officer or a person designated by the chief election officer for this purpose as soon as practicable after the appointment is made.
- (3) An appointment as a candidate representative may be rescinded only in the same manner as the appointment was made.
- (4) An appointment of an official agent may include a delegation of the authority to appoint scrutineers.

- (5) If notice is to be served or otherwise given under this Part to a candidate, it is sufficient if the notice is given to the official agent of the candidate.

RS2015-1-102 (B.C. Reg. 257/2015).

Presence of candidate representatives at election proceedings

103. (1) A candidate representative present at a place where election proceedings are being conducted must
- (a) carry a copy of the person's appointment under section 102,
 - (b) before beginning duties at the place, show the copy of the appointment to the presiding election official or an election official specified by the presiding election official, and
 - (c) show the copy of the appointment to an election official when requested to do so by the official.
- (2) The presiding election official may designate one or more locations at a place where election proceedings are being conducted as locations from which candidate representatives may observe the proceedings and, if this is done, the candidate representatives must remain in those locations.
- (3) The absence of a candidate representative from a place where election proceedings are being conducted does not invalidate anything done in relation to an election.

RS2015-1-103 (B.C. Reg. 257/2015).

Part 3: Division 10 – Voting Opportunities

Voting opportunities for electors

104. An elector who meets the applicable qualifications may vote in an election at one of the following voting opportunities:
- (a) on general voting day at a required general voting opportunity or at an additional general voting opportunity, if any;
 - (b) at a required advance voting opportunity or at an additional advance voting opportunity, if any;
 - (c) at a special voting opportunity, if any;
 - (d) by mail ballot, if this is available for the election.

RS2015-1-104 (B.C. Reg. 257/2015).

Required general voting opportunities

105. (1) As soon as practicable after the declaration of an election by voting, the chief election officer must designate voting places for general voting day.
- (2) If neighbourhood constituencies or municipal voting divisions are established, the chief election officer must specify which of the voting places under subsection (1) is to be used on general voting day for each neighbourhood constituency or municipal voting division.
- (3) The voting places under subsection (1) must be open on general voting day from 8 a.m. to 8 p.m. to all electors entitled to vote, subject to the restrictions regarding where a person may vote if municipal voting divisions or neighbourhood constituencies are established.

RS2015-1-105 (B.C. Reg. 257/2015).

Additional general voting opportunities

106. (1) A local government may, by bylaw,
- (a) establish or authorize the chief election officer to establish additional voting opportunities for general voting day, and
 - (b) designate the voting places and set the voting hours for these voting opportunities or authorize the chief election officer to do this.
- (2) As a limit on subsection (1), the voting hours established for an additional general voting opportunity must not extend later than 8 p.m. on general voting day.
- (3) The chief election officer must give notice of an additional general voting opportunity in any manner the chief election officer considers appropriate.
- (4) The notice under subsection (3) must include the date, place and voting hours for the voting opportunity.

RS2015-1-106 (B.C. Reg. 257/2015).

Required advance voting opportunities

(AM)
Nov
25/21

107. (1) At least 2 advance voting opportunities must be held for an election by voting,
- (a) one on the tenth day before general voting day, and
 - (b) the other on another date which the local government must establish by bylaw.
- (2) As an exception to subsection (1) in relation to a municipality or electoral area with a population of 5 000 or less, the local government may, by bylaw, provide that the advance voting opportunity referred to in subsection (1) (b) is not to be held for the municipality or electoral area.
- (3) Voting hours for the required advance voting opportunities must be from 8 a.m. to 8 p.m.
- (4) As soon as practicable after the declaration of an election by voting, the chief election officer must designate voting places for the required advance voting opportunities.
- (5) At least 6 days but not more than 30 days before a required advance voting opportunity, the chief election officer must give notice in accordance with section 50 [*public notice requirements*] of
- (a) the date, location of the voting places and voting hours for the voting opportunity, and
 - (b) the documents that will be required in order for a person to register as an elector at the time of voting.

RS2015-1-107 (B.C. Reg. 257/2015); 2021-30-41, Sch 1.

Additional advance voting opportunities

108. (1) A local government may, by bylaw,
- (a) establish, or authorize the chief election officer to establish, dates for additional voting opportunities in advance of general voting day, and
 - (b) designate, or authorize the chief election officer to designate, the voting places and set the voting hours for these voting opportunities.
- (2) The chief election officer must give notice of an additional advance voting opportunity in any manner the chief election officer considers appropriate.
- (3) The notice under subsection (2) must include the date, place and voting hours for the voting opportunity.

RS2015-1-108 (B.C. Reg. 257/2015).

Special voting opportunities

109. (1) In order to give electors who may otherwise be unable to vote an opportunity to do so, a local government may, by bylaw, establish one or more special voting opportunities under this section.
- (2) A bylaw under subsection (1) may do one or more of the following for each special voting opportunity:
- (a) for the purpose referred to in subsection (1), establish restrictions on persons who may vote at the special voting opportunity;
 - (b) establish procedures for voting and for conducting the voting proceedings that differ from those established under other provisions of this Part;
 - (c) limit, or authorize the chief election officer to limit, the number of candidate representatives who may be present at the special voting opportunity;
 - (d) establish, or authorize the chief election officer to establish, the date and voting hours when and the place where the special voting opportunity is to be conducted.
- (3) At least one candidate representative is entitled to be present at a special voting opportunity for the election, with that candidate representative chosen by agreement of the candidates for that election or, failing such agreement, by the chief election officer.
- (4) The voting hours established under subsection (2) (d) for a special voting opportunity must not extend later than 8 p.m. on general voting day.
- (5) A special voting opportunity may be conducted at a location outside the boundaries of the municipality or electoral area for which the election is being held.
- (6) The chief election officer must give notice of a special voting opportunity in any manner the chief election officer considers will give reasonable notice to the electors who will be entitled to vote at it.
- (7) The notice of a special voting opportunity must include the following:
- (a) the date, the location and the voting hours for the special voting opportunity;
 - (b) any restrictions on who may vote at the special voting opportunity;
 - (c) any special procedures involved.

RS2015-1-109 (B.C. Reg. 257/2015).

Mail ballot voting

110. (1) Subject to this section and any regulations under section 168 [*election regulations*], a local government may, by bylaw, permit voting to be done by mail ballot and, in relation to this, may permit elector registration to be done in conjunction with this voting.
- (2) and (3) *Repealed*. [2021-16-5]
- (4) A bylaw under subsection (1) may
- (a) establish procedures for voting and registration that differ from those established under other provisions of this Part, and
 - (b) establish, or authorize the chief election officer to establish, time limits in relation to voting by mail ballot.
- (5) The chief election officer must give notice of an opportunity to vote by mail ballot in any manner the chief election officer considers will give reasonable notice to the electors who will be entitled to vote by this means.

(REP)
Jun
17/21

- (6) The procedures for voting by mail ballot must require the chief election officer to keep sufficient records so that challenges of an elector's right to vote may be made in accordance with the intent of section 126 [*challenge of elector*].
- (7) Mail ballot packages must contain the following:
- (a) the ballot or ballots to which an elector is entitled;
 - (b) a secrecy envelope that has no identifying marks, in which the ballots are to be returned;
 - (c) a certification envelope on which is printed the information referred to in subsection (8) for completion by the person voting, in which the secrecy envelope is to be placed;
 - (d) an outer envelope on which is printed the address of the chief election officer at the local government offices and in which the envelopes under paragraphs (b) and (c) and, if applicable, the registration application under paragraph (e) are to be returned;
 - (e) if permitted by the bylaw under subsection (1), an application for registration as an elector, to be completed if necessary and returned in the outer envelope;
 - (f) instructions as to how to vote by mail ballot.
- (8) The certification envelope must be printed
- (a) with spaces in which the person voting is to record the person's full name and residential address, and
 - (b) with a statement to be signed by the person voting declaring that the person
 - (i) is entitled to be registered as an elector for the election,
 - (ii) is entitled to vote by mail ballot, and
 - (iii) has not previously voted in the election and will not afterwards vote again in the election.
- (9) In order to be counted for an election, a mail ballot must be received by the chief election officer before the close of voting on general voting day and it is the obligation of the person applying to vote by mail ballot to ensure that the mail ballot is received by the chief election officer within this time limit.

(AM)
Mar
30/23

RS2015-1-110 (B.C. Reg. 257/2015); 2021-16-5; 2023-10-515.

Part 3: Division 11 – Arrangements for Voting

Voting places

111. (1) So far as reasonably possible, voting places must be easily accessible to persons who have a physical disability or whose mobility is impaired.
- (2) A voting place for a required general voting opportunity must not be outside the boundaries of the municipality or electoral area for which the election is being held unless one of the following circumstances applies:
- (a) at least one voting place for that voting opportunity is within the boundaries;
 - (b) there are no facilities as described in subsection (1) available within the boundaries, or there are facilities outside the boundaries that are more accessible as described in that subsection;
 - (c) the chief election officer considers that the location will be more convenient for a majority of electors of the municipality or electoral area.
- (3) A voting place for an additional general voting opportunity or for an advance voting opportunity may be outside the boundaries of the municipality or electoral area for which the election is being held.

Use of voting machines

112. (1) A local government may, by bylaw, provide for the use of automated voting machines, voting recorders or other devices for voting in an election, subject to any requirements, limits and conditions established by regulation under section 168 [*election regulations*].
- (2) A bylaw under subsection (1) must include the following:
- (a) procedures for how to vote, to be used in place of those established by section 129 [*how to vote by ballot*];
 - (b) the form of ballot, if this is to be different from the form of ballot otherwise required by this Act;
 - (c) procedures, rules and requirements regarding the counting of votes, if these are to be different from those established by Division 14 [*Counting of the Votes*] of this Part.
- (3) If a bylaw under subsection (1) includes only provisions referred to in subsection (2), to the extent there is an inconsistency between the procedures, rules and requirements established by the bylaw and the procedures, rules and requirements established under this Part, the bylaw prevails.
- (4) If a bylaw under subsection (1) includes provisions other than those referred to in subsection (2) and is approved by the minister, to the extent that there is an inconsistency between the procedures, rules and requirements established by the bylaw and the procedures, rules and requirements established under this Part, the bylaw prevails.

Municipal voting divisions

113. (1) A council may, by bylaw,
- (a) establish municipal voting divisions, or
 - (b) authorize the designated municipal officer or chief election officer to establish municipal voting divisions.
- (2) The authority under subsection (1) is subject to any requirements, limits and conditions established by regulation under section 168 [*election regulations*].
- (3) Subject to subsection (4), if municipal voting divisions are established,
- (a) electors who reside in a municipal voting division, and
 - (b) electors who are non-resident property electors in relation to property within the voting division
- may vote on general voting day only at the voting place specified for that voting division.
- (4) The restriction under subsection (3) does not apply to voting at an additional general voting opportunity or a special voting opportunity.
- (5) The notice of election under section 99 [*notice of election by voting*] must include the following additional information if municipal voting divisions are established:
- (a) that municipal voting divisions will be used in the election;

- (b) that electors residing in a municipal voting division or who are non-resident property electors in relation to property within that voting division will be entitled to vote on general voting day only at the voting place specified for the voting division unless they are voting at an additional general voting opportunity or a special voting opportunity, if any is offered;
- (c) either
 - (i) the boundaries of each municipal voting division and the voting place for each division, or
 - (ii) how electors can obtain information as to where they are entitled to vote on general voting day.
- (6) The chief election officer may provide additional notice to electors in a municipal voting division of the voting place where they are entitled to vote.
RS2015-1-113 (B.C. Reg. 257/2015).

Form of ballots

- 114.** (1) The chief election officer must establish the form of ballots to be used in an election.
- (2) Without limiting subsection (1), the chief election officer may do either or both of the following:
- (a) determine that composite ballots are to be used, on which an elector's votes on 2 or more elections may be indicated;
 - (b) determine that ballots are to be in the form of a ballot set, in which ballots for 2 or more elections are packaged together.
- RS2015-1-114 (B.C. Reg. 257/2015).

What must and must not be included on a ballot

- 115.** (1) A ballot for an election must include the following:
- (a) instructions as to the number of candidates to be elected to the office;
 - (b) instructions as to the appropriate mark to make a valid vote for a candidate;
 - (c) the full name of each candidate or, if a candidate specified a different usual name in the nomination documents, this usual name;
 - (d) if applicable, the name, abbreviation or acronym of the endorsing elector organization for a candidate, as shown on the endorsement documents for the candidate.
- (2) As an exception, if the name, abbreviation or acronym referred to in subsection (1) (d) is too long to be reasonably accommodated on the ballot, the chief election officer may, after consulting with the authorized principal official of the elector organization, use a shorter name, abbreviation or acronym that, in the opinion of the chief election officer, identifies the elector organization.
- (3) A ballot for an election must not include any of the following:
- (a) an indication that a candidate is holding or has held an elected office;
 - (b) a candidate's occupation;
 - (c) an indication of a title, honour, degree or decoration received or held by a candidate.

RS2015-1-115 (B.C. Reg. 257/2015).

Order of names on ballot

116. (1) Unless a bylaw under section 117 [*order determined by lot*] is adopted,
- (a) the names of the candidates must be arranged alphabetically by their surnames, and
 - (b) if 2 or more candidates have the same surname, the names of those candidates must be arranged alphabetically in order of their first given names.
- (2) If 2 or more candidates
- (a) have the same surnames and given names, or
 - (b) have names so similar that, in the opinion of the chief election officer, they are likely to cause confusion,
- the chief election officer, after receiving the approval of these candidates, may include on the ballot additional information to assist the electors to identify the candidates, subject to the restrictions under section 115 (3) [*what must not be on ballot*].
- (3) The chief election officer's decision on the order of names on a ballot is final.

RS2015-1-116 (B.C. Reg. 257/2015).

Order of names on ballot determined by lot

117. (1) A local government may, by bylaw, permit the order of names on a ballot to be determined by lot in accordance with this section.
- (2) The chief election officer must notify all candidates as to the date, time and place when the determination is to be made.
- (3) The only persons who may be present at the determination are the candidates, or their official agents, and any other persons permitted to be present by the chief election officer.
- (4) The procedure for the determination is to be as follows:
- (a) the name of each candidate is to be written on a separate piece of paper, as similar as possible to all other pieces prepared for the determination;
 - (b) the pieces of paper are to be folded in a uniform manner in such a way that the names of the candidates are not visible;
 - (c) the pieces of paper are to be placed in a container that is sufficiently large to allow them to be shaken for the purpose of making their distribution random, and the container is to be shaken for this purpose;
 - (d) the chief election officer is to direct a person who is not a candidate or candidate representative to withdraw the papers one at a time;
 - (e) the name on the first paper drawn is to be the first name on the ballot, the name on the second paper is to be the second, and so on until the placing of all candidates' names on the ballot has been determined.

RS2015-1-117 (B.C. Reg. 257/2015).

Ballot boxes

118. (1) Ballot boxes for an election may be any box or other appropriate receptacle that is constructed so that ballots can be inserted but not withdrawn unless the ballot box is opened.
- (2) Separate ballot boxes must be used for each of the following:

- (a) ballots used to vote at required general voting opportunities;
 - (b) ballots used to vote at additional general voting opportunities;
 - (c) ballots used to vote at advance voting opportunities;
 - (d) ballots used to vote at special voting opportunities;
 - (e) mail ballots used to vote.
- (3) A ballot box used at one type of voting opportunity referred to in subsection (2) (a) to (e) may be used again at another voting opportunity of the same type.

RS2015-1-118 (B.C. Reg. 257/2015).

Part 3: Division 12 – Conduct of Voting Proceedings

Persons who must be present at voting places

119. (1) A presiding election official and at least one other election official must be present at all times at each voting place during voting hours, except during a suspension of voting under section 132 [*persons unable to enter a voting place*].
- (2) If an election official does not attend at a voting place as expected, the presiding election official may appoint a person as an election official in the missing person's place, whether or not this authority has already been given under this Part.

RS2015-1-119 (B.C. Reg. 257/2015).

Persons who may be present at voting places

120. (1) Except as provided in this section, a person must not be present at a voting place while voting proceedings are being conducted.
- (2) The following persons may be present at a voting place while voting proceedings are being conducted:
- (a) persons who are present for the purpose of voting and persons in the care of those persons;
 - (b) persons assisting under section 63 [*exceptional assistance in election proceedings*] or 131 [*persons needing assistance to mark their ballots*];
 - (c) election officials;
 - (d) the official agent of a candidate in the election and, for each ballot box in use at that time for receiving ballots for that election, one scrutineer for each candidate, unless a bylaw under subsection (3) permits more to be present;
 - (e) other persons permitted to be present by the presiding election official.
- (3) A local government may, by bylaw, permit more than one scrutineer for each candidate to be present for each ballot box in use at a voting place while voting proceedings are being conducted, subject to any restrictions and conditions specified in the bylaw.
- (4) Other than for the purpose of voting, a candidate must not be present at a voting place or special voting opportunity while voting proceedings are being conducted.
- (5) Subject to subsection (6), each person present at a voting place while voting proceedings are being conducted and each candidate representative present at a special voting opportunity must make a solemn declaration to preserve the secrecy of the ballot in accordance with section 123 [*voting by secret ballot*].

- (6) Subsection (5) does not apply to
- (a) a person attending to vote,
 - (b) a person in the care of a person attending to vote, or
 - (c) a peace officer assisting the presiding election official under section 61 [*keeping order at election proceedings*].

RS2015-1-120 (B.C. Reg. 257/2015).

Sealing of ballot boxes containing ballots

121. (1) Before a ballot box is used for ballots, the presiding election official, in the presence of at least one witness, must inspect the ballot box to ensure that it is empty and seal it in such a manner that it cannot be opened without breaking the seal.
- (2) After a ballot box is used for ballots, the presiding election official must seal it at the following times in a manner to prevent the addition or withdrawal of ballots:
- (a) at the close of voting at a voting opportunity;
 - (b) between each addition of mail ballots;
 - (c) if the ballot box becomes full while voting proceedings are being conducted;
 - (d) if voting proceedings are adjourned under section 62 [*adjournment of election proceedings*] or suspended under section 132 [*persons unable to enter a voting place*].
- (3) In addition to sealing by the presiding election official, candidate representatives are entitled to add their seals for the purposes of this section.
- (4) Unless it is to be used again in accordance with section 118 (3) [*ballot box re-use*], a ballot box that has been sealed under this section must remain sealed and unopened until the ballots are to be counted under Division 14 [*Counting of the Votes*] of this Part.
- (5) Before a ballot box sealed under subsection (2) is to be used again in the election, the presiding election official must remove the seal in the presence of at least one witness.

RS2015-1-121 (B.C. Reg. 257/2015).

Time for voting extended

122. (1) If the start of voting at a place, as set under this Part, is delayed and the presiding election official considers that a significant number of electors would not be able to vote without an extension under this section, that election official may extend the time for the close of the voting but the extension must not permit voting for a longer length of time than would have been permitted had voting not been delayed.
- (2) If, at the time set under this Part for the close of voting at a place, there are electors
- (a) waiting in the place, or
 - (b) waiting in line outside the place
- in order to vote, those electors are entitled to vote and the ballot box must remain unsealed until their ballots are deposited.
- (3) No electors other than those referred to in subsection (2) are entitled to vote after the end of the set closing time.
- (4) The decision of the presiding election official as to who is or who is not entitled to vote under subsection (2) is final and may not be the basis of an application under section 153 [*application to court respecting validity of election*].

- (5) The presiding election official must notify the chief election officer as soon as possible of any extension of voting under this section.

RS2015-1-122 (B.C. Reg. 257/2015).

Part 3: Division 13 – Voting

Voting to be by secret ballot

123. (1) Voting at an election must be by secret ballot.
- (2) Each person present at a place at which an elector exercises the right to vote, including persons present to vote, and each person present at the counting of the vote must preserve the secrecy of the ballot and, in particular, must not do any of the following:
- (a) interfere with a person who is marking a ballot;
 - (b) attempt to discover how another person voted;
 - (c) communicate information regarding how another person voted or marked a ballot;
 - (d) induce a person, directly or indirectly, to show a ballot in a way that reveals how the person voted.
- (3) The chief election officer must ensure that each voting place has at least one area that is arranged in such a manner that electors may mark their ballots screened from observation by others and without interference.
- (4) An elector may not be required in any legal proceedings to reveal how the elector voted in an election.

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RS2015-1-123 (B.C. Reg. 257/2015); RS1996-323-113; 2023-10-517.

Each elector may vote only once

124. (1) A person must not vote more than once in the same election.
- (2) For the purpose of ensuring compliance with subsection (1), the presiding election official must ensure that a record is maintained of all persons who receive ballots at the voting proceedings for which the presiding election official is responsible.

RS2015-1-124 (B.C. Reg. 257/2015).

Requirements before elector may be given a ballot

125. (1) A person must meet the following basic requirements in order to obtain a ballot:
- (a) if the person is not shown on the list of registered electors as having registered in advance, the person must register in accordance with section 72 [*resident electors*] or 73 [*non-resident property electors*];
 - (b) if the person is shown on the list of registered electors as having registered in advance, the person must sign a written declaration that the person
 - (i) is entitled to vote in the election, and
 - (ii) has not voted before in the same election;
 - (c) the person must sign the list of registered electors or the voting book, as directed by the presiding election official, giving
 - (i) the person's name,
 - (ii) the person's present residential address, and
 - (iii) if the person is a non-resident property elector, the address of the real property in relation to which the person is voting.

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- (2) As applicable, the following additional requirements must be met in order for a person to obtain a ballot:
- (a) at a special voting opportunity, the person must also sign a written declaration that the person is entitled to vote at that time and stating the circumstances that entitle the person to vote;
 - (b) if the person is challenged under section 126, the person must also meet the requirements of subsection (3) of that section;
 - (c) if it appears that another person has already voted in that person's name, the person must also meet the requirements of section 127 (2) *[evidence or solemn declaration required]*;
 - (d) if the person requires assistance to mark the ballot, the requirements of section 131 (3) *[written statement and other requirements]* must also be met.
- (3) Once the requirements of subsections (1) and (2) have been met, the election official must give the elector the ballot or ballots to which that elector is entitled.
- (4) A person who does not meet the requirements of subsections (1) and (2) is not entitled to vote and must not be given a ballot.
- (5) A voting book or list of registered electors may be prepared in such a manner that all the applicable requirements of subsection (1) or (2), or both, may be met by entries on the voting book or list of registered electors.

RS2015-1-125 (B.C. Reg. 257/2015); 2023-10-518.

Challenge of elector

126. (1) A person's right to vote may be challenged in accordance with this section at any time during the procedures under section 125 (1) and (2) *[requirements before elector may be given a ballot]* to obtain a ballot up until the time the person receives the ballot.
- (2) A challenge may be made
- (a) only in person by an election official, a candidate representative or an elector of the municipality or electoral area for which the election is being held, and
 - (b) only on the basis that the person proposing to vote
 - (i) is not entitled to vote, or
 - (ii) has contravened section 161 (3) *[accepting inducements]*.
- (3) In order to receive a ballot, a person whose right to vote has been challenged must either
- (a) provide evidence satisfactory to the presiding election official that the person is entitled to vote, or
 - (b) make a solemn declaration before the presiding election official as to the person's entitlement to vote.
- (4) The solemn declaration required by subsection (3) (b) must state that the person
- (a) meets all the qualifications to be registered as an elector of the municipality or electoral area,
 - (b) is either registered as an elector of that municipality or electoral area or is applying at this time to be registered,
 - (c) is in fact the person under whose name the person is registered or registering as an elector,
 - (d) has not contravened section 161 *[vote buying]*, and

- (e) has not voted before in the same election and will not vote again in the same election.
- (5) The presiding election official must keep a record indicating
 - (a) that the person was challenged,
 - (b) the name of the person who made the challenge, and
 - (c) how the person challenged satisfied the requirement of subsection (3).

RS2015-1-126 (B.C. Reg. 257/2015).

If another person has already voted under an elector's name

127. (1) This section applies if an elector meets the requirements of section 125 [*requirements before elector may be given a ballot*] but the voting book or list of registered electors indicates that another person has already voted using the name of the elector.
- (2) In order to obtain a ballot, the person asserting the right to vote as the named elector must either
- (a) provide evidence satisfactory to the presiding election official that the person is the named elector, or
 - (b) make a solemn declaration described in section 126 (4) [*solemn declaration of challenged elector*] as to the person's entitlement to vote as the named elector.
- (3) The presiding election official must keep a record indicating
- (a) that a second ballot was issued in the name of the elector, and
 - (b) any challenge under section 126 of the person who obtained the second ballot.

RS2015-1-127 (B.C. Reg. 257/2015).

Replacement of spoiled ballot

128. (1) If an elector unintentionally spoils a ballot before it is deposited in a ballot box, the elector may obtain a replacement ballot by giving the spoiled ballot to the presiding election official.
- (2) The presiding election official must immediately mark as spoiled a ballot replaced under subsection (1) and retain the spoiled ballot for return to the chief election officer.

RS2015-1-128 (B.C. Reg. 257/2015).

How to vote by ballot

129. (1) After receiving a ballot, an elector must
- (a) proceed without delay to a voting compartment provided,
 - (b) while the ballot is screened from observation, mark it by making a cross in the blank space opposite the name of the candidate or candidates for whom the elector wishes to vote,
 - (c) fold the ballot to conceal all marks made on it by the elector,
 - (d) leave the voting compartment without delay,
 - (e) deposit the ballot in the appropriate sealed ballot box, and
 - (f) leave the voting place without delay.

- (2) An election official may and, if requested by the elector, must explain to an elector the proper method for voting by ballot.

RS2015-1-129 (B.C. Reg. 257/2015).

One person to a voting compartment

130. (1) While an elector is in a voting compartment to mark a ballot, no other person may observe or be in a position to observe the ballot being marked.
- (2) As exceptions to subsection (1),
- (a) a person assisting an elector under section 131 may be present with the elector, and
- (b) if the presiding election official permits, a person who is in the care of an elector may be present with the elector.

RS2015-1-130 (B.C. Reg. 257/2015).

Persons needing assistance to mark their ballots

131. (1) This section applies to electors who are unable to mark a ballot because of physical disability or difficulties with reading or writing.
- (2) An elector referred to in subsection (1) may be assisted in voting by an election official or by a person accompanying the elector.
- (3) In order to receive a ballot to be marked under this section, the following requirements must be met:
- (a) the person assisting must sign a written statement giving
- (i) the assisting person's name and residential address,
- (ii) the name and residential address of the elector being assisted, and
- (iii) if the elector being assisted is a non-resident property elector, the address of the real property in relation to which the elector is voting;
- (b) a person who is not an election official must make a solemn declaration before the presiding election official that the person will
- (i) preserve the secrecy of the ballot of the elector being assisted,
- (ii) mark the ballot in accordance with the wishes of the elector, and
- (iii) refrain from attempting in any manner to influence the elector as to how the elector should vote;
- (c) if assistance is needed because the elector needs a translator to be able to read the ballot and the instructions for voting, the person assisting must make a solemn declaration in accordance with section 63 (3) [*exceptional assistance – translator*].
- (4) The assisting person
- (a) must accompany the elector to the voting compartment or other place to be used for voting,
- (b) must mark the ballot in accordance with the directions of the elector, and
- (c) may, in the presence of the elector, fold the ballot and deposit it in the ballot box.
- (5) Candidates, candidate representatives and financial agents must not assist in marking a ballot.
- (6) A person does not vote by assisting under this section.

RS2015-1-131 (B.C. Reg. 257/2015).

Persons unable to enter a voting place

132. (1) This section applies to electors who come to a voting place to vote but who are unable to enter the voting place because of physical disability or impaired mobility.
- (2) An elector referred to in subsection (1) may request to vote at the nearest location to the voting place to which the elector has access.
- (3) If a request is made, the presiding election official or another election official designated by the presiding election official must attend the elector at the nearest location to the voting place for the purpose of allowing the elector to meet the requirements under section 125 *[requirements before elector may be given a ballot]* to obtain a ballot.
- (4) The election official must ensure that the elector's marked ballot is placed in the appropriate ballot box, taking whatever steps the official considers necessary to maintain the secrecy of the ballot.
- (5) The presiding election official may temporarily suspend voting proceedings in order to allow an elector to vote under this section.
- (6) The presiding election official may have separate ballot boxes available for the purposes of this section, and these ballot boxes are not to be considered to be ballot boxes in use for the purposes of determining the number of candidate representatives who may be present at a voting place under section 120 *[persons who may be present at voting place]*.

RS2015-1-132 (B.C. Reg. 257/2015).

Part 3: Division 14 – Counting of the Votes

When and where counting is to be done

133. (1) The counting of the votes on ballots for an election must not take place until the close of general voting for the election, but must take place as soon as practicable after this time.
- (2) The counting of the votes on ballots used for general voting is to be conducted at the voting place where the ballot boxes containing them are located unless the chief election officer directs that the counting is to take place at another location.
- (3) The counting of the votes on ballots other than those referred to in subsection (2) is to be conducted at a place specified by the chief election officer.
- (4) The chief election officer must notify the candidates in an election of any place other than a voting place referred to in subsection (2) at which the counting of the votes for the election is to be conducted.

RS2015-1-133 (B.C. Reg. 257/2015).

Who may be present at counting

134. (1) A presiding election official and at least one other election official must be present while counting proceedings are being conducted.
- (2) Candidates in an election are entitled to be present when counting proceedings for the election are being conducted.
- (3) For each place where the votes on ballots for an election are being counted, one candidate representative for each candidate in the election is entitled to be present at each location within that place where ballots are being considered.

- (4) Persons other than those referred to in subsections (2) and (3) and election officials taking part in the counting may not be present when counting proceedings are being conducted, unless permitted by the presiding election official.

RS2015-1-134 (B.C. Reg. 257/2015).

Who does the counting

135. (1) The counting of the votes on ballots for an election must be conducted by the presiding election official or, except as limited by subsection (2), by other election officials under the supervision of the presiding election official.
- (2) The presiding election official must personally deal with all ballots
- (a) rejected under section 139 [*rules for accepting votes or rejecting ballots*], or
- (b) objected to under section 140 [*objections to acceptance or rejection*].

RS2015-1-135 (B.C. Reg. 257/2015).

Opening of ballot boxes

136. (1) As the first step in the counting of the votes on ballots in a ballot box, the ballot box is to be opened by an election official in the presence of at least one witness.
- (2) If the seals on a ballot box are not intact when it is opened under subsection (1),
- (a) the ballots in the ballot box must not be combined under section 137, and
- (b) the ballots in the ballot box must be counted separately and a separate ballot account and separate ballot packages for the ballots must be prepared.

RS2015-1-136 (B.C. Reg. 257/2015).

Combination of ballots for counting

137. (1) After ballot boxes are opened under section 136, the ballots in them may be combined in accordance with this section.
- (2) The election official responsible for the counting may combine ballots in different ballot boxes together in a single ballot box as follows:
- (a) ballots in a ballot box used at a required general voting opportunity may be combined with ballots in other ballot boxes used at the same required general voting opportunity;
- (b) ballots in a ballot box used at an additional general voting opportunity may be combined with ballots in other ballot boxes used at the same or another additional general voting opportunity;
- (c) ballots in a ballot box used at an advance voting opportunity may be combined with ballots in other ballot boxes used at the same or another advance voting opportunity;
- (d) ballots in a ballot box used for a special voting opportunity may be combined with ballots in other ballot boxes used at the same or another special voting opportunity;
- (e) ballots in a ballot box used for mail ballots may be combined with ballots in other ballot boxes used for mail ballots;
- (f) if some of the ballots in a ballot box are for a different election than the one for which the ballot box was intended, the election official may combine the ballots that do not belong in the ballot box with ballots in the appropriate ballot box.

- (3) For the purpose of preserving the secrecy of the ballot, if there would be fewer than 25 ballots in a ballot box after combination under subsection (2), the presiding election official may combine those ballots with ballots in any other ballot box.
- (4) Except for combination under this section,
 - (a) the votes on each class of ballots referred to in subsection (2) must be counted separately from the votes on ballots in any other class, and
 - (b) a separate ballot account under section 141 and separate ballot packages under section 142 must be prepared for each class of ballots referred to in subsection (2) of this section.

RS2015-1-137 (B.C. Reg. 257/2015).

Procedures for counting

138. (1) All ballots in each ballot box must be considered in accordance with this section.
- (2) As each ballot for an election is considered, it must be placed in such a manner that the persons present at the counting are able to see how the ballot is marked.
 - (3) Unless rejected under section 139 (4) [*invalid ballots*], a mark referred to in section 139 (1) on a ballot for an election must be accepted and counted as a valid vote.
 - (4) Counting must proceed as continuously as is practicable and the votes must be recorded.
 - (5) The presiding election official must endorse ballots to indicate the following as applicable:
 - (a) that the ballot was rejected under section 139 in relation to an election;
 - (b) that the rejection of the ballot was objected to under section 140;
 - (c) that a mark on the ballot was accepted as a valid vote but the acceptance was objected to under section 140.
 - (6) An endorsement under subsection (5) must be made at the time the presiding election official considers the ballot and in such a manner that it does not alter or obscure the elector's marking on the ballot.

RS2015-1-138 (B.C. Reg. 257/2015).

Rules for accepting votes and rejecting ballots

139. (1) The following are marks that are to be accepted and counted as valid votes for an election unless the ballot is rejected under subsection (4):
- (a) a mark of the type required by section 129 (1) (b) [*how to vote by marking ballot*];
 - (b) a tick mark that is placed in the location required by section 129 (1) (b);
 - (c) a mark of the type required by section 129 (1) (b) that is out of or partly out of the location on the ballot in which it is required to be put by that provision, as long as the mark is placed in such a manner as to indicate clearly the intent of the elector to vote for a particular candidate;
 - (d) a tick mark that is placed as described in paragraph (c) of this subsection.
- (2) A mark on a ballot other than a mark referred to in subsection (1) must not be accepted and counted as a valid vote.
 - (3) If a ballot is in the form of a composite ballot under section 114 (2) (a) [*ballot for voting on multiple elections*], for the purposes of subsections (1) and (2) of this section each portion of the ballot that deals with a single election is to be considered a separate ballot.

- (4) Ballots must be rejected as invalid in accordance with the following:
- (a) a ballot must be rejected in total if it appears that the ballot physically differs from the ballots provided by the chief election officer for the election;
 - (b) a ballot must be rejected in total if there are no marks referred to in subsection (1) on the ballot;
 - (c) a ballot must be rejected in total if the ballot is uniquely marked, or otherwise uniquely dealt with, in such a manner that the elector could reasonably be identified;
 - (d) a ballot must be rejected in total if more than one form of mark referred to in subsection (1) is on the ballot;
 - (e) a ballot is to be rejected in relation to an election if there are more marks referred to in subsection (1) for the election on the ballot than there are candidates to be elected.
- (5) In the case of a ballot that is part of a ballot set under section 114 (2) (b) [*ballots for multiple elections packaged together*], the ballot is not to be rejected under subsection (4) (a) solely on the basis that the ballot is part of an incomplete ballot set or that the ballot has become separated from its ballot set.

RS2015-1-139 (B.C. Reg. 257/2015).

Objections to the acceptance of a vote or the rejection of a ballot

140. (1) A candidate or candidate representative may object to a decision to accept a vote or reject a ballot, with the objection recorded in accordance with section 138 (5) and (6) [*procedures for counting*].
- (2) An objection must be made at the time the ballot is considered.
- (3) The decision of the presiding election official regarding the acceptance of a vote or the rejection of a ballot may not be challenged except as provided in this section and the decision may be changed only by the chief election officer under section 145 [*determination of official election results*] or on a judicial recount.

RS2015-1-140 (B.C. Reg. 257/2015).

Ballot account

141. (1) Once all counting at a place is completed, ballot accounts for each election must be prepared in accordance with this section and signed by the presiding election official.
- (2) A ballot account must include the following:
- (a) the office to be filled by the election;
 - (b) the number of valid votes for each candidate in the election;
 - (c) the number of ballots received by the presiding election official from the chief election officer for use at the voting opportunity;
 - (d) the number of ballots given to electors at the voting opportunity;
 - (e) the number of ballots for which marks were accepted as valid votes for the election without objection;
 - (f) the number of ballots for which marks were accepted as valid votes, subject to an objection under section 140 [*objection to acceptance of vote or rejection of ballot*];
 - (g) the number of ballots rejected as invalid without objection;
 - (h) the number of ballots rejected as invalid, subject to an objection under section 140;

- (i) the number of spoiled ballots that were cancelled and replaced under section 128;
 - (j) the number of unused ballots;
 - (k) the number of ballots added under section 137 (3) [*combination of ballot boxes to preserve secrecy of the ballot*] to the ballots for which the ballot account is prepared;
 - (l) the number of ballots not accounted for.
- (3) A copy of the ballot account must be prepared and signed by the presiding election official and included with the election materials under section 143 [*delivery of election materials to chief election officer*].

RS2015-1-141 (B.C. Reg. 257/2015).

Packaging of ballots

142. (1) The presiding election official, or an election official under the supervision of the presiding election official, must separately package each of the following classes of ballots for delivery to the chief election officer:
- (a) ballots that were rejected in total, subject to an objection regarding the rejection;
 - (b) ballots that were rejected in part, subject to an objection regarding the rejection or regarding the acceptance of a vote;
 - (c) ballots that were subject to an objection regarding the acceptance of a vote, unless included in a package under paragraph (b);
 - (d) ballots that were rejected in total without objection;
 - (e) ballots that were rejected in part without objection to the rejection or the acceptance of a vote;
 - (f) ballots for which all votes were accepted without objection;
 - (g) spoiled ballots that were cancelled and replaced under section 128;
 - (h) unused ballots.
- (2) Each ballot package must be clearly marked as to its contents and sealed by the presiding election official.
- (3) Candidates and candidate representatives present at the proceedings are entitled to add their seals to a ballot package.
- (4) If ballot boxes are used as ballot packages, they must be sealed in accordance with section 121.

RS2015-1-142 (B.C. Reg. 257/2015).

Delivery of election materials to chief election officer

143. (1) After the ballot accounts are completed and the sealed ballot packages prepared, the following must be placed in ballot boxes from which the counted ballots were taken:
- (a) the sealed ballot packages, if these are not ballot boxes themselves;
 - (b) the copy of the ballot account prepared under section 141 (3);
 - (c) the voting books;
 - (d) any copies of the list of registered electors used for the purposes of voting proceedings;
 - (e) any records required under this Part to be made during voting proceedings;

- (f) any stubs for ballots given to electors;
- (g) any solemn declarations taken and any signed written statements required under this Part in relation to voting proceedings.
- (2) The ballot boxes in which the election materials are placed
 - (a) must be sealed in accordance with section 121, and
 - (b) must not be opened until after the declaration of the results of the election under section 146, except by the chief election officer for the purposes of section 145 (4) [*verification of ballot accounts*].
- (3) If votes for an election are counted at more than one place, the presiding election official must deliver to the chief election officer, in the manner instructed by the chief election officer, the original of the ballot account, the sealed ballot boxes and all other ballot boxes in the custody of the presiding election official.

RS2015-1-143 (B.C. Reg. 257/2015).

Preliminary election results

- 144. (1) The chief election officer may announce preliminary results of an election before the determination under section 145 [*determination of official election results*] is completed.
- (2) Preliminary results must be based on the ballot accounts prepared under section 141, determined by calculating the total number of valid votes for each candidate in the election as reported on the ballot accounts.

RS2015-1-144 (B.C. Reg. 257/2015).

Determination of official election results

- 145. (1) As the final counting proceeding subject to a judicial recount, the chief election officer must determine the results of an election in accordance with this section.
- (2) The chief election officer must notify the candidates in an election of the date, time and place when the determination is to be made and the candidates are entitled to be present when those proceedings take place.
- (3) The chief election officer must begin the determination by reviewing the ballot accounts or by having them reviewed by election officials authorized by the chief election officer.
- (4) The chief election officer may verify the results indicated by a ballot account by counting the votes on all or some of the ballots for the election, including reviewing the decision of a presiding election official regarding the acceptance of some or all of the votes or the rejection of some or all of the ballots.
- (5) The chief election officer may be assisted in counting under subsection (4) by other election officials, but must personally make all decisions regarding the acceptance of votes or the rejection of ballots that were subject to objection under section 140.
- (6) The chief election officer may reverse a decision of another election official regarding the acceptance of a vote or the rejection of a ballot made at the original consideration of the ballot and, if this is done, the chief election officer must endorse the ballot with a note of the reversal.
- (7) The chief election officer or an election official authorized by the chief election officer must either mark on the original ballot accounts any changes made under this section or prepare a new ballot account of the results of the counting under subsection (4).
- (8) On the basis of the ballot accounts, as amended or prepared under subsection (7) if applicable, the chief election officer must prepare a statement of the total number of votes for each candidate in the election.

- (9) A decision of the chief election officer under this section may be changed only on a judicial recount.
- (10) If a ballot box or ballot package is opened for the purposes of subsection (4), the contents must be replaced and it must be resealed during any adjournment and at the end of the review of the contents.

RS2015-1-145 (B.C. Reg. 257/2015).

Declaration of official election results

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- 146.** (1) Before 4 p.m. on the fourth day following the close of general voting, the chief election officer must declare the results of the election as determined under section 145.
- (2) The results must be declared as follows:
- (a) in the case of an election for an office to which one person is to be elected, the chief election officer must declare elected the candidate who received the highest number of valid votes for the office;
 - (b) in the case of an election for an office to which more than one person is to be elected, the chief election officer must declare elected the candidates who received the highest number of valid votes for the office, up to the number of candidates to be elected.
- (3) As an exception, if a candidate cannot be declared elected because there is an equality of valid votes for 2 or more candidates, the chief election officer must declare that the election is to be referred to a judicial recount.

RS2015-1-146 (B.C. Reg. 257/2015); 2021-30-41, Sch 1.

When elected candidates may take office

- 147.** (1) A candidate declared elected under section 146 is not entitled to make the oath of office until the time period for making an application for a judicial recount has ended.
- (2) If an application for a judicial recount of an election is made, a candidate declared elected in the election is not entitled to make the oath of office until the recount has been completed and the candidate's election has been confirmed unless permitted by the court under subsection (3).
- (3) The Provincial Court may, on application, authorize a candidate who has been declared elected to make the oath of office if the court is satisfied that the candidate's election will not be affected by the results of the judicial recount.

RS2015-1-147 (B.C. Reg. 257/2015).

Part 3: Division 15 – Judicial Recount

Application for judicial recount

- 148.** (1) An application may be made in accordance with this section for a judicial recount, to be undertaken by the Provincial Court, of some or all of the votes in an election.
- (2) Except as provided in subsection (5), an application may be made only on one or more of the following bases:
- (a) that votes were not correctly accepted or ballots were not correctly rejected as required by the rules of section 139 [*rules for accepting votes and rejecting ballots*];
 - (b) that a ballot account does not accurately record the number of valid votes for a candidate;
 - (c) that the final determination under section 145 [*determination of official election results*] did not correctly calculate the total number of valid votes for a candidate.

- (3) The time period during which an application may be made is limited to the time between the declaration of official election results under section 146 and 9 days after the close of general voting.
- (4) The application may be made only by
 - (a) an elector of the municipality or electoral area for which the election was held,
 - (b) a candidate in the election or a candidate representative of a candidate in the election, or
 - (c) the chief election officer.
- (5) An application must be made by the chief election officer if, at the end of the determination of official election results under section 145, a candidate cannot be declared elected because there is an equality of valid votes for 2 or more candidates.
- (6) The document commencing an application must set out briefly the facts on which the application is based and must be supported by affidavit as to those facts.
- (7) At the time an application is commenced, a time must be set for the recount that is adequate to allow the court to complete the recount within the time limit set by section 149.
- (8) The person making the application must notify affected persons
 - (a) by immediately notifying the chief election officer and the affected candidates in the election, if any, that a judicial recount will be conducted at the time set under subsection (7), and
 - (b) within 24 hours of filing the document commencing the application, by delivering to these persons copies of that document, the accompanying affidavit and a notice of the time for the recount.

RS2015-1-148 (B.C. Reg. 257/2015).

Judicial recount procedure

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- 149.** (1) A judicial recount must be conducted in accordance with this section and completed by the end of the thirteenth day after the close of general voting.
- (2) The person who made the application for the recount, the chief election officer, the candidates in the election and the official agents and counsel of the candidates are entitled to be present at a judicial recount and other persons may be present only if permitted by the court.
 - (3) The chief election officer must bring to the recount all ballot accounts used for the determination of official election results under section 145 and the ballot boxes containing the ballots for which the recount is requested.
 - (4) In conducting a recount, the court must open the ballot boxes containing the ballots for which the recount is requested, count those ballots in accordance with sections 138 [*procedures for counting*] and 139 [*rules for accepting votes and rejecting ballots*] and confirm or change the ballot accounts in accordance with the counting.
 - (5) In its discretion, the court may count other ballots in addition to those for which the recount was requested and, for this purpose, may require the chief election officer to bring other ballot boxes.
 - (6) The court may appoint persons to assist in the recount.
 - (7) As exceptions to the obligation to conduct a recount in accordance with the other provisions of this section,
 - (a) if the person who made the application for the recount, the chief election officer and the candidates present at the recount agree, the court may restrict the ballots to be recounted as agreed by these persons at that time, or

- (b) if the court determines on the basis of the ballot accounts that the results of a recount of the ballots, if it were conducted, would not materially affect the results of the election, the court may confirm the results of the election and take no further action under this section.
- (8) Unless otherwise directed by the court, the ballot boxes at a judicial recount must remain in the custody of the chief election officer.
- (9) During a recess or adjournment of a judicial recount and after the completion of the judicial recount, the ballot boxes must be resealed in accordance with section 121 [*sealing of ballot boxes containing ballots*] by the person having custody of them and may be additionally sealed by other persons present.

RS2015-1-149 (B.C. Reg. 257/2015); 2021-30-41, Sch 1.

Results of judicial recount and orders as to costs

150. (1) At the completion of a judicial recount, the court must declare the results of the election.
- (2) The results declared under subsection (1) or following a determination by lot under section 151 are final, subject only to a declaration under section 155 [*power of court on application respecting validity of election*] that the election was invalid, and may not be appealed.
 - (3) All costs, charges and expenses of and incidental to an application for judicial recount, including the recount and any other proceedings following from the application, must be paid by the local government, the applicant and the persons notified of the application under section 148 (8) [*application for judicial recount*], or any of them, in the proportion the court determines.
 - (4) At the conclusion of a judicial recount, the court must make an order for the purposes of subsection (3) having regard to any costs, charges or expenses that, in the opinion of the court, were caused by vexatious conduct, unfounded allegations or unfounded objections on the part of the applicant or the persons who were given notice.
 - (5) In relation to subsection (3), the court may order that the costs be determined in the same manner as costs within the meaning of the Supreme Court Civil Rules.

RS2015-1-150 (B.C. Reg. 257/2015).

Determination of results by lot if tie vote after judicial recount

151. (1) A local government may, by bylaw, provide that, if at the completion of a judicial recount the results of the election cannot be declared because there is an equality of valid votes for 2 or more candidates, the results will be determined by lot in accordance with this section rather than by election under section 152.
- (2) If a bylaw under subsection (1) applies and there is an equality of votes as described in that subsection, the results of the election are to be determined, as the conclusion of the judicial recount, by lot between those candidates in accordance with the following:
 - (a) the name of each candidate is to be written on a separate piece of paper, as similar as possible to all other pieces prepared for the determination;
 - (b) the pieces of paper are to be folded in a uniform manner in such a way that the names of the candidates are not visible;
 - (c) the pieces of paper are to be placed in a container that is sufficiently large to allow them to be shaken for the purpose of making their distribution random, and the container is to be shaken for this purpose;
 - (d) the court is to direct a person who is not a candidate or candidate representative to withdraw one paper;

- (e) the court is to declare elected the candidate whose name is on the paper that was drawn.

RS2015-1-151 (B.C. Reg. 257/2015).

Runoff election if tie vote after judicial recount

152. (1) If at the completion of a judicial recount the results of the election cannot be declared because there is an equality of valid votes for 2 or more candidates, a runoff election must be held in accordance with this section unless a bylaw under section 151 [*determination by lot*] applies.
- (2) Except as provided in this section, this Part applies to a runoff election under subsection (1).
- (3) The candidates in the runoff election are to be the unsuccessful candidates in the original election who do not withdraw, and no new nominations are required or permitted.
- (4) As soon as practicable after the judicial recount, the chief election officer must notify the candidates referred to in subsection (3) that an election is to be held and that they are candidates in the election unless they deliver a written withdrawal to the chief election officer within 3 days after being notified.
- (5) The chief election officer must set a general voting day for the runoff election, which must be on a Saturday no later than 50 days after the completion of the judicial recount.
- (6) If advance registration would otherwise be permitted, the closed period under section 71 (4) [*closing of advanced registration*] extends until the day after the close of general voting for the election under this section.
- (7) No new list of registered electors is required and sections 77 to 80 do not apply.
- (8) So far as reasonably possible, election proceedings must be conducted as they were for the original election except that, if voting under section 112 [*use of voting machines*] was used for the original election, it is not necessary to use this for the election under this section.
- (9) Without limiting subsection (8), so far as reasonably possible, voting opportunities equivalent to those provided for the original election must be held and, for these, no new bylaws under this Part are required.

RS2015-1-152 (B.C. Reg. 257/2015).

Part 3: Division 16 – Declaration of Invalid Election

Application to court respecting validity of election

153. (1) The right of an elected candidate to take office or the validity of an election may not be challenged except by an application under this section.
- (2) An application may be made in accordance with this section to the Supreme Court for a declaration regarding the right of a person to take office or the validity of an election.
- (3) The time limit for making an application is 30 days after the declaration of official election results under section 146.
- (4) An application may be made only by a candidate in the election, the chief election officer or at least 4 electors of the municipality or electoral area for which the election was held.
- (5) An application may be made only on one or more of the following bases:
- (a) that a candidate declared elected was not qualified to hold office at the time the candidate was elected or, between the time of the election and the time for taking office, the candidate has ceased to be qualified to hold office;
- (b) that an election should be declared invalid because it was not conducted in accordance with this Act or a regulation or bylaw under this Act;

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- (c) that an election or the election of a candidate should be declared invalid because section 161 [vote buying], 162 [intimidation] or 163 (2) (a) [voting when not entitled] was contravened.
- (6) As a restriction on subsection (5) (b), an application may not be made on any basis for which an application for judicial recount may be or may have been made.
- (7) At the time the petition commencing an application is filed, the court registry must set a date for the court to hear the application, which must be at least 10 days but no later than 21 days after the date the petition is filed.
- (8) As soon as practicable, but no later than 2 days after a petition is filed, the person making the application must serve the petition and the notice of hearing on the municipality or regional district for which the election was held.
- (9) If a candidate affected by an application files a written statement renouncing all claim to the office to which the candidate was elected, the court may permit the petition for the application to be withdrawn unless it is based on an allegation that the candidate who has renounced the office contravened section 161 [vote buying] or 162 [intimidation].

RS2015-1-153 (B.C. Reg. 257/2015); 2023-10-519.

Hearing of application

154. (1) The Supreme Court must hear and determine an application under section 153 as soon as practicable and, for these purposes, must ensure that the proceedings are conducted as expeditiously as possible.
- (2) If the application is based on a claim that section 161 [vote buying] or 162 [intimidation] was contravened, the evidence regarding that claim must be given orally by witnesses rather than by affidavit.

RS2015-1-154 (B.C. Reg. 257/2015).

Power of court on application

155. (1) On the hearing of an application under section 153 regarding the qualification of an elected candidate to take office, the court may
- (a) declare that the candidate is confirmed as qualified to take and hold office,
 - (b) declare that the candidate is not qualified to hold office and that the office is vacant, or
 - (c) declare that the candidate is not qualified to hold office and that the candidate who received the next highest number of valid votes is elected in place of the disqualified candidate.
- (2) On the hearing of an application under section 153 regarding the validity of an election, the court may
- (a) declare that the election is confirmed as valid,
 - (b) declare that the election is invalid and that the offices that were to be filled in the election are vacant,
 - (c) declare that the election of a candidate is invalid and that the office is vacant, or
 - (d) declare that the election of a candidate is invalid and that another candidate is elected in place of that candidate.
- (3) The court must not declare an election invalid by reason only of an irregularity or failure to comply with this Act or a regulation or bylaw under this Act if the court is satisfied that
- (a) the election was conducted in good faith and in accordance with the principles of this Act, and
 - (b) the irregularity or failure did not materially affect the result of the election.

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- (4) The court may confirm the election of a candidate in relation to which the court finds there was a contravention of section 161 [*vote buying*] or 162 [*intimidation*] if the court is satisfied that
 - (a) the candidate did not contravene the applicable section, and
 - (b) the contravention did not materially affect the result of the election.
- (5) If the court declares that a candidate is not qualified to hold office or that the election of a candidate is invalid, the court may order the candidate to pay the municipality or regional district for which the election was held an amount of money not greater than \$20 000 towards the expenses for the election required to fill the vacancy.
- (6) If the court makes a declaration under subsection (1) (c) or (2) (d) that another candidate is elected, the candidate who is replaced ceases to be entitled to take or hold the office and the other candidate declared elected is entitled to take the office.

RS2015-1-155 (B.C. Reg. 257/2015); 2021-5-77.

Legal costs of application

156. (1) If the court declares that a candidate is not qualified to hold office or that an election is invalid, the costs, within the meaning of the Supreme Court Civil Rules, of the persons who made the application under section 153 must be paid promptly by the municipality or regional district for which the election was held.
- (2) The court may order that costs to be paid under subsection (1) may be recovered by the municipality or regional district from any other person as directed by the court in the same manner as a judgment of the Supreme Court.
 - (3) Except as provided in subsection (1), the costs of an application are in the discretion of the court.

RS2015-1-156 (B.C. Reg. 257/2015).

Status of elected candidate

157. (1) A person affected by an application under section 153 who has been declared elected is entitled to take office and to vote and otherwise act in the office unless the court declares the candidate disqualified and the office vacant.
- (2) If a person who is declared disqualified to hold office by the Supreme Court appeals the decision, the appeal does not operate as a stay of the declaration and the person is disqualified pending the final determination of the appeal.
 - (3) If the person is declared qualified to hold office on the final determination of the appeal, the court may order that any money paid under section 155 (5) [*disqualified candidate required to pay money towards cost of by-election*] be repaid with interest as directed by the court.
 - (4) A person who is declared qualified to hold office on the final determination of an appeal is entitled,
 - (a) if the term of office for which the person was elected has not ended, to take office for any unexpired part of the term and, for this purpose, any person elected or appointed to the office since the declaration of disqualification ceases to hold office at the time the person declared qualified takes office, and
 - (b) if the term of office for which the person was elected is expired, to be nominated for and to be elected to office at any following election if otherwise qualified.

RS2015-1-157 (B.C. Reg. 257/2015).

Part 3: Division 17 – Final Proceedings

Report of election results

158. (1) Within 30 days after the declaration of official election results under section 98 for an election by acclamation or under section 146 for an election by voting, the chief election officer must submit a report of the election results to the local government.
- (2) In the case of an election by voting, the report under subsection (1) must include a compilation of the information on the ballot accounts for the election.
- (3) If the results of the election are changed by a judicial recount or on an application under section 153 [*application to court respecting validity of election*] after the report under subsection (1) of this section is submitted, the designated local government officer must submit to the local government a supplementary report reflecting the changed results.

RS2015-1-158 (B.C. Reg. 257/2015).

Publication of election results

159. (1) Within 30 days after elected candidates have taken office, the designated local government officer must submit the names of the elected officials to the Gazette for publication.
- (2) Within 30 days after persons appointed to local government have taken office, the designated local government officer must submit the names of the appointed officials to the Gazette for publication.

RS2015-1-159 (B.C. Reg. 257/2015).

Retention and destruction of election materials

160. (1) Until the end of the period for conducting a judicial recount, the chief election officer
- (a) must keep the sealed ballot packages delivered under section 143 [*delivery of election materials to chief election officer*] in the officer's custody,
 - (b) is responsible for retaining the nomination documents and endorsement documents for the election, other than the written disclosure under the *Financial Disclosure Act*, and
 - (c) is responsible for retaining the remainder of the election materials delivered under section 143.
- (2) After the end of the period for conducting a judicial recount, the designated local government officer
- (a) is responsible for retaining the materials referred to in subsection (1) (a) to (c), and
 - (b) must retain the nomination documents and endorsement documents referred to in subsection (1) (b) until 5 years after the general voting day for the election to which the documents relate.
- (2.1) Subsection (2) (b) applies to documents retained in respect of the 2014 general local election and all subsequent elections.
- (2.2) The designated local government official is not in contravention of subsection (2) (b) if, under section 76 [*additional specific powers to require information*] of the *Local Elections Campaign Financing Act*, the local government is required to provide the documents to the BC chief electoral officer.
- (3) From the time of the declaration of the official election results under section 146 until 30 days after that date, the following election materials must be available for public inspection at the local government offices during regular office hours:
- (a) the voting books used for the election;

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- (b) any copies of the list of registered electors used for the purposes of voting proceedings;
 - (c) any records required under this Part to be made during voting proceedings;
 - (d) any solemn declarations taken and any signed written statements or declarations required under this Part in relation to voting proceedings.
- (4) Before inspecting materials referred to in subsection (3), a person other than a local government officer or employee acting in the course of duties must sign a statement that the person will not inspect the materials except for the purposes of this Part.
 - (5) The designated local government officer must ensure that the statements referred to in subsection (4) are kept until after general voting day for the next general local election.
 - (6) A person who inspects materials referred to in subsection (3) must not use the information in them except for the purposes of this Part.
 - (7) Despite section 95 (3) of the *Community Charter* and section 27 (7) of the *Interpretation Act*, a person who is entitled to inspect the materials referred to in subsection (3) of this section is not entitled to obtain a copy of those materials.
 - (8) The following materials must be destroyed as soon as practicable following 56 days after the declaration of the official election results under section 146:
 - (a) the ballots used in the election;
 - (b) any stubs for ballots used in the election;
 - (c) any copies of the list of registered electors used for the purposes of voting proceedings;
 - (d) the voting books used in the election;
 - (e) any solemn declarations and any written statements or declarations in relation to voting proceedings, other than those used for the registration of electors.
 - (9) As exceptions, subsection (8) does not apply
 - (a) if otherwise ordered by a court, or
 - (b) if the materials relate to an election that is the subject of an application under section 153 [*application to court respecting validity of election*], until the final determination of that application or the court authorizes their destruction.
 - (10) Unless otherwise provided under this Act, a person may not inspect a ballot.

RS2015-1-160 (B.C. Reg. 257/2015); 2016-9-44.

Part 3: Division 17.1 – Canvassing

(ADD) **Canvassing in housing cooperative, strata and rental properties**

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160.1 (1) In this section:

"authorized canvasser" means an individual authorized in writing by a candidate to canvass electors and distribute candidate information on the candidate's behalf;

"campaign period" has the same meaning as in the *Local Elections Campaign Financing Act*;

"candidate information" means printed information about

- (a) a candidate, and
 - (b) if applicable, the elector organization that has endorsed the candidate.
- (2) The following individuals and organizations must not unreasonably restrict access to residential property by a candidate or an authorized canvasser for the purposes of canvassing electors and distributing candidate information:
 - (a) a housing cooperative or individual acting on behalf of a housing cooperative;
 - (b) a landlord or individual acting on behalf of a landlord;

- (c) a strata corporation or individual acting on behalf of a strata corporation.
- (3) While canvassing electors or distributing candidate information at a residential property, access to which is controlled by any of the individuals or organizations referred to in subsection (2), a candidate or authorized canvasser must produce government-issued photo identification and either proof of candidacy or a candidate's written authorization to canvass electors and distribute candidate information, as applicable, at the request of any of the following individuals:
 - (a) a resident of the property;
 - (b) an individual referred to in subsection (2) (a), (b) or (c).
- (4) Subsection (2) applies from 9 a.m. to 9 p.m. during the campaign period.
2021-5-78.

Part 3: Division 18 – Election Offences

Vote buying

- 161.** (1) In this section, "**inducement**" includes money, gift, valuable consideration, refreshment, entertainment, office, placement, employment and any other benefit of any kind.
- (2) A person must not pay, give, lend or procure inducement for any of the following purposes:
 - (a) to induce a person to vote or refrain from voting;
 - (b) to induce a person to vote or refrain from voting for or against a particular candidate;
 - (c) to reward a person for having voted or refrained from voting as described in paragraph (a) or (b);
 - (d) to procure or induce a person to attempt to procure the election of a particular candidate, the defeat of a particular candidate or a particular result in an election;
 - (e) to procure or induce a person to attempt to procure the vote of an elector or the failure of an elector to vote.
- (3) A person must not accept inducement
 - (a) to vote or refrain from voting,
 - (b) to vote or refrain from voting for or against a particular candidate, or
 - (c) as a reward for having voted or refrained from voting as described in paragraph (a) or (b).
- (4) A person must not advance, pay or otherwise provide inducement, or cause inducement to be provided, knowing or with the intent that it is to be used for any of the acts prohibited by this section.
- (5) A person must not offer, agree or promise to do anything otherwise prohibited by this section.
- (6) A person prohibited from doing something by this section must not do the prohibited act directly, indirectly or by another person on behalf of the first person.
RS2015-1-161 (B.C. Reg. 257/2015).

Intimidation

- 162.** (1) In this section, "**intimidate**" means to do or threaten to do any of the following:
 - (a) use force, violence or restraint against a person;

- (b) inflict injury, harm, damage or loss on a person or property;
 - (c) otherwise intimidate a person.
- (2) A person must not intimidate another person for any of the following purposes:
- (a) to persuade or compel a person to vote or refrain from voting;
 - (b) to persuade or compel a person to vote or refrain from voting for or against a particular candidate;
 - (c) to punish a person for having voted or refrained from voting as described in paragraph (a) or (b).
- (3) A person must not, by abduction, duress or fraudulent means, do any of the following:
- (a) impede, prevent or otherwise interfere with a person's right to vote;
 - (b) compel, persuade or otherwise cause a person to vote or refrain from voting;
 - (c) compel, persuade or otherwise cause a person to vote or refrain from voting for a particular candidate.
- (4) A person prohibited from doing something by this section must not do the prohibited act directly, indirectly or by another person on behalf of the first person.

RS2015-1-162 (B.C. Reg. 257/2015).

Other election offences

- 163.** (1) In relation to nominations, a person must not do any of the following:
- (a) contravene section 87 (4) [*unqualified candidate consenting to nomination*];
 - (b) before or after an election, purport to withdraw a candidate from an election without authority to do so or publish or cause to be published a false statement that a candidate has withdrawn;
 - (c) before or after an election, purport to withdraw the endorsement of a candidate by an elector organization except as provided in section 95 (b) [*withdrawal of endorsement on ballot*].
- (2) In relation to voting, a person must not do any of the following:
- (a) vote at an election when not entitled to do so;
 - (b) contravene section 124 (1) [*each elector may vote only once*] regarding voting more than once in an election;
 - (c) obtain a ballot in the name of another person, whether the name is of a living or dead person or of a fictitious person;
 - (d) contravene section 123 (2) [*requirement to preserve secrecy of the ballot*] regarding the secrecy of the ballot.
- (3) In relation to ballots and ballot boxes, a person must not do any of the following:
- (a) without authority supply a ballot to another person;
 - (b) without authority print or reproduce a ballot or a paper that is capable of being used as a ballot;
 - (c) without authority take a ballot out of a place where voting proceedings are being conducted;
 - (d) put in a ballot box, or cause to be put in a ballot box, a paper other than a ballot that the person is authorized to deposit there;
 - (e) interfere with voting under section 112 [*use of voting machines*] contrary to the applicable bylaw and regulations;

- (f) without authority destroy, take, open or otherwise interfere with a ballot box or ballots.
- (4) In relation to voting proceedings, a person must not do any of the following at or within 100 metres of a building, structure or other place where voting proceedings are being conducted at the time:
- (a) canvass or solicit votes or otherwise attempt to influence how an elector votes;
 - (b) display, distribute, post or openly leave a representation of a ballot marked for a particular result in the voting;
 - (c) post, display or distribute
 - (i) election advertising, or
 - (ii) any material that identifies a candidate or elector organization, unless this is done with the authorization of the chief election officer;
 - (d) carry, wear or supply a flag, badge or other thing indicating that the person using it is a supporter of a particular candidate, elector organization or result in the voting.
- (5) In relation to any matter or proceeding to which this Part applies, a person must not do any of the following:
- (a) provide false or misleading information when required or authorized under this Part to provide information;
 - (b) make a false or misleading statement or declaration when required under this Part to make a statement or declaration;
 - (c) inspect or access under this Part
 - (i) a list of registered electors,
 - (ii) nomination documents,
 - (iii) disclosure statements or supplementary reports, or
 - (iv) other election materials referred to in section 143 [*delivery of election materials to chief election officer*],or use the information from any of them, except for purposes authorized under this Act;
 - (d) be present at a place where voting or counting proceedings are being conducted, unless authorized under this Part to be present;
 - (e) interfere with, hinder or obstruct an election official or other person in the exercise or performance of the election official's or other person's powers, duties or functions under this Part or the *Local Elections Campaign Financing Act*.
- (6) A person who is an election official must not contravene this Part with the intention of affecting the result or validity of an election.

RS2015-1-163 (B.C. Reg. 257/2015); 2023-10-520.

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Prosecution of organizations and their directors and agents

- 164.** (1) An act or thing done or omitted by an officer, director, employee or agent of an organization within the scope of the individual's authority to act on behalf of the organization is deemed to be an act or thing done or omitted by the organization.
- (2) If an organization commits an offence under this Part, an officer, director, employee or agent of the organization who authorizes, permits or acquiesces in the offence commits the same offence, whether or not the organization is convicted of the offence.
- (3) A prosecution for an offence under this Part may be brought against an unincorporated organization in the name of the organization and, for these purposes, an unincorporated organization is deemed to be a person.

RS2015-1-164 (B.C. Reg. 257/2015).

Time limit for starting prosecution

165. The time limit for laying an information to commence a prosecution respecting an offence under this Part is one year after the date on which the act or omission that is alleged to constitute the offence occurred.

RS2015-1-165 (B.C. Reg. 257/2015).

Penalties

166. (1) A person who contravenes section 161 [*vote buying*] or 162 [*intimidation*] is guilty of an offence and is liable to one or more of the following penalties:
- (a) a fine of not more than \$10 000;
 - (b) imprisonment for a term not longer than 2 years;
 - (c) disqualification from holding office in accordance with subsection (2) of this section for a period of not longer than 7 years.
- (2) Disqualification under subsection (1) (c) is disqualification from holding office as follows:
- (a) on a local government;
 - (b) on the council of the City of Vancouver or on the Park Board established under section 485 of the *Vancouver Charter*;
 - (c) as a trustee under the *Islands Trust Act*;
 - (d) as a trustee on a board of education, or as a regional trustee on a francophone education authority, under the *School Act*.
- (3) A person or unincorporated organization who contravenes section 163 [*other election offences*] is guilty of an offence and is liable to one or both of the following penalties:
- (a) a fine of not more than \$5 000;
 - (b) imprisonment for a term not longer than one year.
- (4) Any penalty under this Division is in addition to and not in place of any other penalty provided in this Part.
- (5) A person or unincorporated organization is not guilty of an offence under this Part if the person or organization exercised due diligence to prevent the commission of the offence.

RS2015-1-166 (B.C. Reg. 257/2015).

Part 3: Division 19 – Orders and Regulations

Ministerial orders in special circumstances

167. (1) If the minister considers that special circumstances regarding an election or assent voting require this, the minister may make any order the minister considers appropriate to achieve the purposes of this Part or Part 4 [*Assent Voting*].
- (2) Without limiting subsection (1), an order under this section may provide an exception to or modification of
- (a) this Act or a regulation or bylaw under this Act, or
 - (b) the *Local Elections Campaign Financing Act* or a regulation under that Act.

- (3) The authority under subsection (2) includes authority to
- (a) extend a time period or establish a new date in place of a date set under this Act or the *Local Elections Campaign Financing Act*, and
 - (b) give any other directions the minister considers appropriate in relation to this.

RS2015-1-167 (B.C. Reg. 257/2015).

(ADD) **Regulations respecting elections in special circumstances**

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- 167.1** (1) If the minister considers that special circumstances exist that affect, or are anticipated to affect, the administration or conduct of election proceedings or proceedings for assent voting, the minister may make regulations providing an exception to or modification of
- (a) one or more provisions of this Part or Part 4,
 - (b) a regulation under this Part or Part 4, or
 - (c) a bylaw under this Act.
- (2) The minister may make a regulation under subsection (1) only if satisfied that
- (a) the benefit of making the regulation is proportionate to the benefit of the continued application of the enactment as it is before the making of the regulation, and
 - (b) the regulation is necessary to prevent, respond to, or alleviate the effects of the special circumstances.
- (3) A regulation under subsection (1) must specify a date of repeal of the regulation that is no later than one year after the date the regulation is made.

2021-16-6.

Election regulations

- 168.** (1) In relation to this Part, the Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*, including regulations for any matter for which regulations are contemplated by this Part.
- (2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations as follows:
- (a) prescribing information that must be included under section 70 [*application for registration*] in an application for registration as an elector, which may be different for resident electors and non-resident property electors;
 - (b) prescribing classes of documents that may be accepted as evidence for the purpose of section 72 [*how to register as a resident elector at the time of voting*] or 73 [*how to register as a non-resident property elector at the time of voting*];
 - (c) for the purposes of section 82 [*disqualification of local government employees*],
 - (i) deeming a described class of persons to be employees of a municipality or regional district, and
 - (ii) excepting a described class of persons as excluded from the definition of "employee",which may be different for different specified municipalities and regional districts;
 - (d) prescribing information that must be included in the notice of nomination under section 85, which may be different for municipalities and regional districts and may be different for municipal elections at large and on the basis of a neighbourhood constituency;
 - (e) prescribing additional information or material required to be provided under section 90 (1) (e) [*other information to be provided by candidate*];

LOCAL GOVERNMENT ACT

(REP)
Mar
25/21

- (f) and (g) *Repealed.* [2021-5-79]

- (h) establishing requirements, limits and conditions in relation to voting by mail ballot under section 110, which may be different for municipalities and regional districts;
- (i) establishing requirements, limits and conditions in relation to voting under section 112 [*use of voting machines*], which may be different for different specified municipalities and regional districts;
- (j) establishing requirements, limits and conditions in relation to municipal voting divisions under section 113, which may be different for municipalities of different population sizes;
- (k) prescribing one or more alternative forms in which a specified solemn declaration must be made.

RS2015-1-168 (B.C. Reg. 257/2015); 2021-5-79.

LOCAL ELECTIONS CAMPAIGN FINANCING ACT

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LOCAL ELECTIONS CAMPAIGN FINANCING ACT
CHAPTER 18 [SBC 2014]

[includes 2023 Bill 14, c. 10 amendments (effective March 30, 2023)]

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PART 1 – General

Part 1: Division 1 – Application and Interpretation

Elections to which this Act applies

1. (1) This Act applies to the following elections:
 - (a) an election under the *Local Government Act* for a mayor;
 - (b) an election under the *Local Government Act* for a councillor;
 - (c) an election under the *Local Government Act* for an electoral area director on a regional district board;
 - (d) an election under the *Vancouver Charter* for the mayor;
 - (e) an election under the *Vancouver Charter* for a councillor;
 - (f) an election under the *Vancouver Charter* for a Park Board member;
 - (g) an election under the *Islands Trust Act* for a local trust area trustee;
 - (h) an election under the *School Act* for a trustee on a board of education;
 - (i) other elections prescribed by regulation.

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- (2) In relation to the paragraph of subsection (1) referred to in column 1 of the following table, for an election for the class of office referred to in column 2 of the table, the jurisdiction in relation to the election is that referred to in column 3 of the table and the local authority in relation to the election is that referred to in column 4 of the table:

Column 1 Paragraph	Column 2 Office	Column 3 Jurisdiction	Column 4 Local Authority
(a)	Mayor	The municipality	The council
(b)	Councillor	The municipality	The council
(c)	Electoral area director	The regional district	The board
(d)	Mayor	The City of Vancouver	City Council
(e)	Councillor	The City of Vancouver	City Council
(f)	Vancouver Park Board member	The City of Vancouver	The Park Board
(g)	Islands Trust local trust area trustee	The trust council	The trust council
(h)	Board of education trustee	The board of education	The board of education
(i)	Office for prescribed election	As prescribed	As prescribed

2014-18-1.

Assent voting to which this Act applies

2. (1) This Act also applies to the following:
- (a) voting under Part 4 [*Assent Voting*] of the *Local Government Act* or Part II [*Assent Voting*] of the *Vancouver Charter*;
 - (b) voting to which provisions of either of those Parts apply.
- (2) The local authority in relation to assent voting is the local authority of the jurisdiction for which the assent voting is being held.

2014-18-2.

Definitions and other interpretation rules

3. The Schedule to this Act establishes definitions for terms used in this Act and rules of interpretation that apply in relation to this Act.

2014-18-3.

Part 1: Division 2 – Key Concepts

What is the election campaign of a candidate

4. (1) An election campaign of a candidate is a campaign, undertaken by or on behalf of the candidate in relation to an election in which the individual is or intends to be a candidate, for any of the following purposes:
- (a) to promote, directly or indirectly, the election of the candidate;
 - (b) to oppose, directly or indirectly, the election of any other candidate in the same election;
 - (c) to promote, directly or indirectly, the selection of the candidate for endorsement by an elector organization;
 - (d) to promote, directly or indirectly, the elector organization that is endorsing the candidate or from which the candidate is seeking endorsement;
 - (e) to oppose, directly or indirectly, an elector organization that is endorsing any other candidate in the same election;
 - (f) to oppose, directly or indirectly, the selection of another individual for endorsement, in relation to the same election, by the elector organization that is endorsing the candidate or from which the candidate is seeking endorsement.
- (2) If an individual is a candidate in relation to multiple elections that are being held at the same time, election campaigning of the candidate in relation to each of those elections is considered for purposes of this Act to be a separate election campaign.

2014-18-4.

What is the election campaign of an elector organization

5. (1) An election campaign of an elector organization is a campaign, undertaken by or on behalf of the elector organization in relation to one or more elections, being held at the same time for the same jurisdiction, in which the elector organization is endorsing or intends to endorse a candidate, for any of the following purposes:
- (a) to promote, directly or indirectly, the elector organization;
 - (b) to promote, directly or indirectly, the election of a candidate endorsed or intended to be endorsed by the elector organization;
 - (c) to oppose, directly or indirectly, the election of a candidate in the same election who is not endorsed by the elector organization;
 - (d) to oppose, directly or indirectly, another elector organization in relation to the same election or another election for the same jurisdiction that is being held at the same time;
 - (e) to oppose, directly or indirectly, the selection of an individual to be endorsed by another elector organization in relation to an election referred to in paragraph (d).
- (2) If an elector organization is endorsing candidates or intends to endorse candidates in elections for more than one jurisdiction that are being held at the same time, election campaigning of the elector organization in relation to each of the jurisdictions is considered for purposes of this Act to be a separate election campaign.

2014-18-5; 2016-9-1; 2017-21-1.

(RET)
Oct
31/17

When elections, or elections and assent voting, are considered to be held at the same time

6. (1) Elections are considered to be held at the same time if
- (a) the elections are part of a general local election, or

- (b) in the case of other elections, the general voting day established for the elections is the same day.
- (2) An election is considered to be held at the same time as assent voting if the general voting day established for the election is the same as the general voting day established for the assent voting.

2014-18-6.

What is election advertising

(SUB)
Dec
01/21

- 7. (1) Subject to subsection (2) and any applicable regulations, election advertising is the transmission to the public by any means,
 - (a) during the campaign period, of any of the following:
 - (i) a communication that promotes or opposes, directly or indirectly, the election of a candidate or an elector organization that is endorsing a candidate, including a communication that takes a position on an issue with which the candidate or elector organization is associated;
 - (ii) assent voting advertising that is election advertising under section 8 (3) *[assent voting advertising that is election advertising]*;
 - (iii) any other communications prescribed by regulation, and
 - (b) during the pre-campaign period for a general local election, of any of the following:
 - (i) a communication that promotes or opposes, directly or indirectly, the election of a candidate or an elector organization that is endorsing a candidate;
 - (ii) assent voting advertising that is election advertising under section 8 (3);
 - (iii) any other communications prescribed by regulation.
- (2) Subject to any applicable regulations, election advertising does not include the following:
 - (a) the publication without charge, in a bona fide periodical publication or a radio or television program, of news, an editorial, an interview, a column, a letter, a debate, a speech or a commentary;
 - (b) the distribution of a publication, or the promotion of the sale of a publication, for no less than its market value, if the publication was planned to be sold whether or not there was to be an election or assent voting;
 - (c) the transmission of a communication directly by an individual or organization to the employees, members or shareholders of the individual or organization;
 - (d) the transmission of an expression by an individual, on a non-commercial basis on the internet, by telephone or by text messaging, of the individual's personal views;
 - (e) any other transmissions prescribed by regulation.
- (3) For certainty, election advertising includes the following activities, if the activities are conducted on a commercial basis:
 - (a) canvassing voters, in person, by telephone or over the internet, to attempt to influence how voters vote;
 - (b) mailing material that contains a communication referred to in subsection (1).

(AM)
Mar
30/23

(ADD)
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25/21

2014-18-7; 2016-9-2; 2021-5-2; 2021-5-1 (B.C. Reg. 281/2021); 2023-10-509.

What is assent voting advertising, when is it election advertising and when is it non-election assent voting advertising

(AM)
Dec
01/21

- 8. (1) Subject to subsection (5), assent voting advertising is the transmission to the public by any means, during the following applicable periods, of a communication that promotes or opposes, directly or indirectly, a particular result in the assent voting:

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(SUB)
Dec
01/21

- (a) in the case of assent voting that is relevant to a general local election, the pre-campaign period and campaign period for the general local election;

(SUB)
Dec
01/21

- (b) in the case of assent voting that is relevant to an election other than a general local election, the campaign period for the election;

(ADD)
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- (c) in the case of other assent voting, the assent voting proceedings period.

- (2) Assent voting is relevant to an election if the assent voting is being held
- (a) at the same time as the election, and
 - (b) for the same jurisdiction as that election or for a voting area that is all or part of the same jurisdiction.
- (3) Assent voting advertising that is relevant to an election is election advertising.
- (4) Assent voting advertising that is not relevant to an election is non-election assent voting advertising.
- (5) Subject to any applicable regulations, assent voting advertising does not include the following:
- (a) the publication without charge, in a bona fide periodical publication or a radio or television program, of news, an editorial, an interview, a column, a letter, a debate, a speech or a commentary;
 - (b) the distribution of a publication, or the promotion of the sale of a publication, for no less than its market value, if the publication was planned to be sold whether or not there was to be assent voting;
 - (c) the transmission of a communication directly by an individual or organization to the employees, members or shareholders of the individual or organization;
 - (d) the transmission of an expression by an individual, on a non-commercial basis on the internet, by telephone or by text messaging, of the individual's personal views;
 - (e) any other transmissions prescribed by regulation.
- (6) For certainty, assent voting advertising includes the following activities, if the activities are conducted on a commercial basis:
- (a) canvassing voters, in person, by telephone or over the internet, to attempt to influence how voters vote;
 - (b) mailing material that contains a communication referred to in subsection (1).
2014-18-8; 2016-9-2; 2021-5-4; 2021-5-3 (B.C. Reg. 281/2021); 2023-10-509.

(AM)
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30/23

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25/21

Who is the sponsor of election advertising or non-election assent voting advertising

9. (1) Subject to subsection (2) and any applicable regulations, the sponsor of election advertising or non-election assent voting advertising is whichever of the following is applicable:
- (a) if the service of transmitting the communication to the public is provided without charge
 - (i) as a campaign contribution, or any other form of contribution, to a candidate or elector organization, or
 - (ii) as a sponsorship contribution, or any other form of contribution, to a third party sponsor in relation to election advertising or to an assent voting advertising sponsor in relation to non-election assent voting advertising, the individual or organization to which the service is provided;
 - (b) if the service of transmitting the communication to the public is provided with charge, the individual or organization that pays or is liable to pay for the communication to be transmitted.

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(RET)
Oct
31/17

(c) *Repealed.* [2017-21-2]

- (2) If the individual or organization that would otherwise be the sponsor within the meaning of subsection (1) is acting on behalf of another individual or organization, that other individual or organization is the sponsor.

2014-18-9; 2017-21-2.

(SUB) **Election, pre-campaign, campaign and assent voting proceedings period**

May
19/16

- 10.** (1) The election period in relation to an election is the period that
- (a) begins, as applicable,
 - (i) in the case of an election that is part of a general local election, at the start of the calendar year in which the election is held,
 - (ii) in the case of a by-election, on the day the local authority office that is to be filled by the by-election becomes vacant, or
 - (iii) in the case of any other election, on the date specified by or determined under the regulations, and
 - (b) ends at the beginning of the campaign period for the election.

(ADD)
Dec
01/21

- (1.1) The pre-campaign period in relation to a general local election is the period that

- (a) begins on the eighty-ninth day before general voting day for the election, and
- (b) ends on the twenty-ninth day before general voting day for the election.

(AM)
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01/21

- (2) The campaign period in relation to an election is the period that

- (a) begins on the twenty-eighth day before general voting day for the election, and
- (b) ends, as applicable,
 - (i) in the case of an election by voting, at the close of general voting for the election, or
 - (ii) in the case of an election by acclamation, at the end of general voting day.

- (3) The assent voting proceedings period in relation to non-election assent voting is the period that

(AM)
Dec
01/21

- (a) begins on the twenty-eighth day before general voting day for the assent voting, and
- (b) ends at the close of general voting for the assent voting.

2016-9-3; 2021-5-5 (B.C. Reg. 281/2021).

What is third party advertising

- 11.** Third party advertising is election advertising, other than election advertising sponsored
- (a) by a candidate as part of the candidate's election campaign, or
 - (b) by an elector organization as part of the elector organization's election campaign.

2014-18-11.

Types of third party advertising – issue advertising and directed advertising

- 12.** (1) Subject to any applicable regulations, third party advertising is issue advertising if

LOCAL ELECTIONS CAMPAIGN FINANCING ACT

- (a) it is a communication respecting an issue of public policy, including, for certainty, an assent voting issue, and
- (b) it is not specifically related to any candidate or elector organization.
- (2) Directed advertising is third party advertising that is not issue advertising.
- (3) Third party advertising is specifically related to a candidate if
 - (a) the communication names the candidate, includes an image or likeness of the candidate or identifies the candidate by voice or physical description, or
 - (b) any other circumstances prescribed by regulation apply.
- (4) Third party advertising is specifically related to an elector organization if
 - (a) the communication names the elector organization or includes a logo or likeness of a logo used by the elector organization, or
 - (b) any other circumstances prescribed by regulation apply.

2014-18-12.

PART 2 – Candidate and Elector Organization Campaign Financing

Part 2: Division 1 – General Concepts: Campaign Contributions and Election Expenses

Campaign contributions to candidate and elector organization generally

13. (1) Subject to this section and any applicable regulations, the following are campaign contributions:
- (SUB)
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- (a) the amount of any money, or the value of any non-monetary property or services, provided without compensation to
- (i) a candidate for campaign use, or
- (ii) an elector organization for any use;
- (AM)
Dec
01/21
- (b) if property or services are provided at less than market value to a candidate for campaign use or to an elector organization for any use, the difference between the market value of the property or services at the time provided and the amount charged;
- (SUB)
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- (c) if property or services are acquired for greater than market value from a candidate for the purpose of obtaining funds for campaign use or from an elector organization for the purpose of obtaining funds for any use, the difference between
- (i) the market value of the property or services at the time acquired, and
- (ii) the amount charged;
- (RET)
Oct
31/17
- (d) the amount of any money provided by a candidate for use in the candidate's own campaign;
- (RET)
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- (e) *Repealed.* [2017-21-3]
- (f) the amount of any money provided to an elector organization by an individual who is seeking endorsement by that elector organization, other than money provided by way of transfer under section 23 (4) (b) [*candidate transfers before endorsement*];
- (AM)
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- (g) membership fees for an elector organization;
- (RET)
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- (h) the unpaid amount of a debt, other than a debt arising from a loan, in relation to an election expense, if
- (i) the candidate or elector organization is liable for payment in relation to the election expense,
- (ii) any part of that debt remains unpaid for 6 months after the debt has become due, and
- (iii) no legal proceedings to recover the debt have been commenced by the creditor;
- (i) any other provision of property or services prescribed by regulation.
- (2) For certainty, this section applies to the provision of property or services to a candidate or elector organization whether the provision was before or after the start of a campaign period.
- (3) For certainty, nothing in subsection (1) (h) affects the rights of a creditor in relation to a debt that becomes a campaign contribution under that subsection.
- (RET)
Oct
31/17
- (3.1) If the unpaid amount of a debt referred to in subsection (1) (h) of this section

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- (a) is payable to an organization or an individual, other than an eligible individual, and
- (b) becomes a campaign contribution under that subsection, section 28 *[dealing with prohibited campaign contributions]* applies as if the unpaid amount of the debt were a campaign contribution made or accepted in contravention of this Act or the regulations under this Act.

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- (3.2) The unpaid amount of a debt referred to in subsection (1) (h) becomes a campaign contribution under that subsection in the calendar year in which the debt arises.
- (4) For purposes of this Act, property or services are considered to be provided for campaign use if they are provided to a candidate for use in the election campaign of the candidate or towards the election expenses of such a campaign.
- (5) Subject to any applicable regulations, the value of the following is not a campaign contribution:

- (a) services provided by a volunteer;
- (b) non-monetary property of a volunteer that is provided or used in relation to services of the individual;
- (b.1) non-monetary property or services provided by a candidate for use in the candidate's own campaign;
- (b.2) non-monetary property or services provided by an elector organization for use by the elector organization for any purpose;
- (c) property or services provided by an election official, or by the BC chief electoral officer, in the official capacity of the election official or BC chief electoral officer;
- (d) publishing without charge news, an editorial, an interview, a column, a letter or a commentary in a bona fide periodical publication or a radio or television program;
- (e) broadcasting time provided, without charge, as part of a bona fide public affairs program;
- (f) producing, promoting or distributing a publication for no less than its market value, if the publication was planned to be sold whether or not there was to be an election;
- (g) any other property or services prescribed by regulation.

(RET)
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- (6) Subject to any applicable regulations, the value of the following is not a campaign contribution, but must be disclosed in accordance with the requirements under Division 2 *[Disclosure Requirements for Candidates, Elector Organizations and Advertising Sponsors]* of Part 5 *[Transparency Requirements for Local Elections and Assent Voting]*:
 - (a) in relation to transfers of property or provision of services between a candidate and an elector organization,
 - (i) transfers from campaign accounts under section 23 *[campaign transfers between candidates and elector organizations]*,
 - (ii) the provision of non-monetary property or services by a candidate to the elector organization that is endorsing the candidate, and
 - (iii) the provision of non-monetary property or services by an elector organization to a candidate who is endorsed by the elector organization;
 - (b) in relation to the provision of property or services by the jurisdiction for which an election is being held,
 - (i) payment under section 24 (5) (a) *[candidate surplus carried over to next election]* to a candidate in the election, or
 - (ii) the provision to a candidate in the election of free election advertising transmission, if the transmission is made available on an equitable basis to all other candidates in the election;
 - (c) any other provision of property or services prescribed by regulation.

2014-18-13; 2017-21-3; 2021-5-6 (B.C. Reg. 281/2021).

(RET) Campaign contributions through fundraising functions

Oct
31/17

- 13.01** (1) An organization or an individual, other than an eligible individual, must not pay a charge per individual for a fundraising function.
- (2) If an eligible individual makes a payment of greater than \$50 for one or more charges per individual for a fundraising function, the amount of the payment is a campaign contribution by the eligible individual.
- (3) An individual or organization that contravenes subsection (1) commits an offence.

2017-21-4.

(RET) Campaign contributions through loans

Oct
31/17

- 13.02** (1) Subject to any applicable regulations, a permissible loan made to a candidate or elector organization is not a campaign contribution, but
- (a) the loan must be disclosed in accordance with the requirements under Division 2 [Disclosure Requirements for Candidates, Elector Organizations and Advertising Sponsors] of Part 5 [Transparency Requirements for Local Elections and Assent Voting], and
- (b) if the loan is made by an eligible individual, it must be treated as if it were a campaign contribution for the purpose of determining whether the eligible individual exceeds an applicable campaign contribution limit.
- (2) Despite subsection (1), the unpaid amount of a permissible loan made by an eligible individual to a candidate or elector organization is a campaign contribution in the calendar year in which the loan is made if
- (a) that part of the loan remains unpaid for 6 months after it becomes due and no legal proceedings to recover the loan have been commenced by the eligible individual, or
- (b) the eligible individual forgives that part of the loan.
- (3) Despite subsection (1), the unpaid amount of a permissible loan made by a savings institution to a candidate or elector organization is a campaign contribution in the calendar year in which the loan is made if the savings institution does not make commercially reasonable efforts to collect or enforce that part of the loan.
- (4) In the circumstances described in subsection (3), section 28 [dealing with prohibited campaign contributions] applies as if the unpaid amount of the loan were a campaign contribution made or accepted in contravention of this Act or the regulations under this Act.
- (5) For certainty, nothing in subsection (2) or (3) affects the rights of a creditor in relation to a permissible loan that becomes a campaign contribution under those subsections.

2017-21-4.

Election expenses of candidates and elector organizations

(SUB)
May
19/16

- 14.** (1) Subject to this section and any applicable regulations, an election expense in relation to an election is the value of property or services used in an election campaign.
- (2) As applicable,
- (a) the value of property or services used as referred to in subsection (1) in the election campaign of a candidate is an election expense of the candidate, and
- (b) the value of property or services used as referred to in subsection (1) in the election campaign of an elector organization is an election expense of the elector organization.

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- (3) For purposes of this Act, if a candidate sponsors assent voting advertising that is relevant to the election in which the individual is a candidate, the assent voting advertising is considered to be election advertising sponsored by the candidate as part of the candidate's election campaign and its value is an election expense of the candidate.
- (4) For purposes of this Act, if an elector organization sponsors assent voting advertising that is relevant to an election in which the organization is endorsing a candidate, the assent voting advertising is considered to be election advertising sponsored by the elector organization as part of the elector organization's election campaign and its value is an election expense of the elector organization.
- (5) Subject to any applicable regulations, the value of the use of the following is not an election expense:
- (a) property or services that are excluded from being campaign contributions under section 13 (5) [*exclusions from campaign contributions*];
 - (b) if applicable, the nomination deposit of a candidate;
 - (c) services provided by a candidate in relation to that individual's election campaign;
 - (d) goods produced by a candidate from property of the candidate;
 - (e) goods produced by an individual as a volunteer from property of the individual;
 - (f) any other property or services prescribed by regulation.
- (6) Subject to any applicable regulations, the value of each of the following is an election expense, but is not to be included as an election expense for the purpose of determining whether a candidate or an elector organization has exceeded an expense limit under Part 5.1 [*Expense Limits*]:
- (a) personal election expenses within the meaning of subsection (7) in relation to a candidate;
 - (b) legal or accounting services provided to comply with this Act and the regulations under this Act;
 - (c) services provided by a financial agent in that capacity;
 - (d) the cost of any communication that an elector organization transmits exclusively to its members;
 - (e) property and services used exclusively for the day-to-day administration of an elector organization office that operates on a continuing basis outside of campaign periods or election periods, including salaries and wages paid by the elector organization to its permanent staff;
 - (f) interest on a permissible loan to a candidate or elector organization for election period expenses or campaign period expenses;
 - (g) any other expenses prescribed by regulation.
- (7) The following expenses, if they are reasonable, are personal election expenses in relation to a candidate:
- (a) payments for care of a child or other family member for whom the candidate is normally directly responsible;
 - (b) the cost of the candidate travelling to, within or from the election area;
 - (c) the cost of lodging, meals and incidental charges in relation to the candidate while travelling as referred to in paragraph (b);
 - (d) expenses in relation to any disability of the candidate, including the costs in relation to any individual the candidate requires to assist the candidate in performing the functions necessary for seeking election;
 - (e) any other expenses prescribed by regulation in relation to candidates.

(AM)
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(RET)
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(ADD)
May
19/16

2014-18-14; 2016-9-4; 2017-21-5; 2021-5-7 (B.C. Reg. 281/2021).

(SUB) **What are election period and campaign period expenses**

May
19/16

15. Subject to any applicable regulations,
- (a) an election period expense in relation to an election is an election expense that is incurred during the election period, and
 - (b) a campaign period expense in relation to an election is an election expense that is incurred during the campaign period.

2016-9-5.

Valuation rules for campaign contributions, election period expenses and campaign period expenses

(SUB)
May
19/16

16. (1) Subject to any applicable regulations, the rules in this section apply for the purpose of determining the value of a campaign contribution or of an election expense unless otherwise expressly provided under this Act.
- (2) The value of any property or services is
- (a) the price paid for the property or services, or
 - (b) the market value of the property or services, if no price is paid or if the price paid is less than the market value.
- (3) In the case of property that is a capital asset, the value of the property is the market value of using the property.
- (4) Subject to subsection (5), the value of election advertising sponsored by
- (a) a candidate as part of the candidate's election campaign, or
 - (b) an elector organization as part of the elector organization's election campaign is the value of the property and services used in preparing the communication and transmitting it to the public.
- (5) The value of the transmission of the following election advertising sponsored by a candidate is deemed to be nil:
- (a) election advertising referred to in section 13 (6) (b) (ii) [*free equitable advertising by jurisdiction*];
 - (b) election advertising transmitted without charge if such transmission without charge is also made available on an equitable basis to all other candidates in the election;
 - (c) other election advertising prescribed by regulation.
- (6) The value of shared election expenses must be attributed to the participating candidates in accordance with the regulations.

2014-18-16; 2016-9-6.

Part 2: Division 2 – Campaign Accounting

Each candidate must have a financial agent

(AM)
Mar
30/23

17. (1) A candidate must have a financial agent.
- (2) A candidate may appoint an individual as financial agent in accordance with this section, but, if no financial agent is appointed, the candidate is the candidate's own financial agent.
- (3) A candidate may not have more than one financial agent at the same time.
- (4) The appointment of a financial agent for a candidate must
- (a) be made in writing,
 - (b) include
 - (i) the full name of the individual appointed,
 - (ii) the effective date of the appointment, and
 - (iii) the required contact information for the individual,

- (c) be signed by the candidate, and
 - (d) be accompanied by a signed consent of the individual appointed to act as financial agent that includes an address for service at which notices and other communications under this Act or other local elections legislation will be accepted as served on or otherwise delivered to the financial agent.
- (5) If the nomination documents for a candidate identify an appointed financial agent for a candidate, the candidate must deliver the following to the local election officer before the end of the nomination period:
- (a) a copy of the financial agent's appointment;
 - (b) a copy of the financial agent's consent to act;
 - (c) any other information or material required by regulation.
- (6) A candidate or the candidate's financial agent must, as soon as practicable, provide updated information and material in accordance with the applicable requirements under subsections (4) and (5) if there is any change in who is the financial agent for the candidate or in other information or material that is required to be provided under this section.
- (7) Updated information or material required under subsection (6) must be provided as follows:
- (a) to the local election officer, if the change occurs before the declaration of the results of the election;
 - (b) to the BC chief electoral officer, if the change occurs after the declaration of those results.
- (8) For certainty,
- (a) an individual may be the financial agent for more than one candidate or elector organization, or for one or more of each, and
 - (b) the financial agent for a candidate may also be the official agent for the candidate.
- (9) A financial agent appointed for a candidate is not personally liable for any liability of the candidate in relation to the election campaign of the candidate unless the liability is personally guaranteed by the financial agent.
- (10) A candidate who contravenes this section commits an offence.

2014-18-17; 2023-10-510.

Requirement for candidate campaign account

18. (1) A candidate must have at least one campaign account for the candidate's election campaign, established in accordance with this section, if any of the circumstances described in subsection (2) apply.
- (2) The financial agent for the candidate must open one or more campaign accounts at a savings institution by the earliest of the following:
- (a) as soon as practicable after the financial agent receives a campaign contribution of money;
 - (b) before receiving a transfer of money under section 23 [*campaign transfers between candidates and elector organizations*];
 - (c) before receiving payment of money under section 24 (5) (a) [*candidate surplus carried over to next election*];
 - (d) before becoming liable for payment in relation to an election expense or intended election expense of the candidate.
- (3) A campaign account under this section
- (a) must be in the name of the election campaign of the candidate,
 - (b) must be used exclusively for purposes of that election campaign or as permitted under subsection (5), and
 - (c) must not receive deposits other than those required or permitted under this section.

- (4) The financial agent must ensure that
- (a) all campaign contributions, transfers and payments received as referred to in subsection (2) (a) to (c) are deposited into a campaign account of the candidate,
 - (b) the only amounts deposited into a campaign account of the candidate are amounts permitted to be deposited under this section,
 - (c) all payments referred to in subsection (2) (d) are paid, directly or by reimbursement, from a campaign account of the candidate, and
 - (d) a campaign account of the candidate is not used for any purpose other than one permitted under this section.
- (5) In addition to use for purposes of the election campaign for which the account is established, a campaign account under this section may be used for the following purposes:
- (a) if applicable, payment of the candidate's nomination deposit;
 - (b) if the candidate has more than one campaign account in relation to a single election campaign, making a transfer between the campaign accounts;
 - (c) *Repealed.* [2017-21-6]
 - (d) making a transfer of money under section 23 [*campaign transfers between candidates and elector organizations*];
 - (e) making payments referred to in or authorized under section 24 [*what happens if a candidate has surplus campaign funds*];
 - (f) making payments required under section 28 [*dealing with prohibited campaign contributions*];
 - (g) making payments for reasonably incurred expenses, other than election expenses, that are incidental to the candidate's campaign;
 - (g.1) making payments on a permissible loan;
 - (h) any other purpose permitted by regulation.
- (6) In addition to the required deposits under subsection (4) (a), the following may be deposited into a campaign account of the candidate:
- (a) interest on amounts on deposit in the campaign account;
 - (a.1) a permissible loan;
 - (b) any other deposits permitted by regulation.
- (7) A candidate or financial agent who contravenes this section commits an offence.
2014-18-18; 2017-21-6.

(RET)
Oct
31/17

(RET)
Oct
31/17

(RET)
Oct
31/17

Each elector organization must have a financial agent

19. (1) An elector organization must have an individual appointed as financial agent for the organization in accordance with this section by the earliest of the following:
- (a) before accepting a campaign contribution;
 - (b) before incurring an election expense;
 - (c) before becoming liable for payment in relation to an election expense or intended election expense;
 - (d) before accepting a transfer from a candidate under section 23 [*campaign transfers between candidates and elector organizations*].
- (2) An elector organization may not have more than one financial agent at the same time.
- (3) The appointment of a financial agent for an elector organization must
- (a) be made in writing,
 - (b) include

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- (i) the full name of the individual appointed,
- (ii) the effective date of the appointment, and
- (iii) the required contact information for the individual,
- (c) be signed by the authorized principal official of the elector organization, and
- (d) be accompanied by a signed consent of the individual appointed to act as financial agent that includes an address for service at which notices and other communications under this Act or other local elections legislation will be accepted as served on or otherwise delivered to the financial agent.

(REP)
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(4) *Repealed.* [2021-5-8 (B.C. Reg. 281/2021)]

(5) If the individual appointed as financial agent resigns, dies or no longer has the capacity to act as financial agent, the elector organization must appoint a new financial agent as soon as possible.

(REP)
Dec
01/21

(6) and (7) *Repealed.* [2021-5-8 (B.C. Reg. 281/2021)]

(8) For certainty,

- (a) an individual may be the financial agent for more than one candidate or elector organization, or for one or more of each, and
- (b) a responsible principal official of an elector organization may be the financial agent for the organization.

(9) A financial agent for an elector organization is not personally liable for any liability of the elector organization in relation to the election campaign of the elector organization unless the liability is personally guaranteed by the financial agent.

(10) For certainty, the individual most recently appointed as financial agent for an elector organization has the responsibilities of that position under this Act.

(11) An elector organization that contravenes this section commits an offence.

2014-18-19; 2021-5-8 (B.C. Reg. 281/2021).

Requirement for elector organization campaign account

20. (1) An elector organization must have at least one campaign account for each election campaign of the elector organization, established in accordance with this section, if any of the circumstances described in subsection (2) apply.
- (2) The financial agent for the elector organization must open one or more campaign accounts at a savings institution by the earliest of the following:
- (a) as soon as practicable after the financial agent receives a campaign contribution of money;
 - (b) before receiving a transfer of money to the elector organization under section 23 [*campaign transfers between candidates and elector organizations*];
 - (c) before becoming liable for payment in relation to an election expense or intended election expense of the elector organization.
- (3) A campaign account under this section
- (a) must be in the name of the election campaign of the elector organization,
 - (b) must be used exclusively for purposes of that election campaign or as permitted under subsection (5), and
 - (c) must not receive deposits other than those required or permitted under this section.
- (4) The financial agent must ensure that
- (a) all campaign contributions and transfers received as referred to in subsection (2) (a) or (b) are deposited into a campaign account of the elector organization,

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- (b) the only amounts deposited into a campaign account of the elector organization are amounts permitted to be deposited under this section,
 - (c) all payments referred to in subsection (2) (c) are paid, directly or by reimbursement, from a campaign account of the elector organization, and
 - (d) a campaign account of the elector organization is not used for any purpose other than one permitted under this section.
- (5) In addition to use for purposes of the election campaign for which the account is established, a campaign account under this section may be used for the following purposes:
- (a) if the elector organization has more than one campaign account in relation to a single election campaign, making a transfer between the campaign accounts;
 - (b) *Repealed.* [2017-21-7]
 - (c) making a transfer or payment under section 23 [*campaign transfers between candidates and elector organizations*];
 - (d) making payments and transfers referred to in and payments under section 30.17 [*transfer of elector organization's surplus campaign funds*];
 - (e) making payments required under section 28 [*dealing with prohibited campaign contributions*];
 - (f) making payments for reasonably incurred expenses, other than election expenses, that are incidental to the elector organization's campaign;
 - (f.1) making payments on a permissible loan;
 - (g) any other purpose permitted by regulation.
- (6) In addition to the required deposits under subsection (4) (a), the following may be deposited into a campaign account of the elector organization:
- (a) interest on amounts on deposit in the campaign account;
 - (a.1) a permissible loan;
 - (b) any other deposits permitted by regulation.
- (7) An elector organization or financial agent who contravenes this section commits an offence.

2014-18-20; 2017-21-7; 2021-5-9 (B.C. Reg. 281/2021).

Responsible principal officials of elector organization

- (AM) 21. (1) From the earlier of the appointment of a financial agent and the time of submitting an application for registration until the elector organization has been deregistered in accordance with this Act, an elector organization
- (a) must have at least 2 principal officials of the elector organization who have consented to be responsible principal officials of the organization, and
 - (b) must have one of those responsible principal officials designated as the authorized principal official who is to
 - (i) make declarations required under this Act or other local elections legislation in relation to the elector organization, and
 - (ii) retain records as required under section 22.
- (REP) (2) and (3) *Repealed.* [2021-5-10 (B.C. Reg. 281/2021)]

(AM)
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01/21

- (4) For certainty, the individual identified as the authorized principal official of an elector organization in the most recent information and material provided under section 30.07 (2) *[information to be included in application for registration]* or 30.11 (1) *[notice of change in registration information]*, as applicable, has the responsibilities of that position under this Act.
- (5) An elector organization that contravenes this section commits an offence.
2014-18-21; 2021-5-10 (B.C. Reg. 281/2021).

Recording requirements for candidates and elector organizations

(RET)
Oct
31/17

22. (1) The financial agent for a candidate or elector organization must record and maintain records sufficient to allow compliance with the disclosure requirements under this Act.
- (1.1) Without limiting subsection (1), the financial agent must record the following in relation to a permissible loan made to the candidate or elector organization, as applicable:
- (a) if the loan is made by an eligible individual, the full name and residential address of the eligible individual;
 - (b) if the loan is made by a savings institution, the name of the savings institution;
 - (c) the amount of the loan;
 - (d) the date the loan is made;
 - (e) the date the loan is due;
 - (f) the rate of interest, if any, charged for the loan;
 - (g) if the loan is made by a savings institution, the prime rate of the principal banker to the government at the time the rate of interest for the loan is fixed;
 - (h) any other information prescribed by regulation.

(RET)
Oct
31/17

- (1.2) Without limiting subsection (1), if the financial agent for an elector organization or a financial agent for a candidate must comply with section 30.05 *[campaign contribution limits – elector organization and endorsed candidates]*, the financial agent must record the following:
- (a) the date the financial agent for an elector organization returned a campaign contribution to a contributor under section 30.05 (5) (a), the amount of the campaign contribution and the full name of the contributor;
 - (b) the date the financial agent for an elector organization paid an amount equal to the value of a campaign contribution to a contributor under section 30.05 (5) (b), the amount paid and the full name of the contributor;
 - (c) the date the financial agent for an elector organization paid an amount of a permissible loan to a lender under section 30.05 (5) (c), the amount of the permissible loan paid and, if the lender is an eligible individual, the full name of the lender;
 - (d) the date the financial agent for a candidate returned a campaign contribution to a contributor under section 30.05 (7) (a), the amount of the campaign contribution and the full name of the contributor;
 - (e) the date the financial agent for a candidate paid an amount equal to the value of a campaign contribution to a contributor under section 30.05 (7) (b), the amount paid and the full name of the contributor;
 - (f) the date the financial agent for a candidate paid an amount of a permissible loan to a lender under section 30.05 (7) (c), the amount of the permissible loan paid and, if the lender is an eligible individual, the full name of the lender;
 - (g) any other information prescribed by regulation.
- (2) Without limiting subsection (1), the financial agent must record the following:

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- (a) for each campaign contribution received by the candidate or elector organization, the information required under section 29 [*campaign contribution information that must be recorded*];
 - (b) for each transfer between accounts of the candidate or elector organization under section 18 (5) (b) [*transfer between candidate accounts*] or 20 (5) (a) [*transfer between elector organization accounts*], the accounts involved in the transfer and the amount and date of the transfer;
 - (c) for each transfer from the candidate or elector organization under section 23 [*campaign transfers between candidates and elector organizations*], the amount, date and recipient of the transfer;
 - (d) for each transfer received by the candidate or elector organization under section 23 [*campaign transfers between candidates and elector organizations*], the amount, date and source of the transfer;
 - (e) for each provision of property or services under section 13 (6) (a) (ii) [*candidate provision to elector organization*], received by an elector organization, the candidate providing the property or services, the description of the property or services and the date the property or services are provided;
 - (f) for each provision of property or services under section 13 (6) (a) (iii) [*elector organization provision to candidate*], received by a candidate, the elector organization providing the property or services, a description of the property or services and the date the property or services are provided;
 - (g) any other information required by regulation.
- (3) The recording, maintenance and retention of records under this section and related receipts must be done in accordance with any requirements established by regulation.
- (4) The records and material required under this section must be retained as follows:
- (a) records and material for a candidate must be retained in British Columbia
 - (i) by the financial agent until all disclosure requirements under this Act in relation to the candidate have been fulfilled, and
 - (ii) after those disclosure requirements have been fulfilled, by the candidate until 5 years after general voting day for the election to which the records and material relate;
 - (b) records and material for an elector organization must be retained in British Columbia
 - (i) by the financial agent until the following disclosure requirements have been fulfilled:
 - (A) all disclosure requirements under this Act in relation to the applicable elections;
 - (B) the requirements to file an annual financial report or supplementary report, and
 - (ii) after those disclosure requirements have been fulfilled, by the authorized principal official of the elector organization until 5 years after the following, as applicable:
 - (A) general voting day for the election or elections to which the records and material relate;
 - (B) the compliance deadline for filing the annual financial report or supplementary report to which the records and material relate.
- (5) A financial agent, candidate or authorized principal official that contravenes this section commits an offence.

(SUB)
Dec
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2014-18-22; 2017-21-8; 2021-5-11 (B.C. Reg. 281/2021).

Campaign transfers between candidates and elector organizations

- (AM)
May
19/16
- (RET)
Oct
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- (RET)
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- (RET)
Oct
31/17
23. (1) A candidate who is endorsed by an elector organization may provide money to the elector organization by way of a transfer from a campaign account of the candidate to a campaign account of the elector organization.
- (2) An elector organization that endorses a candidate may provide money to the candidate by way of a transfer from a campaign account of the elector organization to a campaign account of the candidate.
- (3) For certainty, a transfer between a candidate and an endorsing elector organization under subsection (1) or (2) may be made after the end of the campaign period for the election.
- (4) If a candidate is seeking endorsement by an elector organization,
- (a) the elector organization may provide money to the candidate by way of a transfer from a campaign account of the elector organization to a campaign account of the candidate, and
- (b) the candidate may provide money to the elector organization by way of a transfer from a campaign account of the candidate to a campaign account of the elector organization.
- (5) If an amount is transferred under subsection (4) (b) and the candidate is not endorsed by the elector organization, an amount equal to the amount transferred must be returned to the candidate from the campaign account of the elector organization.
- (6) *Repealed.* [2017-21-9]
- (7) An elector organization that contravenes subsection (5) commits an offence.

2014-18-23; 2016-9-7; 2017-21-9.

What happens if a candidate has surplus campaign funds

- (AM)
Mar
30/23
24. (1) This section applies if, after an election, there is a balance remaining in a campaign account of a candidate after
- (a) payment of liabilities in relation to the candidate's election expenses and any other reasonable expenses incidental to the candidate's election campaign, and
- (b) any transfers under section 23 [*campaign transfers between candidates and elector organizations*].
- (2) If the candidate made one or more campaign contributions of money to the candidate's election campaign, to the extent that the total balance remaining in the campaign accounts of the candidate after payments or transfers referred to in subsection (1) permits this, the financial agent may pay an amount equal to those campaign contributions to the candidate.
- (3) If, after any payment under subsection (2), the total balance remaining in the campaign accounts of the candidate is less than \$500, the financial agent must pay the balance to the candidate or in accordance with the directions of the candidate.
- (4) If, after any payment under subsection (2), the total balance remaining in the campaign accounts of the candidate is \$500 or more, the financial agent must pay the balance as soon as practicable to the jurisdiction in relation to which the election was held.
- (5) Funds received by a jurisdiction under subsection (4), including accumulated interest, must be held in trust by the jurisdiction to be dealt with as follows:
- (a) if the candidate referred to in that subsection is declared a candidate in an election for that jurisdiction in the next general local election, or in a by-election for the jurisdiction called before that time, the jurisdiction must pay the funds to the financial agent for the candidate for use in the election;

- (b) if the funds are not paid out under paragraph (a), the funds cease to be trust funds and become funds of that jurisdiction for use in the discretion of the local authority.
- (6) A financial agent who contravenes this section commits an offence.
2014-18-24; 2023-10-510.

(REP) Repealed

Dec
01/21

25. *Repealed.* [2021-5-12 (B.C. Reg. 281/2021)]

Part 2: Division 3 – Rules in Relation to Campaign Contributions and Election Expenses

Restrictions on making campaign contributions

- (RET) 26. (0.1) An organization or an individual, other than an eligible individual, must not make a campaign contribution.
Oct
31/17
- (RET) (1) An eligible individual must not do any of the following:
Oct
31/17
 - (a) make a campaign contribution to a candidate or elector organization other than by making it to the financial agent or an individual authorized in writing by the financial agent to receive such contributions;
 - (b) make an anonymous campaign contribution that has a value of more than \$50;
 - (c) make a number of anonymous campaign contributions to the same candidate in relation to one or more election campaigns of the candidate for elections that are being held at the same time if, in total, the campaign contributions would be equal in value to more than \$50;
 - (d) make a number of anonymous campaign contributions to the same elector organization in relation to one or more election campaigns of the elector organization for elections that are being held at the same time if, in total, the campaign contributions would be equal in value to more than \$50;
 - (e) make a campaign contribution, other than an anonymous campaign contribution that is permitted under this Act, without disclosing to the individual receiving the campaign contribution the information required to be recorded under section 29 *[campaign contribution information that must be recorded]*;
 - (f) make a campaign contribution with money, non-monetary property or services of another individual or organization.
 - (g) *Repealed.* [2017-21-10]
- (RET) (1.1) An eligible individual must not make campaign contributions in a calendar year that, in total, exceed an applicable campaign contribution limit.
Oct
31/17
- (RET) (2) An elector organization must not make a campaign contribution of money to its own campaign or to the campaign of a candidate who is or is intended to be endorsed by the elector organization.
Oct
31/17
- (RET) (2.01) An individual or organization must not make a campaign contribution indirectly by providing money, non-monetary property or services to an eligible individual
Oct
31/17

- (a) for the eligible individual to make as a campaign contribution, or
- (b) as consideration for that eligible individual making a campaign contribution.
- (3) An individual or organization that contravenes this section commits an offence.
2014-18-26; 2017-21-10.

Restrictions in relation to accepting campaign contributions

(RET)
Oct
31/17

- 27. (1) A candidate or elector organization must not accept campaign contributions except through
 - (a) the financial agent for the candidate or elector organization, or
 - (b) an individual authorized in writing by that financial agent.
- (1.01) A financial agent or an individual authorized under subsection (1) must not accept
 - (a) a campaign contribution from an organization or an individual, other than an eligible individual, or
 - (b) campaign contributions from an eligible individual that exceed an applicable campaign contribution limit.
- (2) A financial agent or individual authorized as referred to in subsection (1) must not accept
 - (a) a campaign contribution for which the information required to be recorded under section 29 [*campaign contribution information that must be recorded*] has not been provided, or
 - (b) any other campaign contribution that the individual or organization has reason to believe is made in contravention of this Act or the regulations under this Act.
- (3) If an individual authorized as referred to in subsection (1) becomes aware that a campaign contribution may have been made in contravention of this Act or the regulations under this Act, the individual must inform the financial agent as soon as practicable.
- (4) An individual or organization that contravenes this section commits an offence.
2014-18-27; 2017-21-11.

(SUB) **Restrictions on making loans to candidates and elector organizations**

Mar
25/21

- 27.01 (1) Subject to subsection (2), an individual or organization must not make a loan
 - (a) to a candidate for campaign use, or
 - (b) to an elector organization for any use.
- (2) An eligible individual or a savings institution may make a permissible loan
 - (a) to a candidate for campaign use, or
 - (b) to an elector organization for any use.
- (3) As an exception to subsection (2), an eligible individual must not make a permissible loan to a candidate for campaign use or to an elector organization for any use in an amount that would bring the total value of campaign contributions and permissible loans made by the eligible individual to an amount greater than an applicable campaign contribution limit.
- (4) For certainty, this section applies whether the permissible loan is made or accepted before or after the start of a campaign period.
- (5) An individual or organization that contravenes this section commits an offence.
2021-5-13.

(RET) **Restrictions in relation to accepting loans for campaign use**

Oct
31/17
(SUB)
Mar
25/21

- 27.02 (1) A candidate must not accept a loan, other than a permissible loan, for campaign use.

LOCAL ELECTIONS CAMPAIGN FINANCING ACT

- (ADD)
Mar
25/21
- (1.1) An elector organization must not accept a loan, other than a permissible loan, for any use.
- (AM)
Mar
25/21
- (2) A candidate must not accept a permissible loan from an eligible individual for campaign use and an elector organization must not accept a permissible loan from an eligible individual for any use if the amount of the loan would bring the total value of campaign contributions and permissible loans made by the eligible individual to an amount greater than an applicable campaign contribution limit.
- (AM)
Mar
25/21
- (3) If a candidate, elector organization or financial agent for a candidate or elector organization becomes aware that the candidate or elector organization, as applicable, has accepted a loan in contravention of subsection (1), (1.1) or (2), the financial agent must, within 30 days after the candidate, elector organization or financial agent becomes aware of the contravention,
- (a) return the loan to the lender, or
 - (b) pay to the lender an amount equal to the value of the loan.
- (4) If subsection (3) applies, the financial agent for the candidate or elector organization must record the following for each loan:
- (a) the circumstances in which the loan was accepted;
 - (b) the information required under section 22 (1.1) [*recording requirements for loans*];
 - (c) when and how the loan was dealt with in accordance with subsection (3) of this section;
 - (d) any other information prescribed by regulation.
- (5) For certainty, this section applies whether the loan is made or accepted before or after the start of a campaign period.
- (6) A financial agent, candidate or elector organization that contravenes this section commits an offence.

2017-21-12; 2021-5-14.

Dealing with prohibited campaign contributions

28. (1) If a financial agent becomes aware that a campaign contribution was made or accepted in contravention of this Act or the regulations under this Act, the financial agent must, within 30 days after the financial agent becomes aware of the contravention,
- (a) return the campaign contribution to the contributor, or
 - (b) pay to the contributor an amount equal to the value of the campaign contribution.
- (2) If a financial agent is not able to comply with subsection (1), the financial agent must, as soon as practicable, deal with the campaign contribution as follows:
- (a) in the case of a contribution of money, pay to the BC chief electoral officer an amount equal to the value of the contribution;
 - (b) in any other case, either
 - (i) pay to the BC chief electoral officer an amount equal to the value of the contribution, or
 - (ii) deal with the contribution in accordance with the directions of that officer.
- (AM)
Mar
25/21
- (3) An amount to be paid under this section must be paid from a campaign account of the applicable candidate or elector organization, unless all campaign accounts of the candidate or elector organization have been closed.
- (4) A financial agent who contravenes this section commits an offence.

2014-18-28; 2021-5-15.

Campaign contribution information that must be recorded

29. (1) Subject to subsection (2) and any applicable regulations, the financial agent for a candidate or elector organization must record the following for each campaign contribution made to the candidate or elector organization:

(RET)
Oct
31/17
(RET)
Oct
31/17
(RET)
Oct
31/17

- (a) the value of the campaign contribution;
- (b) the date on which the campaign contribution was made;
- (c) unless it is an anonymous campaign contribution, the full name, mailing address and, if it is different, residential address of the contributor;
- (d) whether the campaign contribution is an anonymous campaign contribution;
- (e) *Repealed.* [2017-21-13]

(f) any other information required by regulation.

(2) If section 28 [*dealing with prohibited campaign contributions*] applies in relation to a campaign contribution, the financial agent must maintain records of the following for each such contribution:

(RET)
Oct
31/17
(RET)
Oct
31/17

- (a) the circumstances in which the contribution was received;
- (b) to the extent possible, the information required under subsection (1) (a) to (d) of this section;
- (b.1) if the contribution was made by an organization, the name of the organization;
- (c) when and how the contribution was dealt with in accordance with section 28;
- (d) any other information required by regulation.

(3) A financial agent who contravenes this section commits an offence.

2014-18-29; 2017-21-13.

How payment in relation to election expenses may be made

30. (1) Subject to any applicable regulations, an individual or organization must not make a payment in relation to an election expense or intended election expense of a candidate or elector organization except as permitted under subsection (2) or (3).

(2) An individual may make a payment referred to in subsection (1) in relation to the election campaign of a candidate if

- (a) the payment is either
 - (i) made out of a campaign account of the candidate, or
 - (ii) reimbursed from a campaign account of the candidate on the production of receipts, and
- (b) the individual making the payment is
 - (i) the candidate,
 - (ii) the financial agent for the candidate, or
 - (iii) an individual authorized in writing by that financial agent.

(3) An individual may make a payment referred to in subsection (1) in relation to the election campaign of an elector organization if

- (a) the payment is either

- (i) made out of a campaign account of the elector organization, or
- (ii) reimbursed from a campaign account of the elector organization on the production of receipts, and
- (b) the individual making the payment is
 - (i) the financial agent for the elector organization, or
 - (ii) an individual authorized in writing by that financial agent.
- (4) An individual or organization that contravenes subsection (1) commits an offence.

2014-18-30.

Part 2: Division 4 – Campaign Contribution Limits for 2017 and 2018

(RET) Campaign contribution limits for 2017 and 2018

Oct
31/17

- 30.01** (1) Subject to any applicable regulations, in relation to the 2018 general local election, for each of 2017 and 2018, the campaign contribution limit is \$1 200 for a candidate who is not endorsed by an elector organization in relation to an election campaign of the candidate.
- (2) Subject to any applicable regulations, in relation to the 2018 general local election, for each of 2017 and 2018, the campaign contribution limit is \$1 200 for any one elector organization and all the candidates endorsed by the elector organization in relation to an election campaign of the elector organization.

2017-21-14.

(RET) Campaign contributions – elector organizations and endorsed candidates

Oct
31/17

- 30.02** Section 30.05 [*campaign contributions – elector organizations and endorsed candidates*] applies in relation to an applicable campaign contribution limit for 2017 and 2018.

2017-21-14.

Part 2: Division 5 – Campaign Contribution Limits

(RET) Application of Division

Oct
31/17

- 30.03** As an exception to section 1 [*elections to which this Act applies*], this Division applies to one or more of the following:
- (a) an election prescribed by regulation;
 - (b) an election prescribed by regulation in an election area prescribed by regulation;
 - (c) an election prescribed by regulation for all the election areas in the geographic area associated with a jurisdiction prescribed by regulation.

2017-21-14.

(RET) Campaign contribution limits for 2019 and subsequent years

Oct
31/17

- 30.04** (1) In this section, "**base year**" means 2019 or a subsequent calendar year for which a campaign contribution limit is established under subsection (2) or (3).
- (2) Subject to any applicable regulations, the campaign contribution limit for a base year is, for a candidate who is not endorsed by an elector organization in relation to an election campaign of the candidate, an amount prescribed by regulation or determined in accordance with the regulations.
- (3) Subject to any applicable regulations, the campaign contribution limit for a base year is, for any one elector organization and all the candidates endorsed by the elector organization in relation to an election campaign of the elector organization, an amount prescribed by regulation or determined in accordance with the regulations.
- (4) Subject to any applicable regulations, for a calendar year other than a base year, the BC chief electoral officer must establish the campaign contribution limits for that year by
- (a) determining the ratio between the consumer price index at January 1 of the base year and the consumer price index at January 1 of the year in which the limit applies, and
- (b) applying the ratio to adjust the amount prescribed or determined under subsection (2) and (3) that is to apply for that year.
- (5) For the purpose of establishing a campaign contribution limit under subsection (4), the BC chief electoral officer has the discretion to determine
- (a) whether to use a consumer price index prepared by the director under the *Statistics Act* (British Columbia) or a consumer price index published by Statistics Canada under the *Statistics Act* (Canada), and
- (b) which consumer price index is applicable for a particular time.
- (6) As soon as practicable after January 1 of each year, the BC chief electoral officer must
- (a) have the campaign contribution limits established under subsection (4) published in the Gazette, and
- (b) make that information publicly available on an Elections BC authorized internet site.

2017-21-14.

(RET) **Campaign contributions – elector organizations and endorsed candidates**

Oct
31/17

- 30.05** (1) In this section, "**excess campaign contributions**" means
- (a) permissible loans made by an eligible individual, and
- (b) campaign contributions
- that are accepted by an elector organization and the candidates endorsed by the elector organization and that, in total, exceed an applicable campaign contribution limit.
- (2) As soon as practicable after an elector organization endorses a candidate in an election, the financial agent for the candidate must provide to the financial agent for the elector organization the following information in relation to the election campaign of the candidate for that election:
- (a) the amount and date of each campaign contribution accepted by the candidate;
- (b) the full name of the contributor of each campaign contribution accepted by the candidate, unless the contributor is an anonymous contributor;
- (c) the amount and date of each permissible loan made by an eligible individual and accepted by the candidate;
- (d) the full name of the eligible individual who made the permissible loan;
- (e) any other information prescribed by regulation.

- (3) As soon as practicable after receiving the information under subsection (2), the financial agent for the elector organization must review the information.
- (4) If, after the review under subsection (3) or at any other time after an elector organization endorses a candidate, the financial agent for the elector organization becomes aware that there are excess campaign contributions, the financial agent for the elector organization must comply with subsection (5) and, if applicable, subsection (6).
- (5) If there are excess campaign contributions, the financial agent for the elector organization must do one or more of the following:
 - (a) return to one or more contributors one or more campaign contributions accepted by the elector organization;
 - (b) pay to one or more contributors an amount equal to the value of one or more campaign contributions accepted by the elector organization;
 - (c) pay to one or more lenders an amount of one or more permissible loans made to and accepted by the elector organization.
- (6) If, after complying with subsection (5), the financial agent for the elector organization determines that there continue to be excess campaign contributions, the financial agent for the elector organization must, as soon as practicable, notify the financial agent for one or more candidates of the excess campaign contributions.
- (7) As soon as practicable after receiving a notification under subsection (6), a financial agent for a candidate must do one or more of the following to ensure that there are no excess campaign contributions:
 - (a) return to one or more contributors one or more campaign contributions accepted by the candidate;
 - (b) pay to one or more contributors an amount equal to the value of one or more campaign contributions accepted by the candidate;
 - (c) pay to one or more lenders an amount of one or more permissible loans made to and accepted by the candidate.
- (8) A financial agent who contravenes this section commits an offence.

2017-21-14.

Part 2: Division 6 – Registration of Elector Organizations

(ADD) Requirement to register

Dec
01/21

- 30.06** (1) An elector organization must be registered in order to do any of the following:
- (a) endorse a candidate;
 - (b) accept a campaign contribution;
 - (c) enter into a campaign financing arrangement;
 - (d) incur an election expense.
- (2) If the registration of an elector organization is suspended under this Act, during the period of the suspension, the elector organization must not do anything referred to in subsection (1) (a) to (d).
- (3) Subject to sections 64 (4.1), 65 (1.1), 68.01 (6) and 68.03 (4) [*contributions accepted for purpose of paying debts*], an elector organization that is not registered, or an individual acting on behalf of an organization that is not registered, must not do anything that a registered elector organization may do under subsection (1) of this section.
- (4) An elector organization that contravenes this section commits an offence.

2021-5-16 (B.C. Reg. 281/2021).

(ADD) Application for registration – elector organization

Dec
01/21

- 30.07 (1)** In order to be registered, an elector organization must
- (a) submit to the BC chief electoral officer an application for registration in accordance with this section,
 - (b) have a membership that, at the time the signed declaration referred to in subsection (4) is made, includes at least 50 electors of a jurisdiction for which an election is to be held,
 - (c) have a financial agent appointed in accordance with section 19 [*each elector organization must have a financial agent*],
 - (d) have a campaign account established in accordance with section 20, and
 - (e) have at least 2 principal officials who have consented to be responsible principal officials in accordance with section 21.
- (2) An application for registration must be signed by the authorized principal official of the elector organization and must include the following:
- (a) the legal name of the elector organization, if applicable;
 - (b) the usual name of the elector organization, if the usual name is different from the legal name, or if the elector organization has no legal name;
 - (c) any abbreviations, acronyms or other names used by the elector organization to refer to itself;
 - (d) the name, abbreviation or acronym by which the elector organization proposes to be identified on the ballot;
 - (e) the name of each jurisdiction for which the elector organization intends to endorse a candidate in an election;
 - (f) the address of the place or places where records of the elector organization are maintained;
 - (g) the name, required contact information and address for service of the authorized principal official of the elector organization;
 - (h) the name, mailing address and address for service of each of the other responsible principal officials of the elector organization;
 - (i) signed consents of the responsible principal officials to act as responsible principal officials and, as applicable, as the authorized principal official of the elector organization;
 - (j) a copy of the appointment and consent of the financial agent referred to in section 19;
 - (k) the names and addresses of the savings institutions at which the elector organization maintains a campaign account;
 - (l) the names and addresses of the savings institutions at which the elector organization maintains an account other than a campaign account;
 - (m) a statement of the assets and liabilities of the elector organization as of a date not earlier than 90 days before the date the application is submitted to the BC chief electoral officer;
 - (n) a signed statement of the financial agent of the elector organization, verifying the accuracy of the statement submitted under paragraph (m);
 - (o) any other information required by regulation.
- (3) An application for registration must be in a form approved by the BC chief electoral officer and, as applicable, must be filed in accordance with and comply with any other requirements established by regulation.

- (4) An application for registration must be accompanied by a signed declaration of the authorized principal official of the elector organization that, to the best of the knowledge and belief of the authorized principal official, the following are true:
- (a) the applicant has a membership of at least 50 electors of the jurisdiction for which it seeks to endorse a candidate;
 - (b) the applicant is not prohibited from reregistering as a result of having been deregistered under Division 1 [*Penalties for Failure to Comply with Disclosure Requirements*] of Part 6;
 - (c) the information provided in the application is complete and accurate;
 - (d) the individual making the declaration is the authorized principal official of the applicant;
 - (e) the applicant
 - (i) understands the requirements and restrictions that apply to the applicant under this Act, and
 - (ii) intends to fully comply with all of those requirements and restrictions;
 - (f) the applicant intends to endorse a candidate in an election;
 - (g) the applicant has authorized the official to make the signed declaration;
 - (h) any other matter prescribed by regulation.

2021-5-16 (B.C. Reg. 281/2021).

(ADD) **Prohibitions regarding elector organization names and other identification**

Dec
01/21

- 30.08** (1) An elector organization must not be registered if any of the forms of identification referred to in section 30.07 (2) (a) to (d)
- (a) is likely, in the opinion of the BC chief electoral officer, to be confused with that of another elector organization
 - (i) that is currently registered in relation to the same jurisdiction,
 - (ii) that has an earlier application for registration, in relation to the same jurisdiction, pending before the BC chief electoral officer, or
 - (iii) that was registered in relation to the same jurisdiction at any time during the previous 10 years, or
 - (b) includes any information that is prohibited by section 115 (3) of the *Local Government Act* from being included on a ballot.
- (2) Despite subsection (1), the BC chief electoral officer may register an elector organization in a circumstance where any of the forms of identification referred to in section 30.07 (2) (a) to (d) is the same as or similar to that of another elector organization if both of the following apply:
- (a) the other elector organization has been deregistered for at least the previous 4 years;
 - (b) the name of the other elector organization has not appeared on a ballot at any time in the past 10 years.
- (3) For the purposes of this section, an elector organization is registered in relation to a jurisdiction if
- (a) in its application for registration under section 30.07, the elector organization names the jurisdiction as a jurisdiction for which the elector organization intends to endorse a candidate in an election, and
 - (b) the elector organization is registered under section 30.09.

2021-5-16 (B.C. Reg. 281/2021).

(ADD) **Processing of applications for registration**

Dec
01/21

- 30.09** (1) The BC chief electoral officer must consider each application for registration that is received and determine whether the applicant elector organization meets the requirements for registration.
- (2) Subject to subsection (3), a determination under subsection (1) must be completed within 30 days after the application is received.
- (3) If an election is called and an application for registration is received within 30 days of the date on which the nomination period begins, a determination under subsection (1) must be made within 30 days after the general voting day for the election.
- (4) If the applicant elector organization meets the requirements for registration, the BC chief electoral officer must
- (a) register the elector organization in the register of elector organizations, and
- (b) notify the elector organization of the date on which it was registered.
- (5) The BC chief electoral officer
- (a) may require the authorized principal official to provide any additional information or evidence the BC chief electoral officer considers necessary to make a determination under subsection (1), and
- (b) has the discretion to determine whether an elector organization applying for registration is the same as one that was previously registered or a new applicant for registration.
- (6) If an applicant elector organization does not meet the requirements for registration, the BC chief electoral officer must notify the elector organization in writing and provide written reasons for rejecting the application.
- (7) Subject to subsection (8), an elector organization whose application does not meet the requirements set out in section 30.07 may submit an amended application.
- (8) If the requirements set out in section 30.07 are not met within 30 days of the receipt by an applicant of a notification under subsection (6), the BC chief electoral officer must discontinue the consideration of the application under this section.

2021-5-16 (B.C. Reg. 281/2021).

(ADD) **Register to be open to public**

Dec
01/21

- 30.10** (1) The BC chief electoral officer must maintain a register of the elector organizations that are registered, suspended or deregistered under this Act.
- (2) The register of elector organizations must
- (a) be made publicly available on an Elections BC authorized internet site,
- (b) be available for public inspection at the office of the BC chief electoral officer during its regular office hours, and
- (c) include the name of the financial agent of each elector organization, the required contact information for the financial agent and the information referred to in section 30.07 (2) (a) to (e) and (g).

2021-5-16 (B.C. Reg. 281/2021).

(ADD) **Change in registration information**

Dec
01/21

- 30.11** (1) If there is any change to the information referred to in section 30.07 (2) [*information included in application for registration*], the elector organization must file with the BC chief electoral officer a notice of the change as soon as practicable.

- (2) A notice filed under subsection (1) must be in a form approved by the BC chief electoral officer and must be signed by the authorized principal official of the elector organization.
- (3) If satisfied that a notice under subsection (2) is authorized by the elector organization for which it is made, the BC chief electoral officer must amend the register of elector organizations to reflect the change.
- (4) On request by the BC chief electoral officer, an elector organization must provide any information or evidence that the BC chief electoral officer considers necessary to confirm that any of the following information is correct:
 - (a) the information in the notice referred to in subsection (1);
 - (b) the information referred to in section 30.07 (2) currently filed with the BC chief electoral officer.
- (5) If the elector organization does not file a notice of a change in accordance with subsection (1) within 60 days after the date of the change, the BC chief electoral officer may suspend the registration of an elector organization, and the suspension continues until the notice is filed in accordance with subsection (1).
- (6) An elector organization that contravenes subsection (1) or (4) commits an offence.
2021-5-16 (B.C. Reg. 281/2021).

(ADD) **Change in elector organization name or form of identification**

Dec
01/21

- 30.12** (1) A registered elector organization must not make a change to a form of identification referred to in section 30.07 (2) (a) to (d) [*forms of identification included in application for registration*], unless the change has been approved in advance by the BC chief electoral officer.
- (2) For the purposes of subsection (1), the elector organization must apply to the BC chief electoral officer as provided in section 30.11 (2), and sections 30.08 [*prohibitions regarding elector organization names and other identification*] and 30.09 [*processing of applications for registration*] apply.
 - (3) An elector organization that contravenes subsection (1) commits an offence.
2021-5-16 (B.C. Reg. 281/2021).

(ADD) **How elector organization may be deregistered**

Dec
01/21

- 30.13** An elector organization may be deregistered as follows:
- (a) by voluntary deregistration in accordance with section 30.14;
 - (b) by deregistration in accordance with Division 1 [*Penalties for Failure to Comply with Disclosure Requirements*] or Division 3 [*Expense Limit Penalties*] of Part 6.
2021-5-16 (B.C. Reg. 281/2021).

(ADD) **Voluntary deregistration**

Dec
01/21

- 30.14** (1) A registered elector organization may apply to the BC chief electoral officer for deregistration in accordance with this section.
- (2) An elector organization may not apply for deregistration under this section if the elector organization is subject to deregistration or suspension because
 - (a) it has not filed disclosure statements, annual financial reports or supplementary reports in accordance with Part 5 [*Transparency Requirements for Local Elections and Assent Voting*],

- (b) a candidate endorsed by the elector organization has not filed disclosure statements or supplementary reports in accordance with Part 5, or
 - (c) it has election expenses greater than the amount permitted by Part 5.1 [*Expense Limits*] and has not yet paid an applicable penalty under section 68.02 [*monetary penalties for exceeding expense limits or amount available*].
- (3) An application for deregistration must be in a form approved by the BC chief electoral officer, must be signed by the authorized principal official of the elector organization and must include the following:
- (a) the legal name of the elector organization, if applicable;
 - (b) the name of each jurisdiction for which the elector organization endorsed or intended to endorse a candidate in an election;
 - (c) the name, required contact information and address for service of the authorized principal official of the elector organization.
- (4) If satisfied that an application for deregistration is authorized by the elector organization for which it is made, the BC chief electoral officer must deregister the elector organization.
- (5) If an elector organization applying to be deregistered has endorsed a candidate in an election in progress, the BC chief electoral officer must not deregister the elector organization until after general voting day for the election.

2021-5-16 (B.C. Reg. 281/2021).

(ADD) **Notice of deregistration or suspension**

Dec
01/21

- 30.15** (1) The BC chief electoral officer must specify and record in the register the effective date of the deregistration or suspension of an elector organization.
- (2) The BC chief electoral officer must give notice of a deregistration or suspension, including the effective date and the reasons for the deregistration or suspension, to the deregistered or suspended elector organization.

2021-5-16 (B.C. Reg. 281/2021).

(ADD) **Disclosure statements required on deregistration**

Dec
01/21

- 30.16** (1) An elector organization that is deregistered must file the following with the BC chief electoral officer within 6 months of deregistration:
- (a) a financial report prepared in accordance with section 45.1 [*annual financial reports*] for the period from the date of the last annual financial report prepared in accordance with that section up to and including the last day the elector organization was registered;
 - (b) a report of the financial activity of the elector organization between the end of the period referred to in paragraph (a) and the date, as applicable,
 - (i) on which the funds of the organization are transferred under section 30.17, or
 - (ii) on which the organization reports to the BC chief electoral officer that there are no funds to be transferred;
 - (c) any other information required by regulation.
- (2) An elector organization that contravenes this section commits an offence.

2021-5-16 (B.C. Reg. 281/2021).

(ADD) **Transfer of elector organization's surplus campaign funds**

Dec
01/21

- 30.17** The financial agent of an elector organization that is deregistered may pay to the elector organization, or in accordance with the directions of the elector organization, the balance remaining in the campaign account of the elector organization after
- (a) the payment of the elector organization's election expenses and any other reasonable expenses incidental to the elector organization's election campaign, and
 - (b) the completion of any transfers in accordance with section 23 (2) [*campaign transfers from elector organization to endorsed candidates*].
- 2021-5-16 (B.C. Reg. 281/2021).

(ADD) **Reregistration**

Dec
01/21

- 30.18** (1) Unless it is deregistered under section 30.14, an elector organization that has been deregistered may not apply to be reregistered until after the general local election following the effective date of the deregistration.
- (2) An elector organization that is deregistered under section 30.14 may apply to be reregistered at any time.
- (3) In order to reregister, an elector organization must
- (a) submit to the BC chief electoral officer an application for reregistration that complies with the requirements set out under section 30.07 [*application for registration – elector organization*],
 - (b) satisfy the BC chief electoral officer that the elector organization is the same elector organization that was previously registered,
 - (c) fulfill the requirements established under this Act, including, without limitation, filing annual financial reports and disclosure statements and paying monetary penalties, unless the elector organization has been granted relief from the requirements in accordance with section 68, 68.07 or 68.18 [*court relief powers*], and
 - (d) file with the BC chief electoral officer a report on the elector organization's financial activities since it was deregistered.

2021-5-16 (B.C. Reg. 281/2021).

PART 3 – Third Party Advertising

Part 3: Division 1 – General

Independence requirements for third party sponsors

31. (1) Subject to this section, an individual or organization must not sponsor third party advertising on behalf of or together with a candidate or elector organization in relation to the election campaign of the candidate or elector organization.
- (2) A candidate may, as a third party sponsor, sponsor election advertising that is not an election expense of the candidate.
- (3) An elector organization may, as a third party sponsor, sponsor election advertising that is not an election expense of the elector organization.
- (4) An individual or organization that contravenes this section commits an offence.

2014-18-31.

Sponsorship contributions generally

32. (1) Subject to this section and any applicable regulations, the following are sponsorship contributions:
- (a) the amount of any money, or the value of any non-monetary property or services, provided without compensation to an individual or organization for sponsorship use;
- (b) if property or services are provided at less than market value to an individual or organization for sponsorship use, the difference between the market value of the property or services at the time provided and the amount charged;
- (c) if
- (i) a third party sponsor offers property or services for the purpose of obtaining funds for sponsorship use, and
- (ii) the property or services are acquired from the third party sponsor at greater than market value,
- the difference between the market value of the property or services at the time acquired and the amount charged;
- (d) the unpaid amount of a debt, other than a debt arising from a loan, in relation to the preparation or transmission of third party advertising sponsored by a third party sponsor, if
- (i) the third party sponsor is liable for payment in relation to that preparation or transmission,
- (ii) any part of that debt remains unpaid for 6 months after the debt has become due, and
- (iii) no legal proceedings to recover the debt have been commenced by the creditor;
- (e) the provision to a third party sponsor of property or services prescribed by regulation.
- (2) For certainty, nothing in subsection (1) (d) affects the rights of a creditor in relation to a debt that becomes a sponsorship contribution under that subsection.
- (2.1) If the unpaid amount of a debt referred to in subsection (1) (d) of this section

(RET)
Oct
31/17

(RET)
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31/17

- (a) is payable to an organization or an individual, other than an eligible individual, and
 - (b) becomes a sponsorship contribution under that subsection, section 35 *[dealing with prohibited sponsorship contributions]* applies as if the unpaid amount of the debt were a sponsorship contribution made or accepted in contravention of this Act or the regulations under this Act.
- (3) Subject to any applicable regulations, the value of the following is not a sponsorship contribution:
- (a) property and services that are deemed to have a nil value under section 33 (5) *[advertising expenses deemed to have nil value]*;
 - (b) any other property or services prescribed by regulation.

2014-18-32; 2017-21-15.

(RET) **Sponsorship contributions through loans**

Oct
31/17
(RET)
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04/21

- 32.01** (1) Subject to any applicable regulations, a permissible loan to a third party sponsor is not a sponsorship contribution, but
- (a) the loan must be disclosed in accordance with the requirements under Division 2 *[Disclosure Requirements for Candidates, Elector Organizations and Advertising Sponsors]* of Part 5 *[Transparency Requirements for Local Elections and Assent Voting]*, and
 - (b) if the loan is made by an eligible individual, it must be treated as if it were a sponsorship contribution for the purpose of determining whether the eligible individual has complied with section 34 (1.01) *[prohibition against exceeding sponsorship contribution limit]*.
- (2) Despite subsection (1), the unpaid amount of a permissible loan made by an eligible individual to a third party sponsor is a sponsorship contribution if
- (a) that part of the loan remains unpaid for 6 months after it becomes due and no legal proceedings to recover the loan have been commenced by the eligible individual, or
 - (b) the eligible individual forgives that part of the loan.
- (3) Despite subsection (1), the unpaid amount of a permissible loan made by a savings institution to a third party sponsor is a sponsorship contribution if the savings institution does not make commercially reasonable efforts to collect or enforce the loan.
- (4) In the circumstances described in subsection (3), section 35 *[dealing with prohibited sponsorship contributions]* applies as if the unpaid amount of the loan were a sponsorship contribution made or accepted in contravention of this Act or the regulations under this Act.
- (5) For certainty, nothing in subsection (2) or (3) affects the rights of a creditor in relation to a permissible loan that becomes a sponsorship contribution under those subsections.

2017-21-16; 2021-5-17.

Valuation rules for third party advertising and sponsorship contributions

- 33.** (1) Unless otherwise expressly provided under this Act, the rules in this section apply for the purpose of determining the value of third party advertising or a sponsorship contribution.
- (2) The value of any property or services is
- (a) the price paid for the property or services, or
 - (b) the market value of the property or services, if no price is paid or if the price paid is less than the market value.
- (3) In the case of property that is a capital asset, the value of the property is the market value of using the property.

- (4) Subject to subsection (5), the value of third party advertising is the value of property and services used in preparing the communication and transmitting it to the public.
- (5) The value of the following property and services used as referred to in subsection (4) is deemed to be nil:
 - (a) services provided by an individual, as the third party sponsor or as a volunteer;
 - (b) any other property or services prescribed by regulation.
- (6) The value of shared third party advertising must be attributed to the participating individuals and organizations in accordance with the regulations.

(ADD)
May
19/16

2014-18-33; 2016-9-9.

Part 3: Division 2 – Rules in Relation to Sponsorship Contributions and Sponsored Advertising

Restrictions on making sponsorship contributions

- (RET) **34.** (0.1) An organization or an individual, other than an eligible individual, must not make a sponsorship contribution.
Oct
31/17
- (RET) (1) An eligible individual must not do any of the following:
Oct
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 - (a) make an anonymous sponsorship contribution that has a value of more than \$50;
 - (b) make a number of anonymous sponsorship contributions to the same third party sponsor in relation to one or more elections that are being held at the same time if, in total, the sponsorship contributions would be equal in value to more than \$50;
 - (c) make a sponsorship contribution, other than an anonymous sponsorship contribution that is permitted under this Act, without disclosing to the third party sponsor receiving the sponsorship contribution the information required to be recorded under section 36 [*records of sponsorship contributions and sponsored advertising*];
 - (d) make a sponsorship contribution with money, non-monetary property or services of another individual or organization.
 - (e) *Repealed.* [2017-21-17]
- (RET) (1.01) An eligible individual must not make, in a calendar year, sponsorship contributions that, in total, exceed the applicable sponsorship contribution limit.
Oct
31/17
- (RET) (1.1) An individual or organization must not make a sponsorship contribution indirectly by providing money, non-monetary property or services to an eligible individual
Mar
04/21
 - (a) for the eligible individual to make as a sponsorship contribution, or
 - (b) as consideration for that eligible individual making a sponsorship contribution.
- (RET) (2) An individual or organization that contravenes this section commits an offence.
Oct
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2014-18-34; 2017-21-17; 2021-5-18.

(RET) Restrictions on making loans for sponsorship use

Mar
04/21

- 34.01** (1) Subject to subsection (2), an individual or organization must not make a loan to a third party sponsor for sponsorship use.
- (2) An eligible individual or a savings institution may make a permissible loan to a third party sponsor for sponsorship use.

- (3) As an exception to subsection (2), an eligible individual must not make a permissible loan to a third party sponsor for sponsorship use in an amount that would bring the total value of sponsorship contributions and permissible loans made by the eligible individual to an amount greater than the applicable sponsorship contribution limit.
- (4) For certainty, this section applies whether the permissible loan is made or accepted before or after the start of a campaign period.
- (5) An individual or organization that contravenes this section commits an offence.

2021-5-19.

(RET) **Restrictions in relation to accepting sponsorship contributions**

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(RET)
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04/21

34.02 (1) A third party sponsor must not accept

- (a) a sponsorship contribution from an organization or an individual, other than an eligible individual, or
- (b) sponsorship contributions from an eligible individual that exceed the applicable sponsorship contribution limit.
- (2) A third party sponsor must not accept
 - (a) a sponsorship contribution for which the information required to be recorded under section 36 [*records of sponsorship contributions and sponsored advertising*] is not provided, or
 - (b) any other sponsorship contribution that the sponsor has reason to believe is made in contravention of this Act or the regulations under this Act.
- (3) A third party sponsor that contravenes this section commits an offence.

2017-21-18; 2021-5-20.

(RET) **Restrictions in relation to accepting loans for sponsorship use**

Oct
31/17

34.03 (1) A third party sponsor must not accept a loan, other than a permissible loan, for sponsorship use.

(RET)
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04/21

- (1.1) A third party sponsor must not accept a permissible loan for sponsorship use from an eligible individual if the amount of the loan would bring the total value of sponsorship contributions and permissible loans made by the eligible individual to an amount greater than the applicable sponsorship contribution limit.

(RET)
Mar
04/21

- (2) If a third party sponsor becomes aware that it has accepted a loan in contravention of subsection (1) or (1.1), the third party sponsor must, within 30 days after becoming aware of the contravention,
 - (a) return the loan to the lender, or
 - (b) pay to the lender an amount equal to the value of the loan.
- (3) If subsection (2) applies, the third party sponsor must maintain records of the following for each loan:
 - (a) the circumstances in which the loan was accepted;
 - (b) the information required under section 36 (2.1) [*records of sponsorship contributions – loans*];
 - (c) when and how the loan was dealt with in accordance with subsection (2) of this section;
 - (d) any other information prescribed by regulation.
- (4) For certainty, this section applies whether the loan is made or accepted before or after the start of a campaign period.

- (5) A third party sponsor that contravenes this section commits an offence.

2017-21-18; 2021-5-21.

Dealing with prohibited sponsorship contributions

(RET)
Oct
31/17

35. (1) *Repealed.* [2017-21-19]

- (2) If a third party sponsor becomes aware that a sponsorship contribution was made or accepted in contravention of this Act or the regulations under this Act, the third party sponsor must, within 30 days after becoming aware of the contravention,
- (a) return the sponsorship contribution to the contributor, or
 - (b) pay to the contributor an amount equal to the value of the sponsorship contribution.
- (3) If a third party sponsor is not able to comply with subsection (2), the third party sponsor must, as soon as practicable, deal with the sponsorship contribution as follows:
- (a) in the case of a sponsorship contribution of money, pay to the BC chief electoral officer an amount equal to the value of the sponsorship contribution;
 - (b) in any other case, either
 - (i) pay to the BC chief electoral officer an amount equal to the value of the contribution, or
 - (ii) deal with the contribution in accordance with the directions of that officer.
- (4) An individual or organization that contravenes this section commits an offence.

2014-18-35; 2017-21-19.

Records of sponsorship contributions and sponsored advertising

36. (1) Subject to subsection (2) and any applicable regulations, for each sponsorship contribution received by a third party sponsor, the individual or organization must maintain records of the following information:

(RET)
Oct
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(RET)
Oct
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- (a) the value of the sponsorship contribution;
- (b) the date on which the sponsorship contribution was made;
- (c) unless it is an anonymous sponsorship contribution, the full name, mailing address and, if it is different, residential address of the contributor;
- (d) whether the sponsorship contribution is an anonymous sponsorship contribution;
- (e) *Repealed.* [2017-21-20]
- (f) any other information required by regulation.

(2) If section 35 [*dealing with prohibited sponsorship contributions*] applies in relation to a sponsorship contribution, the sponsor must maintain records of the following for each such sponsorship contribution:

(RET)
Oct
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(RET)
Oct
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- (a) the circumstances in which the sponsorship contribution was received;
- (b) to the extent possible, the information required under subsection (1) (a) to (d) of this section;
- (b.1) if the contribution was made by an organization, the name of the organization;
- (c) when and how the sponsorship contribution was dealt with in accordance with section 35;
- (d) any other information required by regulation.

(RET)
Oct
31/17

- (2.1) The sponsor must maintain records of the following in relation to a permissible loan made to the sponsor:
- (a) if the loan is made by an eligible individual, the full name and residential address of the eligible individual;
 - (b) if the loan is made by a savings institution, the name of the savings institution;
 - (c) the amount of the loan;
 - (d) the date the loan is made;
 - (e) the date the loan is due;
 - (f) the rate of interest, if any, charged for the loan;
 - (g) if the loan is made by a savings institution, the prime rate of the principal banker to the government at the time the rate of interest for the loan is fixed;
 - (h) any other information prescribed by regulation.
- (3) A third party sponsor must maintain records and material respecting the sponsored third party advertising that are sufficient to meet the reporting requirements under this Act.
- (4) The records and material required under this section must be retained in British Columbia
- (a) by the sponsor, in the case of a third party sponsor who is an individual, and
 - (b) by the authorized principal official, in the case of a third party sponsor that is an organization,
- until 5 years after general voting day for the election to which the records and material relate.
- (5) The recording, maintenance and retention of records and material under this section and related receipts must be done in accordance with any requirements established by regulation.
- (6) An individual or organization that contravenes this section commits an offence.

2014-18-36; 2017-21-20.

Part 3: Division 2.1 – Sponsorship Contribution Limit

(RET) **Sponsorship contribution limit for 2021**
Mar
04/21

- 36.01** Subject to any applicable regulations, the sponsorship contribution limit for 2021 is equal to the amount of the campaign contribution limit for that year.

2021-5-22.

(RET) **Sponsorship contribution limit for 2022 and subsequent years**
Mar
04/21

- 36.02** (1) In this section, "**base year**" means 2022 or a subsequent calendar year for which a sponsorship contribution limit is established under subsection (2).
- (2) Subject to any applicable regulations, the sponsorship contribution limit for a base year is an amount prescribed by regulation or determined in accordance with the regulations.
- (3) Subject to any applicable regulations, for a calendar year other than a base year, the BC chief electoral officer must establish the sponsorship contribution limit for that year by
- (a) determining the ratio between the consumer price index at January 1 of the base year and January 1 of the year in which the limit applies, and
 - (b) applying the ratio to adjust the amount prescribed or determined under subsection (2).

- (4) For the purpose of establishing a sponsorship contribution limit under subsection (3), the BC chief electoral officer has the discretion to determine
- (a) whether to use a consumer price index prepared by the director under the *Statistics Act* (British Columbia) or a consumer price index published by Statistics Canada under the *Statistics Act* (Canada), and
 - (b) which consumer price index is applicable for a particular time.

2021-5-22.

Part 3: Division 3 – Registration of Third Party Sponsors

Prohibition against sponsoring third party advertising if not registered

37. (1) An individual or organization that is not registered under this Division must not sponsor third party advertising.
- (2) An individual or organization that contravenes subsection (1) commits an offence.

2014-18-37.

Application for registration – individual as third party sponsor

38. (1) An individual who wishes to register as a third party sponsor must submit to the BC chief electoral officer an application for registration that complies with the requirements under this Division.
- (2) The application for registration must include the following information:
- (a) the full name of the applicant and, if this is different, the usual name of the individual;
 - (b) the name of the sponsor and the mailing address, telephone number or email address that are to be used by the sponsor for the purpose of compliance with section 44 [*advertising must include sponsorship information*];
 - (c) the required contact information for the individual;
 - (d) an address for service at which notices and other communications under this Act or other local elections legislation will be accepted as served on or otherwise delivered to the individual;
 - (e) any other information required by regulation.
- (3) An application for registration must be in a form approved by the BC chief electoral officer and, as applicable, must be filed in accordance with and comply with any other requirements established by regulation.
- (4) In order to be accepted, an application for registration must be accompanied by a solemn declaration of the applicant that, to the best of the knowledge and belief of the applicant, the following are true:
- (a) the applicant is, and intends to continue to be, in compliance with the independence requirements of section 31 [*independence requirements for third party sponsors*];
 - (b) the applicant is not prohibited under this Act from sponsoring third party advertising;
 - (c) the information provided in the application is complete and accurate;
 - (d) the applicant
 - (i) understands the requirements and restrictions that apply to the applicant under this Act, and

- (ii) intends to fully comply with all of those requirements and restrictions;
- (e) any other matter prescribed by regulation.
- (5) The third party sponsor must, as soon as practicable, provide updated information and material to the BC chief electoral officer in accordance with the requirements under subsections (2) and (3) if there is any change in the information or material that is required to be provided to the BC chief electoral officer under this section.
- (6) A third party sponsor that contravenes subsection (5) commits an offence.

2014-18-38.

Application for registration – organization as third party sponsor

39. (1) An organization that wishes to register as a third party sponsor must submit to the BC chief electoral officer an application for registration that complies with the requirements under this Division.
- (2) The application for registration must include the following information:
- (a) the full name of the organization and any abbreviations, acronyms and other names used by the organization;
 - (b) the name of the sponsor and the mailing address, telephone number or email address that are to be used by the sponsor for the purpose of compliance with section 44 [*advertising must include sponsorship information*];
 - (c) a mailing address and telephone number at which the organization can be contacted;
 - (d) an email address at which the organization can be contacted, unless the organization does not have such an address;
 - (e) an address for service at which notices and other communications under this Act or other local elections legislation will be accepted as served on or otherwise delivered to the organization;
 - (f) the name, required contact information and address for service of the authorized principal official of the organization;
 - (g) the name, mailing address and address for service of each of the other responsible principal officials of the organization;
 - (h) any other information required by regulation.
- (3) An application for registration must be in a form approved by the BC chief electoral officer and, as applicable, must be filed in accordance with and comply with any other requirements established by regulation.
- (4) In order for an application for registration to be accepted, the organization must provide the following to the BC chief electoral officer:
- (a) signed consents of the responsible principal officials to act as responsible principal officials of the organization;
 - (b) a solemn declaration in accordance with subsection (5) of the authorized principal official of the organization.
- (5) For purposes of subsection (4) (b), the authorized principal official of the applicant organization must make a solemn declaration that, to the best of the knowledge and belief of that official, the following are true:
- (a) the applicant is, and intends to continue to be, in compliance with the independence requirements of section 31 [*independence requirements for third party sponsors*];

- (b) the applicant is not prohibited under this Act from sponsoring third party advertising;
 - (c) the information provided in the application is complete and accurate;
 - (d) the individual making the declaration is the authorized principal official of the applicant;
 - (e) the applicant
 - (i) understands the requirements and restrictions that apply to the applicant under this Act, and
 - (ii) intends to fully comply with all of those requirements and restrictions;
 - (f) any other matter prescribed by regulation.
- (6) The third party sponsor must, as soon as practicable, provide updated information and material to the BC chief electoral officer in accordance with the requirements under subsections (2), (3) and (4) (a) if there is any change in who is the authorized principal official of the organization, in who are the responsible principal officials of the organization or in any other information or material that is required to be provided to the BC chief electoral officer under this section.
- (7) A third party sponsor that contravenes subsection (6) commits an offence.

2014-18-39.

Responsible principal officials of third party sponsor that is an organization

40. (1) From the time of applying for registration until all obligations applicable under this Act to the organization have been fulfilled, a third party sponsor that is an organization
- (a) must have at least 2 principal officials of the organization who have consented to be responsible principal officials of the organization, and
 - (b) must have one of those responsible principal officials designated as the authorized principal official who is to
 - (i) make declarations required under this Act or other local elections legislation in relation to the organization, and
 - (ii) retain records and material as required under section 36 [*records of sponsorship contributions and sponsored advertising*].
- (2) An organization that contravenes subsection (1) commits an offence.

2014-18-40.

Registration by BC chief electoral officer

41. (1) Subject to this section, as soon as practicable after receiving an application in accordance with this Division, the BC chief electoral officer must register the applicant as a third party sponsor and notify the applicant of this registration.
- (2) Subsection (1) does not apply if the BC chief electoral officer has reason to believe that any of the following apply:
- (a) the applicant is prohibited under this Act from sponsoring third party advertising;
 - (b) the application for registration does not meet the requirements under this Division;
 - (c) information in the required solemn declaration is false;
 - (d) any other circumstances prescribed by regulation apply.
- (3) The BC chief electoral officer may refuse to register an applicant under a name that, in the opinion of that officer,

- (a) is likely to be confused with a name, abbreviation or acronym of a candidate, elector organization or registered third party sponsor, or
- (b) in the case of an application by an organization, is likely to be confused with a name, abbreviation or acronym used by another organization.
- (4) If the BC chief electoral officer refuses to register an applicant, that officer must provide the applicant with reasons for the refusal and an opportunity to provide further information for a reconsideration of the decision.
- (5) Registration under this Division is effective only for the election or elections in relation to which the application for registration was made.

2014-18-41.

Part 3: Division 4 – Third Party Advertising Limits

(ADD) Third party advertising limits – general local election

May
19/16

- 41.1** Subject to any applicable regulations, in respect of an election to which this Act applies that is held as part of a general local election,
- (a) the third party advertising limit for a third party sponsor during the campaign period for third party advertising that is directed advertising,
 - (i) in relation to an election area that has a population of less than 15 000, is a prescribed amount, and
 - (ii) in relation to an election area that has a population of 15 000 or more
 - (A) for a mayor or councillor,
 - (B) for an electoral area director,
 - (C) for a Vancouver Park Board member,
 - (D) for a local trust area trustee,
 - (E) for a trustee on a board of education,
 - (F) for a regional trustee of a francophone education authority, and
 - (G) prescribed under section 1 (1) (i) [*other elections to which this Act applies*],
 - (b) is determined in accordance with the regulations, and
 - (b) the cumulative third party advertising limit for a third party sponsor during the campaign period for third party advertising that is directed advertising or issue advertising is a prescribed amount.

2016-9-10.

(ADD) Limits and adjustments to reflect changes in consumer price index

May
19/16

- 41.2** (1) In respect of each general local election that is called after January 1, 2019,
- (a) the minister responsible for the administration of the enactment under which the election is being held must establish the third party advertising limit under section 41.1 (a) (i) by
 - (i) determining the ratio between the consumer price index at January 1, 2019 and the consumer price index at January 1 of the calendar year in which the election will be held, and
 - (ii) applying the ratio determined under subparagraph (i) of this paragraph to adjust the amount under section 41.1 (a) (i), and

- (b) the minister responsible for the administration of the *Local Government Act* must establish the cumulative third party advertising limit by
 - (i) determining the ratio between the consumer price index at January 1, 2019 and the consumer price index at January 1 of the calendar year in which the election will be held, and
 - (ii) applying the ratio determined under subparagraph (i) of this paragraph to adjust the amount under section 41.1 (b).
- (2) For the purpose of making an adjustment under this section, the minister responsible has the discretion to determine
 - (a) whether to use a consumer price index prepared by the director under the *Statistics Act* (British Columbia) or a consumer price index published by Statistics Canada under the *Statistics Act* (Canada), and
 - (b) which consumer price index is applicable for a particular time.

2016-9-10.

(ADD) **Specific third party advertising limits to be made publicly available in advance of general local election**

May
19/16

- 41.3** (1) By April 30 of the year in which a general local election will be held,
- (a) the minister responsible must provide to Elections BC the third party advertising limits established under section 41.1 (a) in relation to each election area for which elections under that minister's responsibility are to be held as part of a general local election, and
 - (b) the minister responsible for the administration of the *Local Government Act* must provide to Elections BC the cumulative third party advertising limit prescribed under section 41.1 (b).
- (2) By May 31 of the year in which a general local election will be held, Elections BC must make the third party advertising limits provided under subsection (1) publicly available on an Elections BC authorized internet site.

2016-9-10.

(ADD) **Third party advertising limits – by-election**

May
19/16

- 41.4** Subject to any applicable regulations, the third party advertising limits made publicly available under section 41.3 in respect of the most recent general local election in relation to an election area are the third party advertising limits in respect of a by-election for that election area.

2016-9-10.

(ADD) **Prohibition against third party advertising exceeding third party advertising limits**

May
19/16

- 41.5** (1) Subject to subsection (2), in respect of an election,
- (a) a third party sponsor must not sponsor directed advertising such that the total value of the directed advertising sponsored by the third party sponsor for any election is greater than the third party advertising limit established under section 41.1 (a) [*directed advertising limits*] in relation to the election area for which the election is held,

- (b) in the case of 2 or more third party sponsors jointly sponsoring advertising, the third party sponsors must not sponsor directed advertising such that the total value of the shared directed advertising sponsored by those third party sponsors for any election is greater than the third party advertising limit established under section 41.1 (a) in relation to the election area for which the election is held,
 - (c) a third party sponsor must not sponsor third party advertising that is directed advertising or issue advertising such that the total value of the third party advertising sponsored by the third party sponsor is greater than the cumulative third party advertising limit, or
 - (d) in the case of 2 or more third party sponsors jointly sponsoring advertising, the third party sponsors must not sponsor third party advertising that is directed advertising or issue advertising such that the total value of the shared third party advertising sponsored by those third party sponsors is greater than the cumulative third party advertising limit.
- (2) The value of any prescribed class of third party advertising prescribed by regulation as being excluded is not to be included in determining whether a third party sponsor has exceeded the applicable third party advertising limit.
 - (3) An individual or organization that contravenes this section commits an offence.
2016-9-10.

(ADD) **Prohibition against attempting to circumvent third party advertising limits**

May
19/16

- 41.6** (1) A third party sponsor must not circumvent or attempt to circumvent, in any manner, the third party advertising limit for the third party sponsor.
- (2) An individual or organization that contravenes this section commits an offence.
2016-9-10.

(ADD) **Attribution of value of directed advertising**

May
19/16

- 41.7** (1) If directed advertising is specifically related to one or more candidates, one or more elector organizations or one or more of both candidates or elector organizations, in 2 or more election areas, the third party sponsor must, in accordance with the regulations, attribute the value of the directed advertising to the third party advertising limit established under section 41.1 (a) [*directed advertising limits*] in relation to each election area for which the election is held.
- (2) An individual or organization that contravenes this section commits an offence.
2016-9-10.

PART 4 – Non-Election Assent Voting Advertising and Other Assent Voting Advertising Rules

Application of third party advertising rules to non-election assent voting advertising

(SUB)
May
19/16

42. (1) Subject to any exceptions provided by this Act and any applicable regulations,

- (a) Divisions 1 to 3 of Part 3 [*Third Party Advertising*], and
- (b) any other provisions of this Act or the regulations that apply in relation to those Divisions

apply to non-election assent voting advertising during an assent voting proceedings period as if the assent voting advertising were third party advertising during a campaign period.

- (2) For certainty, Part 7 [*Enforcement*] applies in relation to provisions that are made applicable under this Part in relation to non-election assent voting advertising.

2014-18-42; 2016-9-11.

Assent voting advertising by local government

- 43.** Part 3 [*Third Party Advertising*] and Division 2 [*Disclosure Requirements for Candidates, Elector Organizations and Advertising Sponsors*] of Part 5 do not apply to assent voting advertising sponsored by the local government of the jurisdiction for which the assent voting is being held.

2014-18-43.

PART 5 – Transparency Requirements for Local Elections and Assent Voting

Part 5: Division 1 – Sponsorship of Election Advertising and Assent Voting Advertising

Advertising must include sponsorship information

44. (1) Subject to any applicable regulations, an individual or organization must not sponsor election advertising or assent voting advertising, or transmit such advertising to the public, unless the advertising
- (a) identifies,
 - (i) in the case of advertising sponsored by a candidate or elector organization as part of the candidate's or elector organization's campaign, the name of the financial agent, or
 - (ii) in any other case, the name of the sponsor,
 - (b) indicates that it was authorized by the identified financial agent or sponsor,
 - (c) gives a telephone number, email address or mailing address at which the financial agent or sponsor may be contacted regarding the advertising,
 - (d) if applicable, indicates that the sponsor is a registered third party sponsor or assent voting advertising sponsor under this Act, and
 - (e) meets any other requirements established by regulation.
- (2) If information is required to be provided under subsection (1),
- (a) any telephone number given must have a British Columbia area code,
 - (b) any mailing address given must be within British Columbia, and
 - (c) the sponsor must make available an individual to be responsible for answering questions from individuals who are directed to the telephone number, email address or mailing address.
- (3) The information required under subsection (1) must be provided
- (a) in English or in a manner that is understandable to readers of English, and
 - (b) if all or part of the election advertising is in a language other than English, in the other language or in a manner that is understandable to readers of that other language.
- (4) For certainty, in the case of advertising that is sponsored in combination by multiple sponsors, the requirements of this section apply in relation to each sponsor.
- (5) An individual or organization that contravenes this section commits an offence.
- (6) Subsection (5) does not apply to an individual or organization in relation to election advertising referred to in section 7 (3) [*canvassing voters and mailing material if on commercial basis*] unless the individual or organization is the sponsor of the advertising.
- (7) The BC chief electoral officer, or a person acting on the direction of the BC chief electoral officer, may require an individual or organization to discontinue any activity referred to in section 7 (3) that does not meet the requirements set out in subsections (1) to (3) of this section.

(ADD)
Dec
01/21

(ADD)
Dec
01/21

2014-18-44; 2021-5-23 (B.C. Reg. 281/2021).

Restrictions on general voting day advertising

- (AM)
May
19/16
- (ADD)
May
19/16
- 2014-18-45; RS2015-1-RevSch (B.C. Reg. 257/2015); 2016-9-12.
45. (1) An individual or organization must not sponsor or agree to sponsor election advertising or non-election assent voting advertising that is or is to be transmitted to the public on general voting day, whether the transmission is within British Columbia or outside British Columbia.
- (2) An individual or organization must not transmit election advertising or non-election assent voting advertising to the public on general voting day.
- (3) Subject to section 163 (4) [*prohibition against certain activities within 100 metres of voting proceedings on general voting day*] of the *Local Government Act* and section 125 (4) of the *Vancouver Charter*, subsections (1) and (2) of this section do not apply in respect of any of the following election advertising or non-election assent voting advertising:
- (a) communication on the internet, if the communication was transmitted to the public on the internet before general voting day and was not changed before the close of general voting;
 - (b) communication by means of signs, posters or banners;
 - (c) communication by the distribution of pamphlets;
 - (c.1) communication that is transmitted to the public on the internet for the sole purpose of encouraging voters to vote in the election;
 - (d) any other election advertising or non-election assent voting advertising prescribed by regulation.
- (4) An individual or organization that contravenes this section commits an offence.

Part 5: Division 2 – Disclosure Requirements for Candidates, Elector Organizations and Advertising Sponsors

(ADD) Annual financial reports by elector organizations

Dec
01/21

- 45.1 (1) The financial agent of a registered elector organization must file, and the responsible principal officials of the registered elector organization must ensure that the financial agent files, with the BC chief electoral officer a financial report of the elector organization respecting the previous calendar year.
- (2) Subject to any applicable regulations, an annual financial report under subsection (1) must include information respecting the following, provided in accordance with the regulations:
- (a) the election expenses the elector organization incurred during the year;
 - (b) the campaign contributions the elector organization accepted during the year, including information respecting identification of significant contributors and the residential address of each significant contributor but not the mailing address, if different;
 - (c) any campaign contributions received during the year by the elector organization but returned or otherwise dealt with in accordance with section 28 [*dealing with prohibited campaign contributions*];
 - (d) the assets, liabilities and surplus or deficit of the elector organization at the end of the year;
 - (e) transfers of property and provision of services as referred to in section 13 (6) (a) [*campaign transfers between candidates and elector organizations*];
 - (f) the fundraising functions held by or on behalf of the elector organization during the year;

- (g) any income received and any expenditures made or incurred by the elector organization during the year, if these are not otherwise disclosed in the annual financial report;
 - (h) any loans or guarantees received by the elector organization during the year and any conditions attached to them, including
 - (i) the date the loan is due, and
 - (ii) for permissible loans, the information recorded in accordance with section 22 (1.1) *[recording requirements for loans]*;
 - (i) any permissible loans received before the year for which the annual financial report is made if there is an outstanding balance, indicating for each the information recorded in accordance with section 22 (1.1);
 - (j) property and services to which section 13 (6) (c) *[other exclusions from campaign contributions that must be disclosed]* applies;
 - (k) any other matters for which information is required by regulation.
- (3) The first annual financial report of a registered elector organization under this section must include the information referred to in subsection (2) for the period from the date of the statement of the assets and liabilities of the organization included in the application for registration to the end of the calendar year for which the report is made.

2021-5-24 (B.C. Reg. 281/2021).

(ADD) **Time limits for filing annual financial reports –
late filing on payment of penalty, compliance deadline**

Dec
01/21

- 45.2** (1) In order to avoid a late filing penalty fee, the financial agent must, by March 31 in each year, file an annual financial report respecting the previous calendar year.
- (2) If an annual financial report is not filed by March 31 in a year, it may be filed within 30 days after that date on payment to the BC chief electoral officer of a late filing penalty fee of \$500.
- (3) The compliance deadline for filing an annual financial report is the later of
- (a) the late filing deadline for the annual financial report, and
 - (b) if applicable, the last date for filing the annual financial report as established by a court order for relief under section 68 *[court relief powers respecting disclosure requirements]*.

2021-5-24 (B.C. Reg. 281/2021).

Disclosure statements required for candidates, elector organizations and advertising sponsors

- 46.** (1) A disclosure statement in accordance with this Division must be filed with the BC chief electoral officer as follows:
- (a) for each individual who was declared to be a candidate in an election, a candidate disclosure statement respecting the election is required;
 - (b) for each elector organization that endorsed one or more candidates in relation to one or more elections for a jurisdiction that were held at the same time, an elector organization disclosure statement respecting those elections is required;
 - (c) for each individual or organization that sponsored third party advertising or registered under Division 3 *[Registration of Third Party Sponsors]* of Part 3, a third party disclosure statement respecting the activities of the sponsor in relation to the applicable elections is required;
 - (d) for each individual or organization that sponsored non-election assent voting advertising or registered under Division 3 of Part 3 as it applies in relation to that advertising, an assent voting advertising disclosure statement respecting the activities of the sponsor in relation to the applicable assent voting is required.

- (2) For certainty, the following apply in relation to the obligations under subsection (1):
- (a) a candidate disclosure statement is required even if the individual has no election expenses, receives no campaign contributions, is acclaimed, withdraws from the election or is declared by a court to no longer be a candidate;
 - (b) an elector organization disclosure statement is required even if the elector organization has no election expenses, receives no campaign contributions, withdraws its endorsement of a candidate or is declared by a court to not be qualified to endorse a candidate;
 - (c) a third party disclosure statement is required
 - (i) even if the individual or organization registered but did not in fact sponsor any third party advertising, and
 - (ii) if the individual or organization did sponsor third party advertising, even if the individual or organization did not apply to register or did apply but was refused registration;
 - (d) an assent voting advertising disclosure statement is required
 - (i) even if the individual or organization registered but did not in fact sponsor any non-election assent voting advertising, and
 - (ii) if the individual or organization did sponsor non-election assent voting advertising, even if the individual or organization did not apply to register or did apply but was refused registration.
- (3) The following apply in relation to what is to be disclosed in a single disclosure statement:
- (a) in relation to a candidate referred to in section 4 (2) [*candidate running in multiple elections*], a separate candidate disclosure statement must be filed in relation to each election in which the individual was a candidate;
 - (b) in relation to an elector organization referred to in section 5 (2) [*endorsing in multiple jurisdictions*], a separate elector organization disclosure statement must be filed in relation to each jurisdiction for which the organization endorsed a candidate in an election;
 - (c) in relation to an individual or organization that sponsored third party advertising in relation to multiple elections being held at the same time, a single disclosure statement must be filed in relation to all those elections;
 - (d) in relation to an individual or organization that sponsored non-election assent voting advertising in relation to multiple assent voting events being held at the same time, a separate disclosure statement must be filed in relation to each jurisdiction for which the assent voting was held.

2014-18-46; 2021-5-25.

(AM)
Mar
25/21

Time limits for filing disclosure statements – filing on time, late filing on payment of penalty fee, compliance deadline

47. (1) A disclosure statement must be filed
- (a) within 90 days after general voting day for the election or assent voting to which it relates, or
 - (b) if applicable, within the period established under section 90 [*late filing extensions in extraordinary circumstances*],
- in order to avoid a late filing penalty fee.
- (2) If a disclosure statement is not filed within the applicable time period under subsection (1), it may be filed within 120 days after general voting day for the election or assent voting on payment to the BC chief electoral officer of a late filing penalty fee of \$500.

- (3) For certainty, if separate disclosure statements are required under section 46 (3) *[disclosure statement coverage]*, a late filing penalty fee applies in relation to each disclosure statement.
- (4) The compliance deadline for filing a disclosure statement is the later of
 - (a) the late filing deadline for the disclosure statement, and
 - (b) if applicable, the last date for filing the disclosure statement as established by a court order for relief under section 68 *[court relief powers respecting disclosure requirements]*.

2014-18-47.

Notice of failure to file within no-penalty fee period

- (AM) 48. (1) If a disclosure statement is not filed before the end of the time period under section 47 (1) Dec 01/21 *[time limit for filing disclosure statements without penalty fee]* or an annual financial report is not filed before the date referred to in section 45.2 (1) *[time limit for filing annual financial reports without penalty fee]*, the BC chief electoral officer must, as soon as practicable, give notice as follows:
 - (a) in relation to a candidate disclosure statement, to the candidate and the financial agent;
 - (AM) (b) in relation to an elector organization disclosure statement or annual financial report, Dec 01/21 to the following:
 - (i) the elector organization;
 - (ii) the financial agent for the elector organization;
 - (iii) the responsible principal officials of the elector organization;
 - (iv) the candidates endorsed by the elector organization;
 - (AM) (c) in relation to a third party sponsor or assent voting advertising disclosure statement, May 19/16 to the sponsor and, if the sponsor is an organization, to the responsible principal officials of the organization.
- (2) The notice under subsection (1) must include the following information:
 - (AM) (a) that the disclosure statement or annual financial report, as applicable, was not filed Dec 01/21 within the time for filing without payment of a late filing penalty fee;
 - (b) the date of the late filing deadline and the late filing penalty fee that must be paid;
 - (AM) (c) the penalties that may apply under this Act for failure to file the disclosure Dec 01/21 statement or annual financial report, as applicable;
 - (d) that an application may be made to the Supreme Court for relief under Division 2 *[Court Orders for Relief in Relation to Disclosure Requirements]* of Part 6;
 - (e) any other information prescribed by regulation.

2014-18-48; 2016-9-13; 2021-5-26 (B.C. Reg. 281/2021).

Candidate disclosure statement – information and other requirements

- 49. (1) The financial agent for the candidate must file the candidate disclosure statement, and the candidate must ensure that the financial agent files the disclosure statement as required.
- (2) Subject to any applicable regulations, a candidate disclosure statement must include information respecting the following, provided in accordance with the regulations:
 - (a) the individuals who were at any time financial agents of the candidate, the campaign accounts of the candidate, and other matters respecting compliance with Part 2 *[Candidate and Elector Organization Campaign Financing]*;
 - (SUB) (b) the election period expenses of the candidate; May 19/16

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- (SUB)
May
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- (c) the campaign period expenses of the candidate;
 - (c.1) election expenses of the candidate referred to in section 14 (6) [*election expenses not included in expense limit*];
 - (d) campaign contributions received by the candidate, including information respecting identification of significant contributors and the residential address of each significant contributor but not the mailing address, if different;
 - (e) amounts, other than campaign contributions, election period expenses and campaign period expenses, deposited into or paid from a campaign account of the candidate or transferred between campaign accounts of the candidate;
 - (f) property and services to which section 13 (6) (b) or (c) [*exclusions from campaign contributions that must be disclosed*] applies;
 - (f.1) the information referred to in section 22 (1.1) [*recording requirements for loans*];
 - (f.2) any amount outstanding on a loan;
 - (g) if section 24 [*what happens if a candidate has surplus campaign funds*] applies, the amount of the balance remaining in the campaign accounts of the candidate and how the surplus has been dealt with;
 - (h) if applicable, that the candidate was a third party sponsor during the campaign period for the election;
 - (i) if applicable, other matters for which information is required by regulation.
- (3) In addition to the requirements under subsection (2), a disclosure statement must include the following, provided in accordance with the regulations:
- (a) for a candidate who was endorsed by an elector organization,
 - (i) a copy of the campaign financing arrangement between the candidate and the elector organization, and of any amendments to the campaign financing arrangement, regardless of whether the campaign financing arrangement was terminated by the candidate or the elector organization,
 - (ii) if the campaign financing arrangement was terminated, a copy of the documentation evidencing the termination, and
 - (iii) information respecting the following:
 - (A) transfers of property and provision of services as referred to in section 13 (6) (a) [*campaign transfers between candidates and elector organizations*];
 - (B) any other matters for which information is required by regulation;
 - (b) for a candidate who sought endorsement from an elector organization but was not endorsed, information respecting the following:
 - (i) transfers of property and provision of services as referred to in section 13 (6) (a);
 - (ii) any other matters for which information is required by regulation.
- 2014-18-49; 2016-9-14; 2017-21-21; 2021-5-27 (B.C. Reg. 281/2021).

Elector organization disclosure statement – information and other requirements

50. (1) The financial agent for the elector organization must file the elector organization disclosure statement, and the responsible principal officials of the elector organization must ensure that the financial agent files the disclosure statement as required.

- (a) the sponsored third party advertising;
- (b) the sponsor's own funds used in relation to sponsoring that advertising;
- (RET) (c) the sponsorship contributions received by the sponsor, including information
Oct respecting identification of significant contributors and the residential address of
31/17 each significant contributor but not the mailing address, if different;
- (RET) (c.1) the information referred to in section 36 (2.1) [*records of sponsorship contributions*
Oct – *loans*];
31/17
- (RET) (c.2) any amount outstanding on a loan;
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31/17
- (d) any other matters for which information is required by regulation.
- (3) If the total value of third party advertising sponsored by an individual or organization in relation to elections being held at the same time is less than \$500, the disclosure statement for the sponsor must include information respecting the advertising as required by regulation.
- (AM) (4) If an individual or organization sponsored directed third party advertising in relation to
May elections for multiple election areas being held at the same time, the statement must
19/16 separately disclose that advertising in relation to each election area to which the directed advertising was specifically related.
- (REP) (5) *Repealed.* [2016-9-16]
May
19/16

2014-18-51; 2016-9-16; 2017-21-23.

Non-election assent voting advertising disclosure statement – information and other requirements

52. (1) The assent voting advertising sponsor must file the assent voting advertising disclosure statement and, if the sponsor is an organization, the responsible principal officials of the organization must ensure that the disclosure statement is filed as required.
- (2) Subject to subsection (3) and any applicable regulations, the disclosure statement for the sponsor must include information respecting the following, provided in accordance with the regulations:
- (a) the sponsored non-election assent voting advertising;
 - (b) the sponsor's own funds used in relation to sponsoring that advertising;
 - (RET) (c) the sponsorship contributions received by the sponsor, including information
Oct respecting identification of significant contributors and the residential address of
31/17 each significant contributor but not the mailing address, if different;
 - (RET) (c.1) the information referred to in section 36 (2.1);
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 - (RET) (c.2) any amount outstanding on a loan;
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 - (d) any other matters for which information is required by regulation.
 - (3) If, in relation to all assent voting covered by the disclosure statement, the total value of non-election assent voting advertising sponsored by an individual or organization is less than \$500, the disclosure statement for the sponsor must include information respecting that advertising as required by regulation.
 - (REP) (4) *Repealed.* [2016-9-17]
May
19/16

2014-18-52; 2016-9-17; 2017-21-24.

Other requirements in relation to disclosure statements and annual financial reports

(AM)
Dec
01/21

53. In addition to all other requirements established by this Division, a disclosure statement or annual financial report must be in a form approved by the BC chief electoral officer and, as applicable, must

- (a) be filed in accordance with the regulations,
- (b) comply with any other requirements established by regulation, and
- (c) be accompanied by any other information or material required by regulation.

2014-18-53; 2021-5-29 (B.C. Reg. 281/2021).

(SUB)**Requirement for supplementary report**

Dec
01/21

54. (1) A supplementary report in accordance with this Division must be filed with the BC chief electoral officer as follows:

- (a) in the case of a supplementary report in relation to a disclosure statement, if advice referred to in paragraph (c) has not been given, 30 days after an individual who is responsible for filing the disclosure statement, or for ensuring that the disclosure statement is filed, becomes aware
 - (i) that any of the required information disclosed in the disclosure statement, or in a previous supplementary report in relation to that disclosure statement, has changed, or
 - (ii) that the disclosure statement or a previous supplementary report did not completely and accurately disclose the information required to be included;
- (b) in the case of a supplementary report in relation to an annual financial report, if advice referred to in paragraph (c) has not been given, 30 days after an individual who is responsible for filing the annual financial report, or for ensuring that the annual financial report is filed, becomes aware
 - (i) that any of the required information disclosed in the annual financial report, or in a previous supplementary report in relation to that annual financial report, has changed, or
 - (ii) that the annual financial report did not completely and accurately disclose the information required to be included;
- (c) if the BC chief electoral officer advises an individual referred to in paragraph (a) or (b) of concerns that circumstances referred to in paragraph (a) or (b), as applicable, may apply and subsequently gives written notice to the individual or organization that a supplementary report is required, 30 days after that written notice is given.

(2) Notice of the requirement for a supplementary report must be given as follows:

- (a) in the case of a requirement under subsection (1) (a) or (b), the individual who becomes aware of that requirement must notify the other individuals to whom that subsection applies;
- (b) if written notice is given under subsection (1) (c), the BC chief electoral officer must also notify
 - (i) the other individuals to whom that subsection applies,
 - (ii) in the case of a supplementary report in relation to a candidate, the designated local authority officer, and
 - (iii) in the case of a supplementary report in relation to an elector organization, the designated local authority officer and the candidates endorsed by the elector organization.

(3) A supplementary report must include the following:

- (a) a report of the changed, added or corrected information, as applicable;
- (b) a statement of the circumstances that have led to the filing of the supplementary report;

- (c) any other information or material required by regulation.
- (4) A supplementary report must be in a form approved by the BC chief electoral officer and, as applicable, must
 - (a) be filed in accordance with the regulations,
 - (b) comply with any other requirements established by regulation, and
 - (c) be accompanied by any other information or material required by regulation.
- (5) Responsibilities in relation to filing a supplementary report under this section are the same as for the applicable disclosure statement or annual financial report and, for these purposes, the following apply:
 - (a) section 45.1 (1) [*elector organization annual disclosure responsibilities*];
 - (b) section 49 (1) [*candidate disclosure responsibilities*];
 - (c) section 50 (1) [*elector organization disclosure statement*];
 - (d) section 51 (1) [*third party disclosure responsibilities*];
 - (e) section 52 (1) [*non-election assent voting advertising sponsor disclosure responsibilities*].
- (6) The compliance deadline for filing a supplementary report is the later of
 - (a) the end of the applicable 30-day period established under subsection (1) (a), (b) or (c), and
 - (b) if applicable, the last date for filing the supplementary report as established by a court order for relief under section 68 [*court relief powers respecting disclosure requirements*].
- (7) For certainty, if an elector organization, third party sponsor or assent voting advertising sponsor, as applicable, is subject to a prohibition under any of the following provisions, and accepts a campaign contribution or sponsorship contribution for the sole purpose of paying debts as described in those provisions, that acceptance is a change in required information for the purpose of subsection (1) of this section:
 - (a) section 64 (3) (b);
 - (b) section 64 (4) (b);
 - (c) section 65 (1) (c) (ii);
 - (d) section 65 (1) (d) (ii);
 - (e) section 68.01 (5) (b);
 - (f) section 68.03 (3) (b);
 - (g) section 68.09 (3) (b).

2021-5-30 (B.C. Reg. 281/2021).

Required declarations

(AM)
Dec
01/21

- 55.** (1) Subject to subsection (3), a disclosure statement, annual financial report or supplementary report must include a signed declaration of each of the individuals referred to in subsection (2), that, to the best of the knowledge and belief of the individual making the declaration, the statement or report, as applicable, completely and accurately discloses the information required under this Act.
- (2) As applicable, declarations of the following individuals are required for the purposes of subsection (1):
- (a) in the case of a disclosure statement or supplementary report in relation to a candidate, declarations of the candidate and the financial agent for the candidate are required;

(AM)
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01/21

- (b) in the case of a disclosure statement, annual financial report or supplementary report in relation to an elector organization, declarations of the financial agent and the authorized principal official for the elector organization are required;
- (c) in the case of a disclosure statement or supplementary report in relation to a third party sponsor or assent voting advertising sponsor who is an individual, a declaration of the individual is required;
- (d) in the case of a disclosure statement or supplementary report in relation to a third party sponsor or assent voting advertising sponsor that is an organization, a declaration of the authorized principal official for the organization is required.

(AM)
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- (3) If an application has been commenced under section 66 [*application for relief in relation to disclosure requirements*], in relation to the disclosure statement, annual financial report or supplementary report, a declaration under subsection (1) may be modified to indicate the deficiencies in the report for which relief is being sought in the application.
2014-18-55; 2021-5-31 (B.C. Reg. 281/2021).

Disclosure requirements are subject to court orders for relief

(AM)
Dec
01/21

- 56. The disclosure requirements in relation to a disclosure statement, annual financial report or supplementary report are subject to any applicable court order for relief under Division 2 [*Court Orders for Relief in Relation to Disclosure Requirements*] of Part 6.
2014-18-56; 2021-5-32 (B.C. Reg. 281/2021).

Offence for failure to file by compliance deadline

(AM)
Dec
01/21

- 57. (1) This section applies if a required disclosure statement, annual financial report or supplementary report in accordance with this Division is not filed by the compliance deadline.
- (2) In the case of a disclosure statement or supplementary report in relation to a candidate, the candidate commits an offence and the financial agent for the candidate commits an offence.

(AM)
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- (3) In the case of a disclosure statement, annual financial report or supplementary report in relation to an elector organization, the elector organization commits an offence and the financial agent for the elector organization commits an offence.
- (4) In the case of a disclosure statement or supplementary report in relation to a third party sponsor or assent voting advertising sponsor, the sponsor commits an offence.
2014-18-57; 2021-5-33 (B.C. Reg. 281/2021).

Part 5: Division 3 – Public Access to Information

Public access to disclosure information – Elections BC responsibilities

(ADD)
Dec
01/21

- 58. (0.1) Subject to this Part and any applicable regulations, until at least 5 years after the compliance deadline for an annual financial report, the BC chief electoral officer must
 - (a) make the information in the annual financial report and in any supplementary report in relation to the annual financial report, other than a mailing address or residential address of a significant contributor, publicly available on an Elections BC authorized internet site, and
 - (b) have a copy of the annual financial report and any supplementary report, other than a mailing address or residential address of a significant contributor, available for public inspection at the Elections BC office during its regular office hours.

LOCAL ELECTIONS CAMPAIGN FINANCING ACT

- (1) Subject to this Part and any applicable regulations, until at least 5 years after general voting day for the election or assent voting to which a disclosure statement or supplementary report relates, the BC chief electoral officer must
- (RET)
Oct
31/17
- (a) make the information in the statement or report, other than a mailing address or residential address of a significant contributor, publicly available on an Elections BC authorized internet site, and
- (RET)
Oct
31/17
- (b) have a copy of the statement or report, other than a mailing address or residential address of a significant contributor, available for public inspection at the Elections BC office during its regular office hours.
- (AM)
Dec
01/21
- (2) Information must be made available under subsections (0.1) and (1) as follows:
- (a) in the case of information in a disclosure statement or annual financial report that is filed before the end of the period for filing without payment of a late filing penalty fee, as soon as practicable after the end of that period;
- (b) in any other case, as soon as practicable after the BC chief electoral officer receives the disclosure statement or supplementary report.
- (AM)
Dec
01/21
- (3) If a disclosure statement, annual financial report or supplementary report includes personal information of an individual that is not required under this Act to be included, the BC chief electoral officer
- (a) is authorized to collect that information,
- (b) may make, but is not required to make, the information available under subsection (1), and
- (c) for purposes of subsection (1) (b), may obscure or delete the information or provide for inspection a copy of the statement or report that does not include that information.
- (4) Subject to section 63 [*restrictions on use of personal information*], on request and on payment of the reasonable costs of preparation or reproduction, a member of the public may obtain from the BC chief electoral officer
- (AM)
Dec
01/21
- (a) a record of the information made available under subsection (0.1) (a) or (1) (a), or
- (AM)
Dec
01/21
- (b) a copy of a record available for inspection under subsection (0.1) (b) or (1) (b).
- (5) If an individual wishes to access, inspect or obtain a copy or other record under this section, the BC chief electoral officer may, before providing this service, require the individual to
- (a) satisfy the officer that any purpose for which personal information is to be used is permitted by section 63, and
- (b) provide a signed statement that
- (i) the individual, and
- (ii) if applicable, any individual or organization on whose behalf the first individual is accessing, inspecting or obtaining the copy or other record will not use personal information included in the copy or other record except for a purpose permitted under this Act.

2014-18-58; 2017-21-25; 2021-5-34 (B.C. Reg. 281/2021).

Public access to disclosure information – local authority responsibilities

59. (1) Subject to this Part, the local authority for a jurisdiction must make at least one of the following available to the public without charge at the local authority offices during its regular office hours:
- (a) internet access to information that is related to the jurisdiction and is required to be publicly available under section 58 (1) (a) [*public access to disclosure information – Elections BC responsibilities*];
 - (b) a copy of that information available for public inspection.
- (2) Subject to subsection (3), the local authority for a jurisdiction must, on request, provide a copy or other record of information referred to in subsection (1).
- (3) A local authority may, by bylaw, impose a fee for providing a copy or other record under subsection (2).
- (4) If a bylaw under subsection (3) applies, the local authority must make available to the public, on request, a report respecting how the fee was determined.
- (5) If an individual wishes to access, inspect or obtain a copy or other record of information under this section, a local authority official of the jurisdiction may, before providing this service, require the individual to
- (a) satisfy the official that any purpose for which personal information is to be used is permitted by section 63 [*restrictions on use of personal information*], and
 - (b) provide a signed statement that
 - (i) the individual, and
 - (ii) if applicable, any individual or organization on whose behalf the first individual is accessing, inspecting or obtaining the copy or other record will not use personal information included in the copy or other record except for a purpose permitted under this Act.

2014-18-59.

Disqualification lists to be maintained

(SUB)
May
19/16

60. (1) The BC chief electoral officer must make the following disqualification lists publicly available on an Elections BC authorized internet site:
- (a) in relation to candidate disqualification, the list must include
 - (i) the individuals who are subject to disqualification penalties under the following sections:
 - (A) section 64 (2) (b) [*candidate penalties for failure to disclose*];
 - (B) section 65 (1) (b) [*candidate conviction for false or misleading disclosure*];
 - (C) section 65.1 [*endorsed candidate penalties for elector organization failing to file disclosure documents or disclosing false or misleading information*];
 - (D) section 68.03 (1) [*unpaid monetary penalties – candidate*], and
 - (ii) the jurisdiction to which the disqualification relates;
 - (b) *Repealed.* [2021-5-35 (B.C. Reg. 281/2021)]
 - (c) in relation to third party sponsor or assent voting advertising sponsor disqualification, the list must include the individuals and organizations that are subject to disqualification penalties under the following sections:
 - (i) section 64 (4) [*third party sponsor or assent voting advertising sponsor failure to disclose*];

(REP)
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- (ii) section 65 (1) (d) *[third party sponsor or assent voting advertising sponsor conviction for false or misleading disclosure];*
 - (iii) section 68.09 (3) *[third party sponsor penalties for exceeding third party advertising limit].*
- (2) The disqualification lists under subsection (1) must be available for public inspection at the Elections BC office during its regular office hours.
2014-18-60; 2016-9-19; 2021-5-35 (B.C. Reg. 281/2021).

Reports to local authority respecting non-compliance

(SUB)
Dec
01/21

61. (1) The BC chief electoral officer must, as soon as practicable, notify the designated local authority officer of a jurisdiction respecting the following in relation to an election or assent voting for the jurisdiction:
- (a) any notices given under section 48 *[notice of failure to file within no-penalty fee period]* in relation to a disclosure statement for a candidate or elector organization;
 - (b) any individuals who become subject to disqualification penalties referred to in section 60 (1) (a) *[disqualification lists – candidate disqualification].*
- (2) As soon as practicable after being notified under subsection (1), the designated local authority officer must prepare a report respecting the notice, and the report must be presented at an open meeting of the local authority.
2014-18-61; 2021-5-36 (B.C. Reg. 281/2021).

(ADD) **Reports to local election officer respecting deregistration or suspension of elector organization**
Dec
01/21

- 61.1 If an elector organization is deregistered or suspended under any of the following provisions, the BC chief electoral officer must, as soon as practicable, report the deregistration or suspension to the local election officer for each jurisdiction for which the elector organization has endorsed a candidate in an election or has proposed to endorse a candidate in an election:
- (a) section 30.14 *[voluntary deregistration];*
 - (b) section 64 (3) (a) *[elector organization penalties for failure to file reports];*
 - (c) section 64 (5.2) (a) *[suspension of elector organization pending decision of court];*
 - (d) section 68.01 (5) (a) *[elector organization penalties for exceeding expense limits or amount available];*
 - (e) section 68.01 (7.1) (b) (i) *[suspension of elector organization pending decision of court].*
- 2021-5-37 (B.C. Reg. 281/2021).

Other information to be publicly available

(REP)
Dec
01/21

62. (1) The BC chief electoral officer must, as soon as practicable, make the following publicly available:
- (a) in relation to a candidate, the name and mailing address of the financial agent for the candidate as provided in the nomination documents or, if applicable, in updated information under section 17 (6) *[change in financial agent];*
 - (b) *Repealed.* [2021-5-38 (B.C. Reg. 281/2021)]
 - (c) in relation to a registered third party sponsor or assent voting advertising sponsor,
 - (i) the full name of the sponsor,

(AM)
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- (ii) the information that is to be included under section 38 (2) (b) [*sponsor information to be provided in advertising by individual*] or 39 (2) (b) [*sponsor information to be provided in advertising by organization*], as applicable, and
 - (iii) in the case of a sponsor that is an organization, the name of the authorized principal official of the organization as provided under section 40 [*responsible principal officials of sponsor that is an organization*].
- (2) The BC chief electoral officer must keep information referred to in subsection (1) publicly available through the campaign period or assent voting proceedings period, as applicable, for the election or assent voting to which the information relates and may then continue to make the information publicly available for the period that officer considers appropriate.
- (3) For purposes of this section, the BC chief electoral officer
- (a) must have the information referred to in subsection (1) available for public inspection at the Elections BC office during its regular office hours, and
 - (b) may make the information otherwise publicly available, including by making it available on an Elections BC authorized internet site.
- 2014-18-62; 2016-9-20; 2021-5-38 (B.C. Reg. 281/2021).

Restrictions on use of personal information

63. (1) Where this Act requires or authorizes the disclosure, public inspection or other use of or access to records containing personal information, the personal information may be used only as follows:
- (a) for purposes of this Act or other local elections legislation;
 - (b) for purposes of
 - (i) Division 6 [*Conflict of Interest*] or 7 [*Challenge of Council Member Qualification for Office*] of Part 4 of the *Community Charter*, including, for certainty, for purposes of those provisions as they apply to local authorities other than municipal councils,
 - (ii) sections 142.1 to 142.3 and 145.2 to 145.92 of the *Vancouver Charter*, including, for certainty, for purposes of those provisions as they apply to local authorities other than the Council of the City of Vancouver,
 - (iii) Part 5 [*Conflict of Interest*] of the *School Act*, or
 - (iv) a conflict of interest provision of another enactment as prescribed by regulation;
 - (c) for purposes authorized by the *Freedom of Information and Protection of Privacy Act*.
- (2) An individual or organization that uses personal information from records referred to in subsection (1), other than as permitted under that subsection, commits an offence.
- (3) To the extent of any inconsistency or conflict with the *Freedom of Information and Protection of Privacy Act*, this Act applies despite that Act.

2014-18-63.

PART 5.1 – Expense Limits

Part 5.1: Division 1 – Establishment of Expense Limits for Elections

(ADD) **Expense limits – general local election**

May
19/16

- 63.01** (1) Subject to any applicable regulations, in respect of an election for mayor to which this Act applies that is held as part of a general local election, the expense limit for a candidate during the campaign period,
- (a) for an election area that has a population of less than 10 000, is a prescribed amount, and
 - (b) for an election area that has a population of 10 000 or more, is an amount determined in accordance with the regulations using an incremental adjustment based on the population of the election area for which the election is being held.
- (2) Subject to any applicable regulations, in respect of an election to which this Act applies that is described in subsection (3) and is held as part of a general local election, the expense limit for a candidate during the campaign period,
- (a) for an election area that has a population of less than 10 000, is a prescribed amount, and
 - (b) for an election area that has a population of 10 000 or more, is an amount determined in accordance with the regulations using an incremental adjustment based on the population of the election area for which the election is being held.
- (3) For the purposes of subsection (2), the elections are as follows:
- (a) an election for a councillor;
 - (b) an election for an electoral area director;
 - (c) an election for a Vancouver Park Board member;
 - (d) an election for a local trust area trustee;
 - (e) an election for a trustee on a board of education;
 - (f) an election prescribed under section 1 (1) (i) [*other elections to which this Act applies*].
- (4) Subject to any applicable regulations, in respect of an election for a regional trustee of a francophone education authority to which this Act applies that is held as part of a general local election, the expense limit for a candidate during the campaign period is a prescribed amount.

2016-9-21.

(ADD) **Limits and adjustments to reflect changes in consumer price index**

May
19/16

- 63.02** (1) In respect of each general local election that is called after January 1, 2019, the minister responsible in respect of elections under that minister's responsibility must establish the applicable expense limits for the election by
- (a) determining the ratio between the consumer price index at January 1, 2019 and the consumer price index at January 1 of the calendar year in which the general local election will be held, and
 - (b) applying the ratio determined under paragraph (a) of this subsection to adjust the amounts under section 63.01.

- (2) For the purpose of making an adjustment under this section, the minister responsible has the discretion to determine
- (a) whether to use a consumer price index prepared by the director under the *Statistics Act* (British Columbia) or a consumer price index published by Statistics Canada under the *Statistics Act* (Canada), and
 - (b) which consumer price index is applicable for a particular time.

2016-9-21.

(ADD) **Specific expense limits to be made publicly available in advance of general local election**

May
19/16

- 63.03** (1) By April 30 of the year in which a general local election will be held, the minister responsible must provide to Elections BC the expense limits established under section 63.01 in relation to each election area for which elections under that minister's responsibility are to be held as part of the general local election.
- (2) By May 31 of the year in which a general local election will be held, Elections BC must make the information provided under subsection (1) publicly available on an Elections BC authorized internet site.

2016-9-21.

(ADD) **Expense limits – by-election**

May
19/16

- 63.04** Subject to any applicable regulations, the expense limits made publicly available under section 63.03 in respect of the most recent general local election in relation to an election area are the expense limits in respect of a by-election for that election area.

2016-9-21.

Part 5.1: Division 2 – General Restrictions in Relation to Expense Limits

(ADD) **Prohibition against exceeding expense limits**

May
19/16

- 63.05** (1) The campaign period expenses of an unendorsed candidate must not exceed the expense limit for the candidate.
- (2) In relation to a candidate endorsed by an elector organization, the total of the following must not exceed the expense limit for the candidate:
- (a) the campaign period expenses of the candidate;
 - (b) the campaign period expenses of the endorsing elector organization that are attributable to the expense limit for the candidate.
- (3) An unendorsed candidate for whom the campaign period expenses exceed the expense limit as referred to in subsection (1) commits an offence.
- (4) A candidate endorsed by an elector organization commits an offence
- (a) if the total of the expenses in subsection (2) (a) and (b) exceeds the expense limit for the candidate, and
 - (b) if the campaign period expenses exceed the amount available to the candidate under the final campaign financing arrangement with the elector organization.
- (5) An elector organization commits an offence
- (a) if the total of the expenses in subsection (2) (a) and (b) exceeds the expense limit for the candidate endorsed by the elector organization, and

- (b) if the campaign period expenses exceed the amount available to the elector organization under the final campaign financing arrangement with the candidate endorsed by the elector organization.

2016-9-21.

(ADD) **Prohibition against incurring campaign period expenses if expense limits will be exceeded**

May
19/16

- 63.06** (1) This section applies to the following individuals permitted under section 30 [*how payment in relation to election expenses may be made*] to incur liability for payment in relation to campaign period expenses of a candidate or an elector organization, as applicable:
- (a) subject to subsection (2) of this section, the financial agent for the candidate;
 - (b) an individual authorized in writing by the financial agent for the candidate or by the candidate if the candidate is the candidate's own financial agent;
 - (c) the financial agent for the electoral organization;
 - (d) an individual authorized in writing by the financial agent for the elector organization.

(AM)
Mar
30/23

- (2) Subsection (1) (a) does not include a candidate who is the candidate's own financial agent.
- (3) An individual referred to in subsection (1) must not incur liability in relation to the campaign period expenses of the candidate or elector organization, as applicable, if this would result in the campaign period expenses exceeding the expense limit for the candidate.
- (4) An individual who contravenes this section commits an offence.

(AM)
Mar
30/23

2016-9-21; 2023-10-510.

Part 5.1: Division 3 – Campaign Financing Arrangements between Candidates and Elector Organizations

(ADD) **Written campaign financing arrangement required**

May
19/16

- 63.07** (1) An elector organization and a candidate who is to be endorsed by the elector organization must enter into a written campaign financing arrangement that apportions the expense limit for the candidate by establishing
- (a) the amount that is available for use by the candidate during the campaign period in the election campaign of the candidate, and
 - (b) the amount that is available for use by the elector organization during the campaign period in the election campaign of the endorsing elector organization.
- (2) For certainty, a campaign financing arrangement may apportion the entire expense limit for a candidate to the election campaign of the candidate or to the election campaign of the elector organization.
 - (3) A campaign financing arrangement must
 - (a) include an acknowledgement that the candidate is aware of the disclosure requirements set out in section 49 (3) [*required information in candidate disclosure statement*],
 - (b) include an acknowledgement that the candidate is aware of the penalties under section 65.1 [*endorsed candidate penalties for elector organization failing to file disclosure documents or disclosing false or misleading information*],

- (c) include a requirement that the elector organization notify the candidate as soon as practicable when the elector organization becomes aware that it has exceeded or will exceed the amount available under the campaign financing arrangement,
 - (d) include a requirement that the candidate notify the elector organization as soon as practicable when the candidate becomes aware that the candidate has exceeded or will exceed the amount available under the campaign financing arrangement, and
 - (e) address any other matters prescribed by regulation.
- (4) The campaign financing arrangement must be dated and be signed
- (a) by the candidate,
 - (b) if the candidate has a financial agent, by the financial agent for the candidate, and
 - (c) by the financial agent for the elector organization.
- (5) A candidate and an elector organization must not enter into a campaign financing arrangement after the campaign period begins.
- (6) An elector organization must not, at any one time, be a party to more campaign financing arrangements in an election for a particular class of office than there are positions to be filled for that class of office.
- (7) A candidate or an elector organization that contravenes this section commits an offence.
- 2016-9-21.

(ADD) **Attribution of elector organization expenses to candidate expense limits**

May
19/16

- 63.08** (1) If an elector organization endorses only one candidate, the campaign period expenses of the elector organization must be
- (a) attributed to the expense limit for that candidate, and
 - (b) applied against the amount available to the elector organization under the campaign financing arrangement with the candidate.
- (2) If an elector organization endorses more than one candidate, the campaign period expenses of the elector organization must be
- (a) attributed to those candidates in accordance with the regulations, and
 - (b) applied against the applicable amounts available to the elector organization under the campaign financing arrangements with the candidates.
- (3) For certainty, this section applies regardless of the campaign financing arrangement between an elector organization and a candidate.
- 2016-9-21.

(ADD) **Prohibition against incurring campaign period expenses unless campaign financing arrangement is in place**

May
19/16

- 63.09** An elector organization must not incur a campaign period expense unless the elector organization has entered into, with each candidate that the elector organization endorses or intends to endorse, a campaign financing arrangement that provides an amount available for use during the campaign period in the election campaign of the elector organization.
- 2016-9-21.

(ADD) **Amendment to and termination of campaign financing arrangement**

May
19/16

- 63.10** (1) Subject to this section and any applicable regulations, a campaign financing arrangement, including the apportionment referred to in section 63.07 [*written campaign financing arrangement required*], may be changed by written amendment.

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- (2) An amendment to a campaign financing arrangement is not effective unless the amendment is dated and is signed
- (a) by the candidate,
 - (b) if the candidate has a financial agent, by the financial agent for the candidate, and
 - (c) by the financial agent for the elector organization.
- (3) In the case of an amendment respecting the apportionment referred to in section 63.07, the amendment
- (a) may be made at any time on or before general voting day, and
 - (b) may cover campaign period expenses that were incurred before the amendment became effective.
- (4) A campaign financing arrangement may be terminated in accordance with the regulations, by the candidate or the elector organization, before, but not after, the start of the campaign period for the election.

2016-9-21; 2021-5-39 (B.C. Reg. 281/2021).

(AM)
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01/21

(ADD) **Effect of endorsement relationship ending**

May
19/16

- 63.11** (1) This section applies in relation to a candidate and an elector organization if any of the following circumstances apply:
- (a) the candidate withdraws from the election under section 101 (2) [*withdrawal, death or incapacity of candidate*] of the *Local Government Act* or section 52 (2) [*withdrawal, death or incapacity of candidate*] of the *Vancouver Charter*;
 - (b) the local election officer notifies the minister responsible under section 101 (4) of the *Local Government Act* or section 52 (4) of the *Vancouver Charter* that the candidate is incapacitated to an extent that will prevent the candidate from holding office;
 - (c) the candidate dies before the close of general voting;
 - (d) any other circumstances prescribed by regulation.
- (2) The effect of the circumstances described in subsection (1) in relation to the campaign period expenses of the candidate and the campaign period expenses of the elector organization, and the application of this Act to those expenses, are those prescribed by regulation.

2016-9-21.

PART 6 – Penalties and Court Orders for Relief

Part 6: Division 1 – Penalties for Failure to Comply with Disclosure Requirements

Penalties for failure to disclose

- (AM)
Dec
01/21
- 64.** (1) Subject to a court order for relief under section 68 (1) (c) [*relief from obligation to file*], the penalties under this section apply to a candidate, elector organization, third party sponsor or assent voting advertising sponsor for which a disclosure statement, supplementary report or, if applicable, annual financial report in accordance with Part 5 [*Transparency Requirements for Local Elections and Assent Voting*] has not been filed by the compliance deadline.
- (2) The following penalties apply in relation to the failure to file a candidate disclosure statement or supplementary report:
- (a) in the case of a candidate who was declared elected, the candidate ceases to hold office on the local authority and the seat of the member becomes vacant;
- (b) in all cases, the candidate is disqualified until after the next general local election from being nominated for, elected to or holding office on a local authority.
- (AM)
Dec
01/21
(SUB)
Dec
01/21
- (3) The following penalties apply in relation to the failure to file an elector organization disclosure statement, annual financial report or supplementary report:
- (a) the elector organization must be deregistered;
- (b) subject to subsection (4.1), the elector organization is prohibited from accepting campaign contributions or incurring election expenses until it is reregistered under section 30.18 [*reregistration*].
- (AM)
May
19/16
- (4) The following penalties apply in relation to the failure to file a third party disclosure statement or supplementary report, or an assent voting advertising disclosure statement or supplementary report:
- (a) the sponsor is disqualified from sponsoring third party advertising or non-election assent voting advertising until after the next general local election;
- (b) subject to subsection (4.1), the sponsor is prohibited from accepting sponsorship contributions until after the next general local election.
- (AM)
May
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(AM)
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(ADD)
May
19/16
- (4.1) An elector organization, a third party sponsor or an assent voting advertising sponsor is not prohibited from accepting campaign contributions or sponsorship contributions, as applicable, for the sole purpose of paying debts incurred in respect of the election for which there was a failure to file a disclosure statement or supplementary report.
- (AM)
Dec
01/21
- (5) Subject to any applicable regulations, a candidate, third party sponsor or assent voting advertising sponsor becomes subject to the penalties under this section as follows:
- (a) if no application for relief under section 66 [*application for relief in relation to disclosure requirements*] in relation to the disclosure statement or supplementary report is made in accordance with that section, on the day after the compliance deadline for the disclosure statement or supplementary report;
- (b) if an application referred to in paragraph (a) has been commenced, on the later of
- (i) 42 days after the compliance deadline, and
- (ii) if applicable, the date set by court order under section 69 [*extension of time before penalties apply*].

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(ADD)
Dec
01/21

(5.1) Subject to any applicable regulations, if no application for relief under section 68 [*court relief powers respecting disclosure requirements*] is made by an elector organization in relation to a disclosure statement, annual financial report or supplementary report, the elector organization becomes subject to the penalties under subsection (3) of this section on the day after the compliance deadline for the disclosure statement, annual financial report or supplementary report.

(ADD)
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(5.2) If an application for relief under section 68 is commenced by the compliance deadline,

- (a) the BC chief electoral officer must suspend the registration of the elector organization pending the decision of the court, and
- (b) the elector organization becomes subject to the penalties under subsection (3) of this section on the later of
 - (i) 42 days after the compliance deadline, and
 - (ii) if applicable, the date set by the court under section 68.

(6) An individual or organization that contravenes a prohibition that applies under this section commits an offence.

(7) For certainty,

(AM)
Dec
01/21

- (a) the obligation to file a disclosure statement, annual financial report or supplementary report continues even after the candidate, elector organization, third party sponsor or assent voting advertising sponsor becomes subject to the penalties under this section, and
- (b) the penalties under this section apply whether or not a prosecution for an offence under section 57 [*offence for failure to file by compliance deadline*] has been commenced.

2014-18-64; 2016-9-24; 2017-10-27; 2021-5-40 (B.C. Reg. 281/2021).

Penalties for false or misleading disclosure

(AM)
Dec
01/21

65. (1) If a candidate, an elector organization, a third party sponsor or an assent voting advertising sponsor is convicted of an offence under section 84 [*general offence in relation to false or misleading information*] in relation to a disclosure statement, supplementary report or, if applicable, annual financial report, the following penalties apply at the time of conviction:

- (a) in the case of a candidate who was declared elected, the candidate ceases to hold office as a member of the local authority, the seat of the member becomes vacant and the candidate is disqualified until after the next general local election from being nominated for, being elected to or holding office as a member of a local authority;

- (b) in the case of a candidate who was not declared elected, the candidate is disqualified until after the next general local election from being nominated for, being elected to or holding office as a member of a local authority;

- (c) in relation to an elector organization, the elector organization

(SUB)
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01/21

- (i) must be deregistered, and

(AM)
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- (ii) subject to subsection (1.1), is prohibited from accepting campaign contributions or incurring election expenses until it is reregistered under section 30.18 [*reregistration*];

- (d) in relation to a third party sponsor or an assent voting advertising sponsor, the sponsor

- (i) is disqualified from sponsoring third party advertising or non-election assent voting advertising until after the next general local election, and

(ADD)
May
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- (ii) subject to subsection (1.1), is prohibited from accepting sponsorship contributions until after the next general local election.
- (1.1) An elector organization, a third party sponsor or an assent voting advertising sponsor is not prohibited from accepting campaign contributions or sponsorship contributions, as applicable, for the sole purpose of paying debts incurred in respect of the election for which there was false or misleading disclosure.
- (2) An individual or organization that contravenes a prohibition that applies under subsection (1) commits an offence.
- (3) If a conviction referred to in subsection (1) is appealed, the penalties under that subsection may not be stayed on the appeal.
- (4) In the case of a candidate who is subject to penalties under subsection (1), section 72 (2) and (3) [*candidate disqualification ends*] applies if the conviction is overturned on the final determination of an appeal.

2014-18-65; 2016-9-25; 2021-5-41 (B.C. Reg. 281/2021).

(ADD) **Endorsed candidate penalties for elector organization failing to file disclosure documents or disclosing false or misleading information**
May
19/16

- 65.1** (1) If an elector organization becomes subject to penalties under section 64 (3) or 65 (1) (c), the penalties set out in section 64 (2) or 65 (1) (a) and (b), as applicable, apply in relation to a candidate who was endorsed by the elector organization and in respect of whom the elector organization failed to meet disclosure requirements or disclosed false or misleading information.
- (2) A candidate becomes subject to the penalties under subsection (1) at the same time as the elector organization becomes subject to the penalties under section 64 (3) or 65 (1) (c), as applicable.
- (3) If a candidate becomes subject to penalties under this section, section 72 [*appeals and final determinations*] applies to the candidate if the conviction of the elector organization is overturned on the final determination of an appeal.

2016-9-26.

Part 6: Division 2 – Court Orders for Relief in Relation to Disclosure Requirements

Application for relief in relation to disclosure requirements

- 66.** (1) An application to the Supreme Court for relief from disclosure requirements under this Act may be made in accordance with this Division.
- (2) An application under this section may be made as follows:
- (a) for relief in relation to a candidate disclosure statement or supplementary report, the application may be made by the candidate or the financial agent for the candidate;
- (b) for relief in relation to an elector organization disclosure statement, annual financial report or supplementary report, the application may be made by the elector organization, the financial agent for the elector organization or a responsible principal official of the organization;
- (c) for relief in relation to a third party disclosure statement or supplementary report, or an assent voting advertising disclosure statement or supplementary report, the application may be made,
- (i) in the case of a sponsor who is an individual, by the individual, and
- (ii) in the case of a sponsor who is an organization, by the organization or a responsible principal official of the organization.

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- (3) The time limit for filing the petition for an application under this section is the compliance deadline for the disclosure statement, annual financial report or supplementary report to which the application relates.
- (4) The petition for an application must be served on the following, other than the applicant, no later than 7 days after the petition is filed in the court registry:
 - (a) in all cases, on the BC chief electoral officer;
 - (b) in the case of an application in relation to a candidate,
 - (i) on the individuals referred to in subsection (2) (a), and
 - (ii) if the candidate was declared elected, on the jurisdiction in relation to which the election was held;
 - (c) in the case of an application in relation to an elector organization,
 - (i) on the organization and individuals referred to in subsection (2) (b), and
 - (ii) on the candidates endorsed by the elector organization;
 - (d) in the case of an application in relation to a third party sponsor or assent voting advertising sponsor, on the organization and individuals referred to in subsection (2) (c).

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2014-18-66; 2016-9-27; 2021-5-42 (B.C. Reg. 281/2021).

Special rules respecting applications for relief that are related to candidate disclosure requirements

- 67.** (1) In the case of an application for relief in relation to a candidate disclosure statement or supplementary report, no later than 14 days after the petition is filed, the applicant must set down the matter for hearing by the Supreme Court.
- (2) The following apply in relation to an application referred to in subsection (1):
- (a) the applicant must take all reasonable steps to have the application heard as soon as practicable;
 - (b) the applicant must provide notice of the date the application is set down for hearing and any adjournments to
 - (i) the jurisdiction in relation to which the election was held, and
 - (ii) the BC chief electoral officer;
 - (c) when deciding whether to grant relief under section 68, the court must consider whether the applicant acted diligently to have the application heard as soon as practicable.

2014-18-67.

Court relief powers respecting disclosure requirements

- 68.** (1) Subject to this section, on the hearing of an application under this Division, the court may provide relief as follows:
- (a) changing the compliance deadline by extending the time period for filing the disclosure statement, annual financial report or supplementary report;
 - (b) ordering that the disclosure statement, annual financial report or supplementary report need not comply with specified disclosure requirements;
 - (c) ordering that the disclosure statement, annual financial report or supplementary report need not be filed.
- (2) The authority to provide relief under subsection (1) includes authority to do the following:

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- (AM)
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- (a) in relation to an order under subsection (1) (a) respecting a disclosure statement or annual financial report, order
- (AM)
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- (i) that the extension of time for filing the disclosure statement or annual financial report is subject to payment of the late filing penalty fee, or
- (AM)
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- (ii) that the disclosure statement or annual financial report may be filed without paying the late filing penalty fee;
- (b) in relation to an order under subsection (1) respecting a candidate disclosure statement, provide relief in relation to forfeiture of any applicable nomination deposit;
- (ADD)
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- (b.1) in relation to an order under subsection (1) respecting an elector organization disclosure statement, provide relief in relation to a candidate endorsed by the elector organization who is subject to a penalty under section 65.1 [*endorsed candidate penalties for elector organization failing to file disclosure documents or disclosing false or misleading information*];
- (ADD)
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- (b.2) in relation to an order under subsection (1) respecting an elector organization that is suspended under section 64 (5.2) [*penalties for failure to disclose – suspension of registration pending decision of court*], make an additional order that the suspension be cancelled, immediately or at a time or on conditions specified by the court;
- (c) in any case, make any additional order the court considers appropriate to secure compliance with Division 2 [*Disclosure Requirements for Candidates, Elector Organizations and Advertising Sponsors*] of Part 5 to the extent the court considers reasonable in the circumstances.
- (3) In relation to candidate disclosure requirements, the court may provide relief under this section only if satisfied that the candidate exercised due diligence to ensure that the applicable disclosure requirements were met.
- (4) In relation to elector organization disclosure requirements, the court may provide relief under this section only if satisfied that the following individuals exercised due diligence to ensure that the applicable disclosure requirements were met:
- (AM)
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- (a) in relation to a disclosure statement or annual financial report for the elector organization, the individuals who were responsible principal officials of the organization at any time during the period
- (AM)
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- (i) beginning on the day on which the BC chief electoral officer registered the organization, and
- (AM)
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- (ii) ending on the day after the compliance deadline for filing the disclosure statement or annual financial report;
- (b) in relation to a supplementary report for the elector organization, the individuals who were responsible principal officials of the organization at any time during the period
- (AM)
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- (i) beginning on the day on which the BC chief electoral officer registered the organization, and
- (ii) ending on the day after the compliance deadline for filing the supplementary report.
- (5) In relation to disclosure requirements for a third party sponsor or assent voting advertising sponsor who is an individual, the court may provide relief under this section only if satisfied that the sponsor exercised due diligence to ensure that the applicable disclosure requirements were met.

- (6) In relation to disclosure requirements for a third party sponsor or assent voting advertising sponsor that is an organization, the court may provide relief under this section only if satisfied that the individuals who were responsible principal officials of the organization at any time during the period
- (a) beginning on the day on which the organization became subject to the requirement to register under Part 3 [*Third Party Advertising*], and
 - (b) ending on the day after the compliance deadline for filing the disclosure statement or supplementary report
- exercised due diligence to ensure that the applicable disclosure requirements were met.
2014-18-68; 2016-9-28; 2021-5-43 (B.C. Reg. 281/2021).

Part 6: Division 3 – Expense Limit Penalties

(ADD) Penalties for exceeding expense limits or amount available

May
19/16

- 68.01** (1) Subject to a court order for relief under section 68.06 (1) [*court relief powers*], the penalties under this section apply to a candidate or an elector organization in relation to exceeding an expense limit or the amount available under a final campaign financing arrangement.
- (2) The penalty set out in subsection (3) applies to
- (a) an unendorsed candidate if the campaign period expenses of the candidate exceeded the expense limit for the candidate, and
 - (b) a candidate endorsed by an elector organization if the total of the following exceeded the expense limit for the candidate:
 - (i) the campaign period expenses of the candidate;
 - (ii) the campaign period expenses of the endorsing elector organization that are attributable to the expense limit for the candidate.
- (3) In the case of a candidate who was declared elected, the candidate ceases to hold office as a member of the local authority and the seat of the member becomes vacant.
- (4) The penalties set out in subsection (5) apply to an elector organization if both of the following apply:
- (a) the total of the following exceeded the expense limit for a candidate endorsed by the elector organization:
 - (i) the campaign period expenses of the candidate;
 - (ii) the campaign period expenses of the endorsing elector organization that are attributable to the expense limit for the candidate;
 - (b) the campaign period expenses of the endorsing elector organization that are attributable to the expense limit for the candidate exceeded the amount available to the elector organization under the final campaign financing arrangement with the candidate.
- (5) The elector organization
- (a) must be deregistered, and
 - (b) subject to subsection (6), is prohibited from accepting campaign contributions or incurring election expenses until it is reregistered under section 30.18 [*reregistration*].

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- (6) An elector organization is not prohibited from accepting campaign contributions for the sole purpose of paying debts incurred in respect of the election in which expense limits or amounts available were exceeded.
- (AM)
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- (7) Subject to any applicable regulations, if the fact that an expense limit or the amount available was exceeded is disclosed in the disclosure statement or supplementary report of a candidate, the candidate becomes subject to the penalties under this section as follows:
- (a) if no application for relief under section 68.04 [*application for relief in relation to exceeding expense limits or amount available*] is made in accordance with that section,
- (i) in the case of an unendorsed candidate, on the day after the compliance deadline for the statement or report, and
- (ii) in the case of a candidate endorsed by an elector organization, on the day after the later of the following:
- (A) the candidate's compliance deadline;
- (B) the elector organization's compliance deadline;
- (b) if an application referred to in paragraph (a) has been made, on the later of the following:
- (i) 42 days after the time limit for making an application under the section;
- (ii) if applicable, the date set by court order under section 69 [*extension of time before penalties apply*].
- (AM)
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- (7.1) Subject to any applicable regulations, if the fact that an expense limit or the amount available was exceeded is disclosed in the disclosure statement or supplementary report of an elector organization, the elector organization becomes subject to the penalties under this section as follows:
- (a) if no application for relief under section 68.04 [*application for relief in relation to exceeding expense limits or amount available*] is made by an elector organization in accordance with that section, the elector organization becomes subject to the penalties under subsection (5) of this section on the day after the later of the following:
- (i) the compliance deadline for the candidate endorsed by the elector organization;
- (ii) the elector organization's compliance deadline;
- (b) if an application for relief under section 68.04 is made,
- (i) the registration of the elector organization must be suspended pending the decision of the court, and
- (ii) the elector organization becomes subject to the penalties under subsection (5) of this section on the later of the following:
- (A) 42 days after the time limit for making an application under section 68.04;
- (B) if applicable, the date set by the court under section 69 [*extension of time before penalties apply*].
- (ADD)
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- (8) An individual or organization that contravenes a prohibition that applies under this section commits an offence.
- (9) For certainty, the penalties under this section apply whether or not a prosecution for an offence under section 63.05 (3), (4) or (5) [*prohibition against exceeding expense limits*] has been commenced.

2016-9-29; 2021-5-44 (B.C. Reg. 281/2021).

(ADD) Monetary penalties for exceeding expense limits or amount available

May
19/16

68.02 (1) Subject to a court order for relief under section 68.07 (1), *[court relief powers – monetary penalties]*, the monetary penalties under this section apply to a candidate or an elector organization in relation to exceeding an expense limit or the amount available under a final campaign financing arrangement.

(2) The monetary penalties set out in subsection (3) apply to

(a) an unendorsed candidate if the campaign period expenses of the candidate exceeded the expense limit for the candidate, and

(b) a candidate endorsed by an elector organization if both of the following apply:

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(i) the total of the following exceeded the expense limit for the candidate:

(A) the campaign period expenses of the candidate;

(B) the campaign period expenses of the endorsing elector organization that are attributable to the expense limit for the candidate;

(ii) the campaign period expenses of the candidate exceeded the amount available to the candidate under the final campaign financing arrangement with the elector organization that endorsed the candidate.

(3) A candidate must pay to the BC chief electoral officer,

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(a) in the case of an unendorsed candidate, a monetary penalty in an amount of up to 2 times the amount by which the expense limit was exceeded, as determined by the BC chief electoral officer, and

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(b) in the case of a candidate endorsed by an elector organization, a monetary penalty in an amount of up to 2 times the amount by which the amount available to the candidate was exceeded, as determined by the BC chief electoral officer.

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(4) The monetary penalty set out in subsection (5) applies to an elector organization if both of the following apply:

(a) the total of the following exceeded the expense limit for a candidate endorsed by the elector organization:

(i) the campaign period expenses of the candidate;

(ii) the campaign period expenses of the endorsing elector organization that are attributable to the expense limit for the candidate;

(b) the campaign period expenses of the endorsing elector organization that are attributable to the expense limit for the candidate exceeded the amount available to the elector organization under the final campaign financing arrangement with the candidate.

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(5) The elector organization must pay to the BC chief electoral officer a monetary penalty in an amount of up to 5 times the amount by which the amount available to the elector organization was exceeded, as determined by the BC chief electoral officer.

(6) Subject to any relief provided under section 68.08 *[individual relief from monetary penalty liability of responsible principal officials]*, if an elector organization is subject to a monetary penalty under subsection (5) of this section, the individuals who were responsible principal officials of the organization at any time during the campaign period for the election to which the penalty relates are jointly and severally liable with the elector organization to pay the monetary penalty.

- (7) Subject to any applicable regulations, if the fact that an expense limit or the amount available was exceeded is disclosed in the disclosure statement or supplementary report of a candidate or an elector organization, as applicable, the candidate or elector organization becomes subject to the monetary penalties under this section as follows:
- (a) if no application for relief under section 68.04 is made in accordance with that section, on the day after the compliance deadline for the statement or report;
 - (b) if an application referred to in paragraph (a) has been made, on the later of the following:
 - (i) 42 days after the time limit for making an application under the section;
 - (ii) if applicable, the date set by court order under section 69 *[extension of time before penalties apply]*.

2016-9-29; 2021-5-45 (B.C. Reg. 281/2021).

(ADD) **Disqualification or deregistration if monetary penalties unpaid**

May
19/16

- 68.03** (1) If a candidate is subject to a monetary penalty under section 68.02 and does not pay the monetary penalty within 30 days of the date the candidate is subject to the penalty, the candidate is disqualified, subject to subsection (2) of this section, from being nominated for, being elected to or holding office as a member of a local authority until after the next general local election.
- (2) On payment by the candidate of the monetary penalty described in subsection (1), the candidate ceases to be disqualified under that subsection.
- (3) If an elector organization is subject to a monetary penalty under section 68.02 and does not pay the monetary penalty within 30 days of the date the elector organization is subject to the penalty, the elector organization, if the elector organization is not disqualified and prohibited under section 68.01 (5),
- (a) the elector organization must be deregistered, and
 - (b) subject to subsection (4), is prohibited from accepting campaign contributions or incurring election expenses until it is reregistered under section 30.18 *[reregistration]*.
- (4) An elector organization is not prohibited from accepting campaign contributions for the sole purpose of paying debts incurred in respect of the election for which there was a failure to pay a monetary penalty.
- (5) An individual or organization that contravenes a prohibition that applies under this section commits an offence.

2016-9-29; 2021-5-46 (B.C. Reg. 281/2021).

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Part 6: Division 4 – Court Orders for Relief in Relation to Exceeding Expense Limits or Amount Available

(ADD) **Application for relief in relation to exceeding expense limits or amount available**

May
19/16

- 68.04** (1) An application to the Supreme Court for relief in relation to exceeding an expense limit or the amount available may be made in accordance with this Division.
- (2) An application for relief under this section may be made as follows:

- (a) in relation to an unendorsed candidate described in section 68.01 (2) (a) [*penalties for unendorsed candidate*] or 68.02 (2) (a) [*monetary penalties for unendorsed candidate*], by the candidate or the financial agent for the candidate;
 - (b) in relation to a candidate endorsed by an elector organization described in section 68.01 (2) (b) or 68.02 (2) (b), by the candidate or the financial agent for the candidate;
 - (c) in relation to an elector organization described in section 68.01 (4) or 68.02 (4), by the elector organization, the financial agent for the elector organization or a responsible principal official of the elector organization.
- (3) An application under this section may be made only if the fact that an expense limit or the amount available was exceeded is disclosed, or anticipated by the applicant to be disclosed, in the disclosure statement or supplementary report of the candidate or elector organization, as applicable, on or before the compliance deadline for the statement or report.
- (4) A petition for an application under this section must be served on the following, other than the applicant, no later than 7 days after the petition is filed in the court registry:
- (a) in all cases, on the BC chief electoral officer;
 - (b) in the case of an application in relation to a candidate, on the candidate or the financial agent for the candidate and, if the candidate is endorsed by an elector organization, on the elector organization;
 - (c) in the case of an application in relation to an elector organization, on the financial agent for the elector organization or a responsible principal official of the elector organization, on the candidate endorsed by the elector organization and on the financial agent for the candidate, if the candidate has a financial agent;
 - (d) in the case of a candidate who was declared elected, on the jurisdiction in relation to which the election was held.

2016-9-29.

(ADD) **Special rules respecting applications for relief in relation to candidates exceeding expense limits**

May
19/16

- 68.05** (1) In the case of an application for relief in relation to a candidate exceeding the expense limit for the candidate, the applicant, no later than 14 days after a petition for the application is filed, must set the matter down for hearing by the Supreme Court.
- (2) The following apply in relation to an application under this section:
- (a) the applicant must take all reasonable steps to have the application heard as soon as practicable;
 - (b) the applicant must provide to the jurisdiction in relation to which the election was held and to the BC chief electoral officer notice of the date the application is set down for hearing and of any adjournments;
 - (c) when deciding whether to grant relief under this section, the court must consider whether the applicant acted diligently to have the application heard as soon as practicable.

2016-9-29.

(ADD) **Court relief powers respecting exceeding expense limits or amount available**

May
19/16

- 68.06** (1) Subject to this section, on the hearing of an application under this Division, the court may provide relief as follows:

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- (a) ordering that the penalty under section 68.01 (3) [*candidate penalties for exceeding expense limits or amount available*] does not apply to a candidate;
 - (b) ordering that the penalty under section 68.01 (5) [*elector organization penalties for exceeding expense limits or amount available*] does not apply to an elector organization.
- (2) The authority to provide relief under subsection (1) includes the authority to do the following:
- (a) in relation to an order under subsection (1) respecting an elector organization that is suspended under section 68.01 (7.1) [*penalties for exceeding expense limits or amount available – suspension of registration pending decision of court*], make an additional order that the suspension be cancelled, immediately or at a time or on conditions specified by the court;
 - (b) in any case, make any additional order the court considers appropriate to secure compliance with Part 5.1 [*Expense Limits*] to the extent the court considers reasonable in the circumstances.
- (3) In relation to an unendorsed candidate who is subject to a penalty under section 68.01 (3), the court may provide relief only if satisfied that
- (a) exceeding the expense limit did not materially affect the result of the election, and
 - (b) the candidate exercised due diligence to ensure that the candidate's campaign period expenses did not exceed the expense limit.
- (4) In relation to a candidate endorsed by an elector organization who is subject to a penalty under section 68.01 (3), the court may provide relief only if satisfied that
- (a) exceeding the expense limit did not materially affect the result of the election,
 - (b) the candidate exercised due diligence to ensure that the candidate's campaign period expenses did not exceed the amount available to the candidate under the final campaign financing arrangement with the endorsing elector organization, and
 - (c) the candidate acted in good faith in relation to the elector organization's campaign period expenses exceeding the amount available to the elector organization under the final campaign financing arrangement.
- (5) In relation to an elector organization that is subject to a penalty under section 68.01 (5), the court may provide relief only if satisfied that
- (a) exceeding the expense limit for the candidate endorsed by the elector organization did not materially affect the result of the election, and
 - (b) the individuals who are or may be liable under section 68.02 (6) exercised due diligence to ensure that the elector organization's campaign period expenses did not exceed the amount available to the elector organization under the final campaign financing arrangement with the candidate endorsed by the elector organization.

2016-9-29; 2021-5-47 (B.C. Reg. 281/2021).

(ADD) **Court relief powers respecting exceeding expense limits or amount available – monetary penalties**

May
19/16

- 68.07 (1)** Subject to this section, on the hearing of an application under this Division, the court may provide relief as follows:
- (a) ordering that all or part of the applicable monetary penalty under section 68.02 (3) [*monetary penalties for exceeding expense limits or amount available*] does not apply to a candidate;
 - (b) ordering that all or part of the monetary penalty under section 68.02 (5) does not apply to an elector organization.

- (2) The authority to provide relief under subsection (1) includes the authority to make any additional order the court considers appropriate to secure compliance with Part 5.1 *[Expense Limits]* to the extent the court considers reasonable in the circumstances.
- (3) In relation to a candidate who is subject to a monetary penalty under section 68.02 (3), the court may provide relief only if satisfied that the candidate exercised due diligence to ensure that,
 - (a) in the case of an unendorsed candidate, the candidate's campaign period expenses did not exceed the expense limit for the candidate, and
 - (b) in the case of a candidate endorsed by an elector organization, the candidate's campaign period expenses did not exceed the amount available to the candidate under the final campaign financing arrangement.
- (4) In relation to an elector organization that is subject to a monetary penalty under section 68.02 (5), the court may provide relief only if satisfied that the individuals who are or may be liable under section 68.02 (6) exercised due diligence to ensure that the elector organization's campaign period expenses did not exceed the amount available to the elector organization under the final campaign financing arrangement with the candidate endorsed by the elector organization.

2016-9-29.

(ADD) **Individual relief from monetary penalty liability of responsible principal officials**

May
19/16

- 68.08** (1) An individual who is or may be liable under section 68.02 (6) *[monetary penalties – principal officials]* may apply to the Supreme Court in accordance with this section for relief from the individual's liability.
- (2) A petition for an application under this section must be served on the following no later than 7 days after the petition is filed in the court registry:
 - (a) the BC chief electoral officer;
 - (b) the elector organization;
 - (c) any individual, other than the applicant, who is or may be liable as referred to in subsection (1).
 - (3) Subject to subsection (4), on the hearing of an application under this section, the court may provide relief from all or part of the applicant's liability to pay the elector organization's monetary penalty.
 - (4) The court may provide relief only if satisfied that the applicant exercised due diligence to ensure that the elector organization's campaign period expenses that are attributable to the expense limit for the candidate did not exceed the amount available to the elector organization under the final campaign financing arrangement with that candidate.

2016-9-29.

Part 6: Division 5 – Third Party Advertising Limits – Penalties and Court Orders for Relief

(ADD) **Penalties for exceeding third party advertising limits**

May
19/16

- 68.09** (1) Subject to a court order for relief provided under section 68.11 (1), the penalties under this section apply to a third party sponsor in relation to exceeding a third party advertising limit.

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- (2) The penalties set out in subsection (3) and the applicable monetary penalty set out in subsection (5) apply to a third party sponsor if the value of the third party advertising sponsored during the campaign period exceeded a third party advertising limit for the third party sponsor.
- (3) The third party sponsor
- (a) is disqualified from sponsoring third party advertising until after the next general local election, and
- (b) subject to subsection (4), is prohibited from accepting sponsorship contributions until after the next general local election.
- (4) A third party sponsor is not prohibited from accepting sponsorship contributions for the sole purpose of paying debts incurred in respect of the election in which third party advertising limits were exceeded.
- (5) The third party sponsor must pay to the BC chief electoral officer,
- (a) in the case of a third party sponsor that is an individual, a monetary penalty in an amount of up to 2 times the amount by which the third party advertising limit was exceeded, as determined by the BC chief electoral officer, and
- (b) in the case of a third party sponsor that is an organization, a monetary penalty in an amount of up to 5 times the amount by which the third party advertising limit was exceeded, as determined by the BC chief electoral officer.
- (6) Subject to any applicable regulations, if the fact that a third party advertising limit was exceeded is disclosed in the disclosure statement or supplementary report of a third party sponsor, as applicable, the third party sponsor becomes subject to the penalties under this section as follows:
- (a) if no application for relief under section 68.10 is made in accordance with that section, on the day after the compliance deadline for the statement or report;
- (b) if an application referred to in paragraph (a) has been made, on the later of the following:
- (i) 42 days after the time limit for making an application under the section;
- (ii) if applicable, the date set by court order under section 69 *[extension of time before penalties apply]*.
- (7) Subject to any relief provided under section 68.12 *[individual relief from liability of responsible principal officials]*, if a third party sponsor that is an organization is subject to a monetary penalty under this section, the individuals who were responsible principal officials of the organization at any time during the campaign period for the election or elections to which the third party advertising relates are jointly and severally liable with the organization to pay the monetary penalty under this section in relation to the organization.
- (8) An individual or organization that contravenes a prohibition that applies under this section commits an offence.
- (9) For certainty, the penalties under this section apply whether or not a prosecution for an offence under section 41.5 (3) *[offence for exceeding third party advertising limits]* has been commenced.

2016-9-29; 2021-5-48.

(ADD) **Application for relief in relation to exceeding third party advertising limits**

May
19/16

- 68.10** (1) An application to the Supreme Court for relief in relation to a third party sponsor exceeding a third party advertising limit may be made in accordance with this section.
- (2) An application for relief under this section may be made by the following:
- (a) the third party sponsor;

- (b) if the third party sponsor is an organization, an individual who is or may be liable under section 68.09 (7).
- (3) An application under this section may be made only if the fact that a third party advertising limit was exceeded is disclosed, or anticipated by the applicant to be disclosed, in the disclosure statement or the supplementary report of the third party sponsor.
- (4) A petition for an application under this section must be filed on or before the compliance deadline for the disclosure statement or supplementary report of the third party sponsor.
- (5) A petition for an application under this section must be served on the following, other than the applicant, no later than 7 days after the petition is filed in the court registry:
 - (a) the BC chief electoral officer;
 - (b) if the third party sponsor is an organization, the individuals who are or may be liable under section 68.09 (7).

2016-9-29.

(ADD) **Court relief powers respecting exceeding third party advertising limits**

May
19/16

- 68.11** (1) Subject to this section, on the hearing of an application under this Division, the court may provide relief as follows:
- (a) ordering that the penalty under section 68.09 (3) does not apply to a third party sponsor;
 - (b) ordering that all or part of the applicable monetary penalty under section 68.09 (5) does not apply to a third party sponsor.
- (2) The authority to provide relief under subsection (1) includes the authority to make any additional order the court considers appropriate to secure compliance with Division 4 [*Third Party Advertising Limits*] of Part 3 [*Third Party Advertising*] to the extent the court considers reasonable in the circumstances.
- (3) In relation to a third party sponsor who is an individual, the court may provide relief only if satisfied that the third party sponsor exercised due diligence to ensure that the value of the third party advertising of that third party sponsor did not exceed the third party advertising limit for that third party sponsor.
- (4) In relation to a third party sponsor that is an organization, the court may provide relief only if satisfied that the individuals who are or may be liable under section 68.09 (7) exercised due diligence to ensure that the value of the third party advertising of the third party sponsor did not exceed the third party advertising limit for that third party sponsor.

2016-9-29.

(ADD) **Individual relief from liability of responsible principal officials**

May
19/16

- 68.12** (1) An individual who is or may be liable under section 68.09 (7) [*penalties – principal officials*] may apply to the Supreme Court in accordance with this section for relief from the individual's liability.
- (2) A petition for an application under this section must be served on the following no later than 7 days after the petition is filed in the court registry:
- (a) the BC chief electoral officer;
 - (b) the organization that is the third party sponsor;
 - (c) any individual, other than the applicant, who is or may be liable as referred to in subsection (1).

- (3) Subject to subsection (4), on the hearing of an application under this section, the court may provide relief from all or part of the applicant's liability to pay the third party sponsor's monetary penalty.
- (4) The court may provide relief only if satisfied that the applicant exercised due diligence to ensure that the value of the third party advertising of the third party sponsor did not exceed the third party advertising limit for that third party sponsor.

2016-9-29.

Part 6: Division 5.1 – Campaign Contributions – Penalties and Court Orders for Relief

(ADD) Monetary penalties in relation to prohibited campaign contributions

Dec
01/21

- 68.13** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 26 (0.1) [*prohibition against organization or individual making campaign contributions*] or (2.01) [*prohibition against making campaign contributions indirectly*] by an individual or organization, the BC chief electoral officer must notify the individual or organization of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 68.18 [*court relief powers in relation to campaign contributions*], if the BC chief electoral officer gives notice under subsection (1) of this section, the individual or organization must pay to the BC chief electoral officer a penalty in an amount of up to 2 times the amount of the campaign contribution, as determined by the BC chief electoral officer.
 - (3) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 26 (1) [*restrictions in relation to campaign contributions by eligible individual*] or (1.1) [*prohibition against exceeding campaign contribution limit*] by an eligible individual or non-compliance with section 26 (2) [*prohibition against campaign contributions by elector organization to own campaign or campaign of endorsed candidate*] by an elector organization, the BC chief electoral officer must notify the individual or organization of the non-compliance and the related penalty.
 - (4) Subject to a court order for relief under section 68.18, if the BC chief electoral officer gives notice under subsection (3) of this section, the individual or organization must pay to the BC chief electoral officer,
 - (a) in the case of non-compliance with section 26 (1) (a), (e) or (f) or (2), a penalty in an amount of up to 2 times the amount of the campaign contribution, as determined by the BC chief electoral officer,
 - (b) in the case of non-compliance with section 26 (1) (b), (c) or (d), a penalty in an amount of up to 2 times the amount by which the campaign contribution exceeds \$50, as determined by the BC chief electoral officer, or
 - (c) in the case of non-compliance with section 26 (1.1), a penalty in an amount of up to 2 times the amount by which the campaign contribution exceeds the applicable contribution limit, as determined by the BC chief electoral officer.

2021-5-49 (B.C. Reg. 281/2021).

(ADD) Monetary penalties in relation to accepting campaign contributions

Dec
01/21

- 68.14** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 27 *[restrictions in relation to campaign contributions]* by a candidate, an elector organization, a financial agent or an individual authorized by the financial agent under section 27 (1) (b), the BC chief electoral officer must notify the candidate, elector organization, financial agent or individual authorized by the financial agent under section 27 (1) (b) of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 68.18 *[court relief powers in relation to campaign contributions]*, if the BC chief electoral officer gives notice under subsection (1) of this section, the candidate, elector organization, financial agent or individual authorized by the financial agent under section 27 (1) (b) must pay to the BC chief electoral officer,
- (a) in the case of non-compliance with section 27 (1), (1.01) (a), (2) or (3), a penalty in an amount of up to 2 times the amount of the campaign contribution, as determined by the BC chief electoral officer, or
- (b) in the case of non-compliance with section 27 (1.01) (b), a penalty in an amount of up to 2 times the amount by which the campaign contribution exceeds the applicable contribution limit, as determined by the BC chief electoral officer.

2021-5-49 (B.C. Reg. 281/2021).

(ADD) **Monetary penalties for making prohibited loans**

Dec
01/21

- 68.15** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 27.01 *[restrictions in relation to making loans to candidates and elector organizations]* by an individual or organization, the BC chief electoral officer must notify the individual or organization of the non-compliance and, if applicable, the related penalty.
- (2) Subject to a court order for relief under section 68.18 *[court relief powers in relation to prohibited loans]*, if the BC chief electoral officer gives notice under subsection (1) of this section to an individual or organization other than a savings institution, the individual or organization must pay to the BC chief electoral officer,
- (a) in the case of non-compliance with section 27.01 (1) by an individual or organization other than a savings institution, a penalty of up to 100% of the amount of the loan, as determined by the BC chief electoral officer, or
- (b) in the case of non-compliance with section 27.01 (3), a penalty in an amount of up to 2 times the amount by which the permissible loan exceeds the applicable contribution limit, as determined by the BC chief electoral officer.

2021-5-49 (B.C. Reg. 281/2021).

(ADD) **Monetary penalties for accepting prohibited loans**

Dec
01/21

- 68.16** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 27.02 *[restrictions in relation to accepting loans for campaign use]* by a candidate or an elector organization, the BC chief electoral officer must notify the candidate or elector organization of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 68.18 *[court relief powers in relation to prohibited loans]*, if the BC chief electoral officer gives notice under subsection (1) of this section, the candidate or elector organization must pay to the BC chief electoral officer,
- (a) in the case of non-compliance with section 27.02 (1), (1.1) or (3), a penalty of up to 100% of the amount of the loan, as determined by the BC chief electoral officer, or

- (b) in the case of non-compliance with section 27.02 (2), a penalty in an amount of up to 2 times the amount by which the loan exceeds the applicable contribution limit, as determined by the BC chief electoral officer.

2021-5-49 (B.C. Reg. 281/2021).

(ADD) **Monetary penalties for failure to return campaign contributions**

Dec
01/21

- 68.17** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 28 *[dealing with prohibited campaign contributions]* by a financial agent, the BC chief electoral officer must notify the financial agent of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 68.18 *[court relief powers in relation to campaign contributions]*, if the BC chief electoral officer gives notice under subsection (1) of this section, the financial agent must pay to the BC chief electoral officer a penalty in an amount of up to 2 times the amount of the campaign contribution, as determined by the BC chief electoral officer.

2021-5-49 (B.C. Reg. 281/2021).

(ADD) **Court relief powers in relation to campaign contributions and prohibited loans**

Dec
01/21

- 68.18** (1) An individual or organization that is subject to a monetary penalty under any of sections 68.13 to 68.17 may apply to the Supreme Court in accordance with this section for relief from the monetary penalty for non-compliance.
- (2) An application may be made only within 30 days after the BC chief electoral officer, under the applicable section referred to in subsection (1), notifies the individual or organization of the non-compliance and related penalty.
- (3) The petition commencing an application must be served on the BC chief electoral officer within 7 days after the petition is filed, and the BC chief electoral officer is a party to the application.
- (4) On hearing an application, the court may do any of the following:
- (a) grant relief from a penalty if the court considers that, in relation to the non-compliance, the individual or organization has acted in good faith;
 - (b) make any order the court considers appropriate to secure compliance with the applicable section to the extent the court considers reasonable in the circumstances;
 - (c) refuse to grant relief.

2021-5-49 (B.C. Reg. 281/2021).

Part 6: Division 5.2 – Sponsorship Contributions – Penalties and Court Orders for Relief

(RET) **Monetary penalties in relation to making sponsorship contributions**

Mar
04/21

- 68.19** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 34 (0.1) *[prohibition against organization or individual making sponsorship contributions]* or (1.1) *[prohibition against making sponsorship contributions indirectly]* by an individual or organization, the BC chief electoral officer must notify the individual or organization of the non-compliance and the related penalty.

- (2) Subject to a court order for relief under section 68.22 [*court relief powers in relation to sponsorship contributions*], if the BC chief electoral officer gives notice under subsection (1) of this section, the individual or organization must pay to the BC chief electoral officer a penalty in an amount of up to 2 times the sponsorship contribution, as determined by the BC chief electoral officer.
- (3) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 34 (1) [*restrictions in relation to sponsorship contributions by eligible individual*] or (1.01) [*prohibition against exceeding sponsorship contribution limit*] by an eligible individual, the BC chief electoral officer must notify the eligible individual of the non-compliance and the related penalty.
- (4) Subject to a court order for relief under section 68.22, if the BC chief electoral officer gives notice under subsection (3) of this section, the eligible individual must pay to the BC chief electoral officer,
 - (a) in the case of non-compliance with section 34 (1) (a) or (b), a penalty in an amount of up to 2 times the amount by which the sponsorship contribution exceeds \$50, as determined by the BC chief electoral officer,
 - (b) in the case of non-compliance with section 34 (1) (c) or (d), a penalty in an amount of up to 2 times the sponsorship contribution, as determined by the BC chief electoral officer, or
 - (c) in the case of non-compliance with section 34 (1.01), a penalty in an amount of up to 2 times the amount by which the sponsorship contribution limit was exceeded, as determined by the BC chief electoral officer.

2021-5-50.

(RET) **Monetary penalties in relation to accepting sponsorship contributions**

Mar
04/21

- 68.20** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 34.02 [*restrictions in relation to accepting sponsorship contributions*] by a third party sponsor, the BC chief electoral officer must notify the third party sponsor of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 68.22, if the BC chief electoral officer gives notice under subsection (1) of this section, the third party sponsor must pay to the BC chief electoral officer a penalty in an amount of up to 2 times the sponsorship contribution, as determined by the BC chief electoral officer.

2021-5-50.

(RET) **Monetary penalties for failure to return sponsorship contributions**

Mar
04/21

- 68.21** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 35 [*dealing with prohibited sponsorship contributions*] by a third party sponsor, the BC chief electoral officer must notify the third party sponsor of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 68.22, if the BC chief electoral officer gives notice under subsection (1) of this section, the third party sponsor must pay to the BC chief electoral officer a penalty in an amount of up to 2 times the sponsorship contribution, as determined by the BC chief electoral officer.

2021-5-50.

(RET) **Court relief powers in relation to sponsorship contributions**

Mar
04/21

- 68.22** (1) An individual or organization that is subject to a monetary penalty under any of sections 68.19 to 68.21 may apply to the Supreme Court in accordance with this section for relief from the monetary penalty for non-compliance.
- (2) An application may be made only within 30 days after the BC chief electoral officer, under the applicable section referred to in subsection (1), notifies the individual or organization of the non-compliance and related penalty.
- (3) The petition commencing an application must be served on the BC chief electoral officer within 7 days after the petition is filed, and the BC chief electoral officer is a party to the application.
- (4) On hearing an application, the court may do any of the following:
- (a) grant relief from a penalty if the court considers that, in relation to the non-compliance, the individual or organization has acted in good faith;
 - (b) make any order the court considers appropriate to secure compliance with the applicable section to the extent the court considers reasonable in the circumstances;
 - (c) refuse to grant relief.

2021-5-50.

Part 6: Division 5.3 – Third Party Sponsors – Penalties and Court Orders for Relief

(ADD) **Monetary penalties for failure to comply with independence requirements**

Mar
25/21

- 68.23** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 31 (1) [*independence requirements for third party sponsors*] by an individual or organization, the BC chief electoral officer must notify the individual or organization of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 68.26 [*court relief powers in relation to sponsorship requirements*], if the BC chief electoral officer gives notice under subsection (1) of this section,
- (a) in the case of non-compliance by an individual, the individual must pay to the BC chief electoral officer a penalty in an amount of up to \$5 000, as determined by the BC chief electoral officer, or
 - (b) in the case of non-compliance by an organization, the organization must pay to the BC chief electoral officer a penalty in an amount of up to \$10 000, as determined by the BC chief electoral officer.

2021-5-51.

(ADD) **Monetary penalties for failing to register as a third party sponsor**

Mar
25/21

- 68.24** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 37 [*prohibition against sponsoring third party advertising if not registered*] by an individual or organization, the BC chief electoral officer must notify the individual or organization of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 68.26 [*court relief powers in relation to sponsorship requirements*], if the BC chief electoral officer gives notice under subsection (1) of this section,

- (a) in the case of non-compliance by an individual, the individual must pay to the BC chief electoral officer a penalty in an amount of up to \$5 000, as determined by the BC chief electoral officer, or
- (b) in the case of non-compliance by an organization, the organization must pay to the BC chief electoral officer a penalty in an amount of up to \$10 000, as determined by the BC chief electoral officer.

2021-5-51.

(ADD) **Monetary penalties for failing to include sponsorship information**

Mar
25/21

- 68.25** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 44 [*advertising must include sponsorship information*] by an individual or organization, the BC chief electoral officer must notify the individual or organization of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 68.26 [*court relief powers in relation to sponsorship requirements*], if the BC chief electoral officer gives notice under subsection (1) of this section,
- (a) in the case of non-compliance by an individual, the individual must pay to the BC chief electoral officer a penalty in an amount of up to \$5 000, as determined by the BC chief electoral officer, or
 - (b) in the case of non-compliance by an organization, the organization must pay to the BC chief electoral officer a penalty in an amount of up to \$10 000, as determined by the BC chief electoral officer.

2021-5-51.

(ADD) **Court relief powers in relation to sponsorship requirements**

Mar
25/21

- 68.26** (1) An individual or organization that is subject to a monetary penalty under any of sections 68.23 to 68.25 may apply to the Supreme Court in accordance with this section for relief from the monetary penalty for non-compliance.
- (2) An application may be made only within 30 days after the BC chief electoral officer, under the applicable section referred to in subsection (1), notifies the individual or organization of the non-compliance and related penalty.
- (3) The petition commencing an application must be served on the BC chief electoral officer within 7 days after the petition is filed, and the BC chief electoral officer is a party to the application.
- (4) On hearing an application, the court may do any of the following:
- (a) grant relief from a penalty if the court considers that, in relation to the non-compliance, the individual or organization has acted in good faith;
 - (b) make any order the court considers appropriate to secure compliance with the applicable section to the extent the court considers reasonable in the circumstances;
 - (c) refuse to grant relief.

2021-5-51.

Part 6: Division 5.4 – Registration of Elector Organizations – Penalties and Court Orders for Relief

(ADD) **Monetary penalties in relation to elector organization registration requirement**

Dec
01/21

- 68.27** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 30.06 [*requirement to register*] by an elector organization or individual, the BC chief electoral officer must notify the elector organization or individual of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 68.28, if the BC chief electoral officer gives notice under subsection (1) of this section,
- (a) in the case of an elector organization, or an individual on behalf of an elector organization, accepting a campaign contribution while the elector organization is not registered or while registration is suspended, the elector organization or individual must pay to the BC chief electoral officer a penalty in an amount of up to 2 times the campaign contribution, as determined by the BC chief electoral officer,
- (b) in the case of an elector organization entering into a campaign financing arrangement while the elector organization is not registered or while registration is suspended, the elector organization must pay to the BC chief electoral officer a penalty in an amount of up to \$5 000, as determined by the BC chief electoral officer, or
- (c) in the case of an elector organization, or an individual on behalf of an elector organization, incurring an election expense while the elector organization is not registered or while registration is suspended, the elector organization or individual must pay to the BC chief electoral officer a penalty in an amount of up to 2 times the election expense, as determined by the BC chief electoral officer.

2021-5-52 (B.C. Reg. 281/2021).

(ADD) **Court relief powers in relation to elector organization registration requirement**

Dec
01/21

- 68.28** (1) An elector organization or individual that is subject to a monetary penalty under section 68.27 may apply to the Supreme Court in accordance with this section for relief from the monetary penalty for non-compliance.
- (2) An application may be made only within 30 days after the BC chief electoral officer, under the applicable section referred to in subsection (1), notifies the elector organization or individual of the non-compliance and related penalty.
- (3) The petition commencing an application must be served on the BC chief electoral officer within 7 days after the petition is filed, and the BC chief electoral officer is a party to the application.
- (4) On hearing an application, the court may do any of the following:
- (a) grant relief from a penalty if the court considers that, in relation to the non-compliance, the applicant has acted in good faith;
- (b) make any order the court considers appropriate to secure compliance with the applicable section to the extent the court considers reasonable in the circumstances;
- (c) refuse to grant relief.

2021-5-52 (B.C. Reg. 281/2021).

Part 6: Division 6 – General Provisions in Relation to Court Orders for Relief

Extension of time before penalties apply

(SUB)
May
19/16

69. (1) Subject to subsection (2), the Supreme Court may extend the date when a penalty would otherwise apply under any of the following sections:

- (a) section 64 (5) (b) (i) [*penalties apply 42 days after compliance deadline*];
- (b) section 68.01 (7) (b) (i) [*penalties apply 42 days after compliance deadline*];
- (c) section 68.02 (7) (b) (i) [*monetary penalties apply 42 days after compliance deadline*];
- (d) section 68.09 (6) (b) (i) [*penalties apply 42 days after compliance deadline*].

(2) The court may not make an order extending the time unless

- (a) the candidate, elector organization, third party sponsor or assent voting advertising sponsor has not yet become subject to the penalty or penalties for which an extension is requested,
- (b) an application for relief under this Part has been filed, served and set down for hearing as required under this Part but has not yet been decided, and
- (c) the court is satisfied that the applicant has acted diligently to have the application heard as soon as practicable.

(3) A decision by the court under this section is final and may not be appealed.

2014-18-69; 2016-9-31; 2021-5-53.

(AM)
Mar
25/21

Address for service on other parties

Mar
25/21

70. If requested by an individual or organization that intends to apply for relief under this Part, the BC chief electoral officer must provide to the individual or organization the address for service of the individuals and organizations that are required to be served with the petition for the application.

2014-18-70; 2021-5-53.

BC chief electoral officer authority in relation to applications and appeals

(AM)
Mar
25/21

71. (1) The BC chief electoral officer may set down an application under this Part for hearing by filing a request with the court registry and serving the request on the applicant and any other parties to the application as follows:

- (a) in the case of an application that may affect the qualification of a candidate who was declared elected to hold office, at any time for the purpose of ensuring that the entitlement of that candidate to continue to hold office as a member of the local authority is decided expeditiously;
- (b) in any case, if the BC chief electoral officer considers that the applicant is not having the application heard as soon as practicable.

(2) Subsection (1) applies whether or not the BC chief electoral officer is a party to the application and whether or not the applicant has set down the application for hearing.

(3) The BC chief electoral officer may appeal an order of the court under this Part, whether or not that officer was a party to the application.

2014-18-71; 2021-5-53.

(AM)
Mar
25/21

Appeals and final determinations

(AM)
Mar
25/21

72. (1) Penalties under this Act may not be stayed pending determination of an appeal of an order under this Part.

(1.1) Despite subsection (1), if the BC chief electoral officer suspends the registration of an elector organization under section 64 or 68.01,

(ADD)
Dec
01/21

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- (a) the registration of the elector organization must be suspended pending the determination of an appeal of an order under section 68 or 68.06, and
 - (b) the elector organization must not be deregistered until the final determination of the appeal.
- (AM) Dec 01/21 (2) For certainty, if
 - (a) a candidate, third party sponsor or assent voting advertising sponsor has become subject to disqualification penalties under section 64 *[penalties for failure to disclose]*, and
 - (b) on the final determination of an application under section 66 *[application for relief in relation to disclosure requirements]*, the court provides relief from the disclosure requirements and, as applicable, there is compliance with the court order, the candidate, third party sponsor or assent voting advertising sponsor ceases to be disqualified under section 64.
- (AM) Dec 01/21 (2.01) For certainty, an elector organization that is subject to penalties under section 64 (3) *[penalties for failure to file elector organization disclosure statement, annual financial report or supplementary report]* and suspension under section 64 (5.2) *[penalties for failure to disclose – suspension of registration pending decision of court]* ceases to be prohibited under section 64 (3) and suspended under section 64 (5.2) if, on the final determination of an application under section 68 *[court relief powers respecting disclosure requirements]*,
 - (a) the court provides relief, and
 - (b) there is compliance with the court order.
- (ADD) May 19/16 (2.1) For certainty, if
 - (a) a candidate endorsed by an elector organization is subject to disqualification penalties under section 65.1 *[endorsed candidate penalties for elector organization failing to file disclosure documents or disclosing false or misleading information]*, and
 - (b) on the final determination of an application under section 66 *[application for relief in relation to disclosure requirements]* by the elector organization, the court provides relief for the elector organization, the candidate ceases to be disqualified.
- (ADD) May 19/16 (2.2) For certainty, if
 - (a) a candidate ceases to hold office as a member of the local authority under section 68.01 (3) *[candidate penalties for exceeding expense limits or amount available]*, and
 - (b) on the final determination of an application under section 68.04, the court provides relief from exceeding the expense limit or amount available and there is compliance with the court order, subsection (3) of this section applies.
- (SUB) May 19/16 (3) If a candidate to whom subsection (2), (2.1) or (2.2) applies was declared elected before ceasing to hold office and if the term of office for which the candidate was elected has not ended,
 - (a) that candidate is entitled to take office for any unexpired part of the term if that candidate is not otherwise disqualified, and
 - (b) if that candidate exercises this right, the individual currently holding the office ceases to hold office.

- (ADD)
May
19/16
- (4) For the purposes of subsection (3) (b), if more than one individual currently holds the same office because more than one candidate who was declared elected ceased to hold an office and became disqualified under section 64, 65.1 or 68.01, and it is not known which of those individuals currently hold the offices vacated by the candidates, the decision in respect of which individuals cease to hold office is to be made in accordance with the regulations.
- (AM)
Dec
01/21
- (5) For certainty, an elector organization that is subject to penalties under section 68.01 (5) and suspension under section 68.01 (7.1) ceases to be prohibited under section 68.01 (5) and suspended under section 68.01 (7.1) if, on the final determination of an application under section 68.04,
- (a) the court provides relief, and
- (b) there is compliance with the court order.
- (ADD)
May
19/16
- (6) For certainty, a third party sponsor that is subject to penalties under section 68.09 (3) *[penalties for exceeding third party advertising limits]* ceases to be disqualified or prohibited under that section if, on the final determination of an application under section 68.10 *[application for relief in relation to exceeding third party advertising limits]*,
- (a) the court provides relief, and
- (b) there is compliance with the court order.
- 2014-18-72; 2016-9-32; 2021-5-53; 2021-5-54 (B.C. Reg. 281/2021).

Part 6: Division 7 – Publication of Names

(ADD) Publication of names following imposition of monetary penalty

Mar
25/21

- 72.1** (1) The BC chief electoral officer must publish on an Elections BC authorized internet site
- (a) the names of individuals or organizations on which the BC chief electoral officer has imposed a monetary penalty under any of the following:
- (i) Division 3 *[Expense Limit Penalties]* of Part 6;
- (ii) Division 5.1 *[Campaign Contributions – Penalties and Court Orders for Relief]* of Part 6;
- (iii) Division 5.2 *[Sponsorship Contributions – Penalties and Court Orders for Relief]* of Part 6;
- (iv) Division 5.3 *[Third Party Sponsors – Penalties and Court Orders for Relief]* of Part 6;
- (v) Division 5.4 *[Registration of Elector Organizations – Penalties and Court Orders for Relief]* of Part 6;
- (vi) section 76.1 *[penalty for failure to comply with requirements to provide information]*,
- (b) the section under which the BC chief electoral officer has imposed each monetary penalty, and
- (c) the amount of each monetary penalty.
- (2) The information published in accordance with subsection (1) must continue to be published on an Elections BC authorized internet site until one year after general voting day for the next general local election.
- (3) Publication in accordance with subsection (1) must take place as soon as practicable after the BC chief electoral officer imposes the monetary penalty.

2021-5-55; 2021-5-56 (B.C. Reg. 281/2021).

PART 7 – Enforcement

Part 7: Division 1 – Elections BC Responsibilities and Powers

(SUB) **Report to local authority respecting disqualification of elected candidate**

May
19/16

- 73.** If an elected member of a local authority becomes subject to a penalty under any of the following sections, the BC chief electoral officer must report to the local authority, as applicable, that the seat of the member has become vacant or that the member has become disqualified to hold office:
- (a) section 64 (2) (a) [*candidate penalties for failure to disclose*];
 - (b) section 64 (2) (b) [*candidate disqualification penalty for failure to disclose*];
 - (c) section 65 (1) (a) [*candidate penalties for false or misleading disclosure*];
 - (d) section 65 (1) (b) [*candidate conviction for false or misleading disclosure*];
 - (e) section 65.1 [*endorsed candidate penalties for elector organization failing to file disclosure documents or disclosing false or misleading information*];
 - (f) section 68.01 (3) [*candidate penalties for exceeding expense limits or amount available*];
 - (g) section 68.03 (1) [*unpaid monetary penalties – candidate*].

2016-9-33.

Reviews, investigations and audits by BC chief electoral officer

- 74.** (1) The BC chief electoral officer must conduct periodic reviews of the financial affairs and accounts of candidates, elector organizations, third party sponsors and assent voting advertising sponsors in relation to general compliance with this Act and the regulations under this Act.
- (2) In addition to general reviews under subsection (1), the BC chief electoral officer may do any of the following:
- (a) conduct an investigation of the financial affairs of a candidate, elector organization, third party sponsor or assent voting advertising sponsor in relation to compliance with this Act and the regulations under this Act;
 - (b) conduct an audit of the accounts of an individual or organization referred to in paragraph (a);
 - (c) conduct an investigation of any matter that the BC chief electoral officer considers might constitute an offence under this Act or might be a contravention of a provision of Parts 2 to 7 of this Act or of a regulation under this Act;
 - (d) conduct an investigation of a complaint received by the BC chief electoral officer regarding non-compliance by an individual or organization referred to in paragraph (a) or the financial agent for such an individual or organization.
- (3) For purposes of this section, the BC chief electoral officer or a representative of the BC chief electoral officer may inspect and make copies of the records of an individual or organization referred to in subsection (1).
- (4) Section 276 (3) to (6) [*investigations and audits by chief electoral officer*] of the *Election Act* applies in relation to the authority under subsection (3).

2014-18-74.

Complaints regarding contraventions of this Act

75. (1) If the BC chief electoral officer receives a complaint alleging that a provision of this Act or a regulation under this Act has been contravened, the BC chief electoral officer must consider whether to investigate the matter.
- (2) The BC chief electoral officer must refuse to investigate if, in the view of the BC chief electoral officer, the complaint appears to be frivolous, vexatious or obviously unfounded.
- (3) If a complaint is made in writing and the BC chief electoral officer decides not to conduct an investigation, the BC chief electoral officer must notify the complainant in writing of the reasons for this decision.

2014-18-75.

Additional specific powers to require information

76. For the purposes of administering compliance with this Act and the regulations under this Act, the BC chief electoral officer has the following powers in addition to all others provided under this Act:
- (a) to require the following to provide a supplementary report:
- (i) a candidate or the financial agent for a candidate;
 - (ii) an elector organization or the financial agent for an elector organization;
 - (iii) a third party sponsor;
 - (iv) an assent voting advertising sponsor;
- (b) to require an individual or organization referred to in paragraph (a) to provide further information respecting compliance with this Act and the regulations under this Act;
- (c) to require a local authority to provide to the BC chief electoral officer the originals or copies, as requested by the BC chief electoral officer, of records received or obtained by a local authority under this Act or other local elections legislation, or created by a local authority official in relation to this Act or other local elections legislation, including records that include personal information.

2014-18-76.

(ADD) Monetary penalty for failure to comply with requirements to provide information

Mar
25/21

- 76.1 (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 76 (a) or (b) by an individual or organization, the BC chief electoral officer must notify the individual or organization of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 76.2, if the BC chief electoral officer gives notice under subsection (1) of this section,
- (a) in the case of non-compliance by an individual, the individual must pay to the BC chief electoral officer a penalty in an amount of up to \$5 000, as determined by the BC chief electoral officer, or
 - (b) in the case of non-compliance by an organization, the organization must pay to the BC chief electoral officer a penalty in an amount of up to \$10 000, as determined by the BC chief electoral officer.

2021-5-57.

(ADD) Court relief powers in relation to requirement to provide information

Mar
25/21

- 76.2** (1) An individual or organization that is subject to a monetary penalty under section 76.1 may apply to the Supreme Court in accordance with this section for relief from the monetary penalty for non-compliance.
- (2) An application under subsection (1) may be made only within 30 days after the BC chief electoral officer notifies the individual or organization, under section 76.1, of the non-compliance and related penalty.
- (3) The petition commencing an application must be served on the BC chief electoral officer within 7 days after the petition is filed, and the BC chief electoral officer is a party to the application.
- (4) On hearing an application, the court may do any of the following:
- (a) grant relief from a penalty if the court considers that, in relation to the non-compliance, the individual or organization has acted in good faith;
 - (b) make any order the court considers appropriate to secure compliance with section 76 to the extent the court considers reasonable in the circumstances;
 - (c) refuse to grant relief.

2021-5-57.

(ADD) **Notice to advertiser to produce information**

Mar
25/21

- 76.3** (1) In this section, "**advertiser**" means the following:
- (a) an individual or organization that has, during the past 5 years, transmitted an election advertising communication to the public by any means;
 - (b) an individual or organization that has, during the past 5 years, arranged for another individual or organization to transmit an election advertising communication to the public by any means;
 - (c) an individual or organization in a class of individuals or organizations prescribed by regulation.
- (2) For the purpose of administering compliance with this Act and the regulations under this Act, the BC chief electoral officer may collect from an advertiser the following information in relation to an election advertising communication that has been transmitted to the public:
- (a) if known by the advertiser, the name of the individual or organization that sponsored the election advertising communication;
 - (b) the name of the individual or organization with which the advertiser agreed to
 - (i) transmit the election advertising communication, or
 - (ii) arrange for another individual or organization to transmit the election advertising communication;
 - (c) the date the election advertising was ordered or requested;
 - (d) if there were payments under the agreement referred to in paragraph (b), the amounts and dates of the payments;
 - (e) the dates on which the election advertising communication was transmitted;
 - (f) the actual or intended geographic distribution or geographic availability of the advertising communication;
 - (g) any other information prescribed by regulation.
- (3) The BC chief electoral officer may, by written notice, require an advertiser to produce information described in subsection (2), as specified in the notice, if both of the following apply:
- (a) the BC chief electoral officer has reason to believe that any of the following sections has been contravened:

LOCAL ELECTIONS CAMPAIGN FINANCING ACT

- (i) section 37 [*prohibition against sponsoring third party advertising if not registered*];
 - (ii) section 41.5 [*prohibition against exceeding third party advertising limit*];
 - (iii) section 41.6 [*prohibition against attempting to circumvent third party advertising limits*];
 - (iv) section 44 [*advertising must include sponsorship information*];
 - (v) section 45 [*restrictions on general voting day advertising*];
 - (b) the information is reasonably required by the BC chief electoral officer to carry out the BC chief electoral officer's responsibilities set out in section 87 (1) [*BC chief electoral officer responsible for administering compliance with Act and regulations*].
- (4) Subject to subsection (5), an advertiser that has custody or control of information required under subsection (3) must disclose the information to the BC chief electoral officer
- (a) within 24 hours after receiving the notice if the notice is given during a campaign period, and
 - (b) within 7 days after receiving the notice if the notice is given outside of a campaign period.
- (5) The BC chief electoral officer may extend the time period in subsection (4) if an advertiser that receives a notice under this section makes a written request
- (a) within 24 hours after receiving the notice if the notice is given during a campaign period, and
 - (b) within 7 days after receiving the notice if the notice is given outside of a campaign period.
- (6) An advertiser that contravenes this section commits an offence.

2021-5-57.

(ADD) **Order to produce information or records required by BC chief electoral officer**

Mar
25/21

- 76.4** (1) On application of the BC chief electoral officer, the Supreme Court may make an order requiring a person to disclose to the BC chief electoral officer information or records in the custody or control of the person if the court is satisfied that the information or records are reasonably required by the BC chief electoral officer in order to carry out the BC chief electoral officer's responsibilities under section 87 (1).
- (2) The BC chief electoral officer may apply for an order under subsection (1) before, at the time of or subsequent to the following:
- (a) making a determination that an individual or organization has failed to comply with a provision of this Act for which a monetary penalty may be imposed;
 - (b) referring a matter to the Criminal Justice Branch of the Ministry of Attorney General under section 81 [*authority to refer contravention to Criminal Justice Branch*].
- (3) A court may make an order under this section without notice to any person.
- (4) Unless the court orders otherwise, an application for an order under this section must be heard in private.

2021-5-57.

Solemn declaration regarding sponsorship may be required

- 77.** (1) For the purposes of administering compliance with the requirements under this Act in relation to

- (a) Part 3 [*Third Party Advertising*],
 - (b) section 42 [*application of third party advertising rules to non-election assent voting advertising*], or
 - (c) Division 1 [*Sponsorship of Election Advertising and Assent Voting Advertising*] of Part 5 [*Transparency Requirements for Local Elections and Assent Voting*],
- the BC chief electoral officer may require an individual to provide a solemn declaration in accordance with this section.
- (2) A solemn declaration under this section may be required in relation to one or more of the following, as requested by the BC chief electoral officer:
 - (a) whether the individual identified under section 44 (1) (a) [*advertising must include sponsorship information*] is or is not the sponsor of the election advertising or non-election assent voting advertising, or is or is not the financial agent for the sponsor;
 - (b) the individual's compliance with the requirements referred to in subsection (1);
 - (c) if the individual is a financial agent for an elector organization, compliance by the elector organization with the requirements referred to in subsection (1);
 - (d) if the individual is a responsible principal official of an elector organization or an organization that is a registered sponsor, compliance by the elector organization or sponsor with the requirements referred to in subsection (1);
 - (e) any other matter the BC chief electoral officer considers will assist in determining whether there has been compliance with the requirements referred to in subsection (1).
 - (3) An individual who does not provide a solemn declaration in accordance with this section when required to do so commits an offence.

2014-18-77.

Powers in relation to non-compliant advertising

- 78.** (1) An individual authorized by the BC chief electoral officer may, subject to any restrictions or conditions specified by that officer, do one or more of the following in relation to election advertising or non-election assent voting advertising that is transmitted or sponsored in contravention of this Act or a regulation under this Act:
- (a) order an individual or organization to correct, discontinue, remove or destroy the election advertising or non-election assent voting advertising;
 - (b) cover the election advertising or non-election assent voting advertising, or otherwise obscure it from view;
 - (c) remove, or remove and destroy, the election advertising or non-election assent voting advertising.
- (2) Subject to this section, the authority under subsection (1) includes authority to enter on property, and to enter into property, without the consent of the owner or occupier.
 - (3) The authority under subsection (2) may be used to enter into a place that is occupied as a private dwelling only if the occupier consents or the entry is made under the authority of a warrant under this or another Act.
 - (4) On being satisfied on oath or affirmation that access to property is necessary for purposes of this section, a justice may issue a warrant authorizing an individual named in the warrant to enter on or into property and take action as authorized by the warrant.
 - (5) An individual or organization that does not comply with an order under subsection (1) (a) commits an offence.

2014-18-78.

(ADD) **Enforcement of monetary penalties**

May
19/16
(AM)
Dec
01/21

- 78.1** (1) In relation to a monetary penalty under section 68.02 (3) or (5), 68.09 (5), 68.13 (2) or (4), 68.14 (2), 68.15 (2), 68.16 (2), 68.17 (2), 68.19 (2) or (4), 68.20 (2), 68.21 (2), 68.23 (2), 68.24 (2), 68.25 (2), 68.27 (2) or 76.1 (2), the BC chief electoral officer may issue and file with the Supreme Court a certificate specifying the name of the individual or organization, as applicable, and the amount owed under the applicable section by the individual or organization.
- (2) A certificate filed under subsection (1) has the same effect and is enforceable in the same manner as a judgment of the Supreme Court in favour of the government for the recovery of a debt in the amount specified in the certificate.

2016-9-34; 2021-5-58; 2021-5-59 (B.C. Reg. 281/2021).

Court injunctions on application of BC chief electoral officer

- 79.** (1) On application of the BC chief electoral officer, the Supreme Court may grant an injunction
- (a) requiring an individual or organization to comply with this Act or a regulation under this Act, if the court is satisfied that there are reasonable grounds to believe that the individual or organization has not complied or is likely not to comply with the Act or regulation, or
- (b) restraining an individual or organization from contravening this Act or a regulation under this Act, if the court is satisfied that there are reasonable grounds to believe that the individual or organization has contravened or is likely to contravene the Act or regulation.
- (2) An order granting an injunction under subsection (1) may be made without notice to others if it is necessary to do so in order to protect the public interest.
- (3) A contravention of this Act or a regulation under this Act may be restrained under subsection (1) whether or not a penalty or other remedy has been provided under this Act.

2014-18-79.

Part 7: Division 2 – Offences

General rules and defence of due diligence

- 80.** (1) Section 5 [*offence to contravene an enactment*] of the *Offence Act* does not apply to this Act or the regulations under this Act.
- (2) Any penalty under this Part is in addition to and not in place of any other penalty to which an individual or organization may be liable under this Act in respect of the same matter.
- (3) An individual or organization is not guilty of an offence under this Act if the individual or organization exercised due diligence to prevent the commission of the offence.

2014-18-80.

BC chief electoral officer authority in relation to prosecutions

- 81.** (1) A prosecution for an offence under this Act may not be commenced without the approval of the BC chief electoral officer.
- (2) If the BC chief electoral officer is satisfied that there are reasonable grounds to believe that an individual or organization has contravened this Act or a regulation under this Act, the BC chief electoral officer may refer the matter to the Criminal Justice Branch of the Ministry of Attorney General for a determination of whether to approve prosecution.

(AM)
May
18/18

Time limit for starting prosecution

82. (1) The time limit for laying an information to commence a prosecution respecting an offence under this Act is one year after the facts on which the information is based first came to the knowledge of the BC chief electoral officer.
- (2) A document purporting to have been issued by the BC chief electoral officer, certifying the day on which the BC chief electoral officer became aware of the facts on which an information is based, is admissible without proof of the signature or official character of the individual appearing to have signed the document and, in the absence of evidence to the contrary, is proof of the matter certified.

2014-18-82.

Prosecution of organizations and their directors and agents

83. (1) An act or thing done or omitted by an officer, director, principal official, employee or agent of an organization within the scope of the individual's authority to act on behalf of the organization is deemed to be an act or thing done or omitted by the organization.
- (2) If an organization commits an offence under this Act, an officer, director, principal official, employee or agent of the organization who authorizes, permits or acquiesces in the offence commits the same offence, whether or not the organization is convicted of the offence.
- (3) A prosecution for an offence under this Act may be brought against an unincorporated organization in the name of the organization and, for these purposes, an unincorporated organization is deemed to be a person.

2014-18-83.

General offence in relation to false or misleading information

84. (1) An individual or organization that does any of the following commits an offence:
- (a) provides false or misleading information when required or authorized under this Act to provide information;
- (b) makes a false or misleading statement or declaration when required under this Act to make a statement or declaration.
- (2) In the case of false or misleading information in a disclosure statement or supplementary report, the candidate, elector organization, third party sponsor or assent voting advertising sponsor for which the disclosure statement or supplementary report is filed commits an offence.
- (3) In the case of false or misleading information in an annual financial report, the elector organization for which the annual financial report is filed commits an offence.

(ADD)
Dec
01/21

2014-18-84; 2021-5-60 (B.C. Reg. 281/2021).

Higher penalty offences

85. (1) This section applies to the offences under the following provisions:
- (a) section 57 [*offence for failure to file by compliance deadline*];
- (b) section 84 [*general offence in relation to false or misleading information*];
- (c) any provision of the regulations prescribed for purposes of this section.
- (2) An individual who commits an offence to which this section applies is liable to a fine of not more than \$10 000 or imprisonment for a term not longer than 2 years, or both.

- (3) An organization that commits an offence to which this section applies is liable to a fine of not more than \$20 000.

2014-18-85.

Lower penalty offences

- 86.** (1) This section applies to offences under this Act other than offences to which section 85 applies.
- (2) An individual who commits an offence to which this section applies is liable to a fine of not more than \$5 000 or imprisonment for a term not longer than one year, or both.
- (3) An organization that commits an offence to which this section applies is liable to a fine of not more than \$10 000.

2014-18-86.

PART 8 – Administration and Other Matters

Part 8: Division 1 – Responsibilities and Authorities

Role of the BC chief electoral officer

87. (1) The BC chief electoral officer is responsible for administering compliance with this Act and the regulations under this Act in relation to candidates, elector organizations, financial agents, third party sponsors, assent voting advertising sponsors and other individuals and organizations regulated under this Act.
- (2) In relation to the responsibilities under subsection (1), the BC chief electoral officer must
- (a) conduct general reviews of election and assent voting financing matters that are dealt with under this Act and of their administration under this Act, and
 - (b) after each general local election, prepare a report respecting that officer's role in administering compliance with this Act and the regulations under this Act in relation to that general local election and any other elections or assent voting held since the last report under this section.
- (3) The BC chief electoral officer must make a report under this section publicly available on an Elections BC authorized internet site.

2014-18-87.

Administrative matters

88. (1) Section 10 [*general staff of the chief electoral officer*] of the *Election Act* applies to the BC chief electoral officer in relation to that officer's duties of office under this Act.
- (2) The BC chief electoral officer may delegate in writing to an individual appointed under section 10 (1) [*Elections BC employees*] of the *Election Act* the authority to exercise any power and perform any duty assigned to the BC chief electoral officer under this Act, subject to any limits or conditions imposed by the BC chief electoral officer.
- (3) All necessary expenses required for the BC chief electoral officer to perform that officer's duties of office under this Act must be paid out of the general fund of the consolidated revenue fund.
- (4) The BC chief electoral officer must approve all amounts to be paid under the authority of this section, with this approval authority subject to any applicable regulations.
- (5) Amounts that are to be paid to the BC chief electoral officer under this Act and are received by that officer must be paid into the consolidated revenue fund.

2014-18-88.

Minor corrections to applications for registration, disclosure statements, annual financial reports and supplementary reports

(SUB)
Dec
01/21

89. (1) Subject to this section and any applicable regulations, the BC chief electoral officer may correct an error or omission if, when reviewing any of the following documents, the BC chief electoral officer becomes aware of the error or omission and considers that the error or omission does not materially affect the substance of the document:
- (a) an application for registration under Division 6 [*Registration of Elector Organizations*] of Part 2 [*Candidate and Elector Organization Campaign Financing*];
 - (b) a disclosure statement;

- (AM)
Dec
01/21
- (c) an annual financial report;
(d) a supplementary report.
- (2) A correction under this section to a disclosure statement or to a supplementary report in relation to a disclosure statement may be made only with
- (a) the consent of the candidate, elector organization, third party sponsor or assent voting advertising sponsor in relation to which the disclosure statement or supplementary report was filed, or
(b) in the case of a disclosure statement or supplementary report for a candidate or elector organization, with the consent of the financial agent.
- (ADD)
Dec
01/21
- (3) A correction under this section to an application for registration, annual financial report or supplementary report in relation to an annual financial report may be made only with
- (a) the consent of the elector organization in relation to which the application for registration, annual financial report or supplementary report was filed, or
(b) in the case of an annual financial report or supplementary report, with the consent of the financial agent of the elector organization.
- 2014-18-89; 2021-5-61 (B.C. Reg. 281/2021).

Late filing extensions in extraordinary circumstances

- (AM)
Dec
01/21
- 90.** (1) Subject to this section and any applicable regulations, the BC chief electoral officer may, on request, make an order extending the time period for filing a disclosure statement, annual financial report or supplementary report without payment of a late filing penalty fee that would otherwise apply.
- (REP)
May
19/16
- (2) *Repealed.* [2016-9-35]
- (3) The BC chief electoral officer may make an order under this section only if satisfied, having regard to the purposes of this Act,
- (a) that it is appropriate to provide the extension, and
(b) that the disclosure statement, annual financial report or supplementary report cannot be filed within the time period that would otherwise apply by reason of an emergency or other extraordinary circumstance.
- (AM)
Dec
01/21
- 2014-18-90; 2016-9-35; 2021-5-62 (B.C. Reg. 281/2021).

Retention of disclosure records

- (SUB)
Dec
01/21
- 91.** (1) The BC chief electoral officer must retain each disclosure statement under this Act and any supplementary reports in relation to the disclosure statement until at least 5 years after general voting day for the election or assent voting to which the disclosure statement relates.
- (ADD)
Dec
01/21
- (1.1) The BC chief electoral officer must retain each annual financial report under this Act and any supplementary reports in relation to the annual financial report until at least 5 years after the compliance deadline for the annual financial report.
- (SUB)
May
10/16
- (2) The minister responsible for the administration of the *Information Management Act* may require that, after the end of the retention period, the records referred to in subsection (1) be archived
- (a) in the digital archives established by the *Information Management Act*, or
(b) in the museum archives of government established by the *Museum Act*.
- (3) For purposes of subsection (2), the BC chief electoral officer must give notice to the minister before the end of each retention period.
- 2014-18-91; 2015-27-46 (B.C. Reg. 109/2016); 2021-5-63 (B.C. Reg. 281/2021).

Provision of information between Elections BC and local authorities

- (AM)
Jan
01/16
- (REP)
Dec
01/21
- (ADD)
Dec
01/21
92. (1) As soon as practicable after an individual is declared to be a candidate, the local election officer must provide the following to the BC chief electoral officer:
- (a) the full name of the candidate;
 - (b) if applicable, the usual name of the candidate proposed to be used on the ballot;
 - (c) the jurisdiction in relation to which and the office for which the individual is a candidate;
 - (d) the mailing address for the candidate as provided in the nomination documents;
 - (e) a copy of the information and material provided under section 90 (1) [*other information to be provided by candidate*] of the *Local Government Act* or section 45.1 (1) of the *Vancouver Charter*, as applicable, or the information provided in that material;
 - (f) if applicable, the name of the elector organization that is endorsing the candidate;
 - (g) other information as required by regulation.
- (2) *Repealed.* [2021-5-64 (B.C. Reg. 281/2021)]
- (3) If the local election officer receives updated information respecting any of the information or material to be provided to the BC chief electoral officer under this section, that local election officer must ensure that the updated information is provided to the BC chief electoral officer as soon as practicable.
- (4) The local election officer must provide the following to the BC chief electoral officer as soon as practicable:
- (a) the names of the candidate or candidates declared elected in an election for the jurisdiction;
 - (b) other information or material as required by regulation.
- (4.1) As soon as practicable before each election, but no later than the end of the nomination period, the BC chief electoral officer must provide the following information to the local election officer for each jurisdiction for which an elector organization is registered to endorse a candidate in an election:
- (a) the legal name of the elector organization, if applicable;
 - (b) the usual name of the elector organization, if the usual name is different from the legal name, or if the elector organization has no legal name;
 - (c) any abbreviations, acronyms or other names used by the elector organization to refer to itself;
 - (d) the name, abbreviation or acronym by which the elector organization is to be identified on the ballot;
 - (e) the name, required contact information and address for service of the authorized principal official of the elector organization;
 - (f) the name, mailing address and address for service of each of the other responsible principal officials of the elector organization;
 - (g) the name and required contact information of the financial agent of the elector organization;
 - (h) any other information required by regulation.
- (5) If applicable, the BC chief electoral officer must provide to the applicable designated local authority officer information or material as required by regulation.
2014-18-92; RS2015-1-RevSch (B.C. Reg. 257/2015); 2021-5-64 (B.C. Reg. 281/2021).

Part 8: Division 2 – Technical Advisory Committee

Technical Advisory Committee

93. (1) The Technical Advisory Committee is established consisting of the individuals appointed under subsection (2).
- (2) Subject to subsection (4), the following individuals may be appointed as members of the advisory committee:
- (a) a representative appointed by the Union of British Columbia Municipalities;
 - (b) a representative appointed by the Local Government Management Association;
 - (c) a representative appointed by the British Columbia School Trustees Association;
 - (d) a staff member of Elections BC appointed by the BC chief electoral officer;
 - (e) a staff member of the ministry of the minister responsible for the administration of this Act, appointed by the Inspector of Municipalities;
 - (f) a staff member of the ministry of the minister responsible for the administration of the *Election Act*, appointed by the Deputy Attorney General;
 - (g) a staff member of the ministry of the minister responsible for the administration of the *School Act*, appointed by the deputy minister of that ministry;
 - (h) any other representative appointed as provided by regulation.
- (3) Subject to subsection (4), a member of the advisory committee may designate another individual to attend a committee meeting in the member's place and that individual may act in the member's place at that meeting.
- (4) The following are not eligible to be appointed under subsection (2) or designated under subsection (3):
- (a) an individual elected or appointed as a member of a local authority;
 - (b) an individual elected as a member of the Legislative Assembly;
 - (c) an individual appointed as a member of the Executive Council.
- (5) An individual may be reappointed to the advisory committee.
- (6) The members of the advisory committee must elect a chair and vice chair from among the committee's members.

2014-18-93.

Role of advisory committee

94. (1) The role of the advisory committee is to be a forum for discussing matters of common interest to the represented authorities respecting the administration and application of this Act and the regulations under this Act.
- (2) Without limiting subsection (1), the advisory committee is to be a forum for discussing the following:
- (a) the development and provision of public information and education respecting this Act and the regulations under this Act;
 - (b) the development and provision of information and training for local authority officials respecting the administration of this Act and the regulations under this Act;
 - (c) the provision of specific advice to participants in the election or assent voting process respecting the application of this Act and the regulations under this Act;
 - (d) the forms for disclosure statements and supplementary reports to be considered for approval by the BC chief electoral officer.

2014-18-94.

Advisory committee meetings

95. (1) Subject to this Division, the advisory committee may make rules governing its practices and procedures.
- (2) Meetings of the advisory committee may be called at any time by the chair of the committee.
- (3) If requested in writing by 2 or more members of the advisory committee, the chair of the committee must call a meeting of the committee as soon as practicable.
- (4) A meeting of the advisory committee may be conducted using electronic or other communications facilities, and a member participating in a meeting using such facilities is deemed to be present at the meeting.
- (5) The cost of a committee member attending a meeting, other than the cost of the representative of the BC chief electoral officer, is not part of the administrative costs incurred by that officer under this Act.
- (6) The advisory committee must make available to the public, on request, a summary of the proceedings of a meeting of the committee.

2014-18-95.

Part 8: Division 3 – Miscellaneous

Address for service requirements and delivery of notices

96. (1) In relation to a requirement under this Act or other local elections legislation for an individual or organization to provide an address for service at which notices and other communications will be accepted as served on or otherwise delivered to the individual or organization, the individual or organization satisfies this requirement by providing a mailing address or email address as the address for service.
- (2) In addition to the required address under subsection (1), the individual or organization may provide one or more of the following as an additional address for service:
- (a) an email address in addition to the mailing address;
 - (b) a mailing address in addition to the email address;
 - (c) a fax number;
 - (d) any other form of address prescribed by regulation.
- (3) In relation to a requirement or authority under this Act or other local elections legislation to
- (a) serve a notice or other communication on an individual or organization that has provided an address for service, or
 - (b) give a notice or other communication to such an individual or organization, that service or notice may be made by sending the record to the most recent address for service provided by the individual or organization.
- (4) If a notice or other communication is sent in accordance with subsection (3), the communication is deemed to have been received by the individual or organization to which it was sent as follows:
- (a) if the communication is sent by ordinary or registered mail to the mailing address provided as an address for service, on the fifth day after it is mailed;
 - (b) if the communication is sent by email to the email address provided as an address for service, on the third day after it is sent;

(AM)
Mar
25/21
(AM)
Mar
25/21

(AM)
Mar
25/21

- (c) if the communication is sent by fax to the fax number provided as an address for service, on the third day after it is faxed;
- (d) if the communication is sent to a form of address prescribed by regulation, as provided by the regulations.
- (5) Where this Act requires or permits service of a notice or other communication on a jurisdiction, the service is effected if the communication is served on the designated local authority officer for the jurisdiction.
- (6) For certainty, this section provides additional means of service and does not affect other means of service authorized by law.

2014-18-96; 2021-5-65.

Solemn declarations

97. (1) If a solemn declaration is required to be provided under this Act, the declaration must be
- (a) made on oath or by solemn affirmation,
 - (b) made before an individual authorized to take the oath or solemn affirmation, and
 - (c) signed by the individual making the oath or solemn affirmation and by the individual taking it.
- (2) The following individuals are authorized to take a solemn declaration required under this Act:
- (a) a commissioner for taking affidavits for British Columbia;
 - (b) the BC chief electoral officer or a delegate authorized under section 88 (2) [*delegation to Elections BC staff*];
 - (c) a local election officer or a delegate authorized by such an officer under other local elections legislation.
- (3) If applicable, the solemn declaration must be made in a form prescribed by regulation.

2014-18-97.

Information updating obligations

98. The obligations under this Act to provide updated information and material to the BC chief electoral officer end when all disclosure and record retention obligations under this Act in relation to the candidate, elector organization, third party sponsor or assent voting advertising sponsor, as applicable, have been fulfilled.

2014-18-98.

(ADD)Population

May
19/16

(RET)
Oct
31/17

- 98.1 (1) Subject to subsection (2), for the purposes of this Act and the regulations under this Act, the population of an election area or the geographic area associated with a jurisdiction is to be taken from the most recent population estimates issued annually by the director under the *Statistics Act* (British Columbia) based on the Census of Canada.

(RET)
Oct
31/17

- (2) The minister responsible may determine the population of an election area or the geographic area associated with a jurisdiction

(RET)
Oct
31/17

- (a) if the population of an election area or the geographic area associated with a jurisdiction has not been established by a Census of Canada, or
- (b) in other prescribed special circumstances.

Part 8: Division 4 – Orders and Regulations

Ministerial orders in special circumstances

99. (1) If the minister responsible in relation to an election or assent voting considers it necessary because of special circumstances respecting
- (a) the election or assent voting, or
 - (b) a candidate, elector organization, third party sponsor or assent voting advertising sponsor,
- that minister may make any order the minister considers appropriate to achieve the purposes of this Act.
- (2) Without limiting subsection (1), but subject to subsection (3), an order under this section may provide an exception to or modification of this Act or a regulation under this Act, including extending a time period or establishing a new date in place of a date set under this Act and giving any other directions the minister considers appropriate in relation to this.
- (3) An order under this section may not provide relief
- (a) that could be provided under section 90 [*late filing extensions in extraordinary circumstances*], or
 - (b) that could be provided by a court order for relief, or that could have been provided by such a court order if an application had been made within the applicable time limit under this Act.
- (4) For certainty, the authority under this section may be exercised in relation to circumstances described in section 101 [*withdrawal, death or incapacity of candidate*] of the *Local Government Act* or section 52 of the *Vancouver Charter*, but is additional to the authority under those sections, section 167 [*minister orders in special circumstances*] of the *Local Government Act* or section 127 of the *Vancouver Charter*.

(AM)
Jan
01/16

2014-18-99; RS2015-1-RevSch (B.C. Reg. 257/2015).

Power to make regulations – general

100. (1) The Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*.
- (2) Without limiting any other provision of this Act, the Lieutenant Governor in Council may make regulations as follows:
- (a) respecting any matter for which regulations are contemplated by this Act;
 - (b) defining any word or expression used but not defined in this Act, including, for certainty, defining a word or expression to which section 2 (1) [*other definitions that apply to this Act*] of the Schedule to this Act applies;
 - (c) in relation to elections prescribed under section 1 (1) (i) [*other elections to which this Act applies*], prescribing the office, jurisdiction, local authority, election area and applicable legislation in relation to a prescribed election;
 - (d) in relation to section 42 [*application of third party advertising rules to non-election assent voting advertising*], in addition to the authority under subsection (4) of this section, making any other regulations the Lieutenant Governor in Council considers necessary or advisable in relation to the application of the following to non-election assent voting:
 - (i) Divisions 1 to 3 of Part 3 [*Third Party Advertising*];

(AM)
May
19/16

(SUB)
May
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LOCAL ELECTIONS CAMPAIGN FINANCING ACT

- (ADD)
May
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- (ii) any other provisions of this Act or the regulations that apply in relation to those Divisions;
 - (e) in relation to the application of this Act and regulations under this Act to by-elections or elections by acclamation, making any regulations the Lieutenant Governor in Council considers necessary or advisable in relation to the application of this Act or the regulations under this Act to such elections, including regulations as referred to in subsection (4);
 - (e.1) for the purposes of section 72 (4) [*how to decide which individual ceases to hold office*], establishing the procedure and process to determine which individual ceases to hold office;
 - (f) in relation to section 93 (2) (h) [*other members of the advisory committee*], providing for additional members of the advisory committee and establishing who is to appoint an additional member.
- (3) A regulation under this Act may confer a discretion on the BC chief electoral officer.
- (4) Where this Act contemplates that a provision of the Act may be subject to regulations, the authority to make the contemplated regulations includes authority to do any or all of the following:
- (a) provide exceptions to the provision;
 - (b) establish limits on the application of the provision;
 - (c) modify the rules, or the effect of the rules, that would otherwise apply under the provision;
 - (d) establish rules that operate in place of or as an alternative to the provision;
 - (e) establish conditions in relation to the operation of an exception, limit, modification or rule established under this subsection.
- (5) A regulation under this Act may
- (a) establish different classes of jurisdictions, geographic areas associated with a jurisdiction, election areas, elected offices, elections, assent voting, candidates, organizations, sponsors, circumstances, things or other matters, and
 - (b) make different provisions, including exceptions, for those classes.
- 2014-18-100; 2016-9-37; 2017-21-27.

(RET)
Oct
31/17

(RET) **Power to make regulations – campaign contribution limits**

Oct
31/17

- 100.01(1)** Without limiting any other provision of this Act, the Lieutenant Governor in Council may make regulations respecting campaign contribution limits, including, without limitation, but subject to subsection (3), as follows:
- (a) for the purposes of section 30.03 [*application of Division*], prescribing the election, jurisdiction, election area or geographic area associated with a jurisdiction to which Division 5 [*Campaign Contribution Limits*] of Part 2 [*Candidate and Elector Organization Campaign Financing*] applies;
 - (b) for the purposes of section 30.04 [*campaign contribution limits for 2019 and subsequent years*],
 - (i) prescribing the amounts of the campaign contribution limits, or
 - (ii) respecting how an amount of a campaign contribution limit is determined, including prescribing that an amount is determined on the basis of
 - (A) prescribed population ranges, or
 - (B) a prescribed formula that takes into account the population of an election area or the geographic area associated with a jurisdiction;

LOCAL ELECTIONS CAMPAIGN FINANCING ACT

- (c) respecting amounts of campaign contribution limits, and the application of the campaign contribution limits, for a candidate referred to in section 4 (2) [*candidate running in multiple elections*];
 - (d) respecting amounts of campaign contribution limits, and the application of the campaign contribution limits, for an elector organization referred to in section 5 (2) [*endorsing in multiple jurisdictions*].
- (2) In making a regulation under subsection (1), the Lieutenant Governor in Council may do one or more of the following:
- (a) establish rules respecting
 - (i) how campaign contribution limits apply or are determined in the calendar year in which an applicable campaign contribution limit is prescribed,
 - (ii) how campaign contributions made in the calendar year in which an applicable campaign contribution limit is prescribed before the date the applicable campaign contribution limit is prescribed are dealt with, including whether they are included in determining if an eligible individual exceeds the applicable campaign contribution limit for that calendar year,
 - (iii) how permissible loans are dealt with, including if and how they are included for the purpose of determining if an eligible individual exceeds an applicable campaign contribution limit, and
 - (iv) how loans made or accepted and debts arising before the date an applicable campaign contribution limit is prescribed are dealt with;
 - (b) make provisions that the Lieutenant Governor in Council considers necessary or advisable for the purpose of more effectively determining and applying campaign contribution limits;
 - (c) make provisions that the Lieutenant Governor in Council considers necessary or advisable for the purpose of preventing, minimizing or otherwise addressing any transitional difficulties encountered in determining or applying campaign contribution limits.
- (3) A regulation under sections 30.03 and 30.04 may be made only on the recommendation of the minister responsible.

2017-21-28.

(ADD) **Power to make regulations – sponsorship contribution limits**

Mar
25/21

- 100.02(1)** Without limiting any other provision of this Act but subject to subsection (3), the Lieutenant Governor in Council may make regulations respecting sponsorship contribution limits, including, without limitation,
- (a) prescribing the amount of the sponsorship contribution limit, or
 - (b) respecting how the amount of a sponsorship contribution limit is determined.
- (2) In making a regulation under subsection (1), the Lieutenant Governor in Council may do one or more of the following:
- (a) establish rules respecting
 - (i) how sponsorship contribution limits apply or are determined in the calendar year in which an applicable sponsorship limit is prescribed,

- (ii) how to deal with sponsorship contributions that are made in the calendar year in which an applicable sponsorship contribution limit is prescribed but before the date the applicable sponsorship contribution limit is prescribed, including if those sponsorship contributions are included for the purpose of determining whether the sponsorship contributions of an eligible individual exceed the applicable sponsorship contribution limit for that calendar year,
 - (iii) how to deal with permissible loans, including if and how they are included for the purpose of determining whether the sponsorship contributions of an eligible individual exceed the applicable sponsorship contribution limit for that calendar year, and
 - (iv) how to deal with loans made or accepted and debts arising before the date an applicable sponsorship contribution limit is prescribed;
- (b) make provisions that the Lieutenant Governor in Council considers necessary or advisable for the purpose of more effectively determining and applying a sponsorship contribution limit;
 - (c) make provisions that the Lieutenant Governor in Council considers necessary or advisable for the purpose of preventing, minimizing or otherwise addressing any transitional difficulties encountered in determining or applying a sponsorship contribution limit.
- (3) A regulation in relation to section 36.01 may be made only on the recommendation of the minister responsible.

2021-5-66.

(ADD) **Power to make regulations – third party advertising limits**

May
19/16

- 100.1 (1)** Without limiting any other provision of this Act, the Lieutenant Governor in Council may make regulations respecting third party advertising limits, including, without limitation, but subject to subsection (2), as follows:
- (a) for the purposes of section 41.1 (a) (ii) [*direct third party advertising limits*], establishing an amount based on a prescribed percentage of the expense limit for a prescribed class of candidates;
 - (b) for the purposes of section 41.7 [*attribution of value of directed advertising*], respecting the basis on which third party advertising must be attributed, including prescribing factors or principles to be considered when attributing third party advertising.
- (2) A regulation under section 41.1 (a) may be made only on the recommendation of the minister responsible.

2016-9-38.

(ADD) **Power to make regulations – expense limits**

May
19/16

- 100.2 (1)** Without limiting any other provision of this Act, the Lieutenant Governor in Council may make regulations respecting expense limits, including, without limitation, but subject to subsection (3), as follows:
- (a) for the purposes of section 63.01 (1) (b) and (2) (b) [*expense limits – election areas with population of 10 000 or more*], determining the amount of the expense limit, including establishing formulas to determine the amount;
 - (b) respecting the expense limit for a candidate referred to in section 4 (2) [*candidate running in multiple elections*];

LOCAL ELECTIONS CAMPAIGN FINANCING ACT

- (c) prescribing a form for a campaign financing arrangement for candidates and elector organizations;
 - (d) for the purposes of section 63.08 (2) [*attribution of elector organization expenses to candidate expense limits*], respecting the basis on which the campaign period expenses must be attributed, including prescribing factors or principles to be considered when attributing campaign period expenses;
 - (e) for the purposes of section 63.10 [*amendment to and termination of campaign financing arrangement*], prescribing the form and manner of the termination of the campaign financing arrangement and the information that must be included in the termination, establishing the process for termination, including the notice requirements, and respecting the restrictions on or obligations of a candidate and an elector organization following the termination;
 - (f) for the purposes of section 63.11 [*effect of endorsement relationship ending*], respecting the effect of the ending of an endorsement relationship, including prescribing notice requirements and effects on parties other than the elector organization and the candidate endorsed by the elector organization, and respecting the restrictions on or obligations of a candidate and an elector organization following the ending of an endorsement relationship.
- (2) The authority to make a regulation under subsection (1) (b) of this section includes the authorities set out in section 100 (4) (a) to (e).
- (3) A regulation under section 63.01 may be made only on the recommendation of the minister responsible.

2016-9-38.

Commencement and application

101. (1) The provisions of this Act referred to in column 1 of the following table come into force as set out in column 2 of the table:

Item	Column 1 Provisions of Act	Column 2 Commencement
1	Anything not elsewhere covered by this table	The date of Royal Assent
2	Sections 34 and 35	In relation to anonymous sponsorship contributions, March 27, 2014, being the day after the date of First Reading

- (2) This Act does not apply in relation to elections referred to in section 1 [*elections to which this Act applies*], or voting referred to in section 2 [*assent voting to which this Act applies*], held before the 2014 general local election.

SCHEDULE – Definitions and Interpretation

Definitions

(AM)
Dec
01/21

1. (1) In this Act:

"address for service" , in relation to an individual or organization, means an address provided in accordance with section 96 [*address for service requirements and delivery of notices*] as an address at which notices and other communications will be accepted as served on or otherwise delivered to the individual or organization;

"advisory committee" means the Technical Advisory Committee under section 93 [*Technical Advisory Committee*];

(ADD)
May
19/16

"amount available" , in relation to an expense limit for a candidate who is or was endorsed by an elector organization, means the amount apportioned under section 63.07 [*written campaign financing arrangement required*] or the amended amount under section 63.10 [*amendment to and termination of campaign financing arrangement*] as available for use in the election campaign of the candidate or elector organization, as applicable;

(ADD)
Dec
01/21

"annual financial report" means an annual financial report required under section 45.1 [*annual financial reports by elector organizations*];

(RET)
Oct
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"applicable campaign contribution limit" means a campaign contribution limit that is established

- (a) under section 30.01 [*campaign contribution limits for 2017 and 2018*], or
- (b) under section 30.04 [*campaign contribution limits for 2019 and subsequent years*] and applies to an election prescribed under section 30.03 [*application of Division*];

"assent voting" means voting to which this Act applies under section 2 [*assent voting to which this Act applies*];

"assent voting advertising" means assent voting advertising within the meaning of section 8 [*what is assent voting advertising, when is it election advertising and when is it non-election assent voting advertising*];

"assent voting advertising disclosure statement" means a disclosure statement required under section 46 (1) (d) [*disclosure statements for assent voting advertising sponsors*];

"assent voting advertising sponsor" means

- (a) an individual or organization that sponsors non-election assent voting advertising,
- (b) an individual or organization that registers under Division 3 [*Registration of Third Party Sponsors*] of Part 3 [*Third Party Advertising*] as it applies to non-election assent voting advertising, and
- (c) in relation to obligations applicable under this Act to an individual or organization as an assent voting advertising sponsor, an individual or organization that was an assent voting advertising sponsor;

"assent voting proceedings period" means the period applicable in relation to non-election assent voting under section 10 (3) [*what is the assent voting proceedings period*];

"authorized principal official" means,

- (a) in relation to an elector organization, the responsible principal official designated as required under section 21 (1) (b) [*principal official authorized to make declarations for elector organization*], or

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- (b) in relation to a third party sponsor or assent voting advertising sponsor that is an organization, the responsible principal official designated as required under section 40 (1) (b) [*principal official authorized to make declarations for organization*];

"BC chief electoral officer" has the same meaning as "chief electoral officer" in the *Election Act*; "campaign account" means an account established under section 18 [*requirement for candidate campaign account*] or 20 [*requirement for elector organization campaign account*];

(RET)
Oct
31/17

"campaign contribution" means a campaign contribution within the meaning of any of the following sections:

- (a) section 13 [*campaign contributions to candidate and elector organization generally*];
(b) section 13.01 [*campaign contributions through fundraising functions*];
(c) section 13.02 [*campaign contributions through loans*];

(ADD)
May
19/16

"campaign financing arrangement" means the arrangement between a candidate and an elector organization as required under section 63.07 [*written campaign financing arrangement required*], or as amended under section 63.10 [*amendment to and termination of campaign financing arrangement*], as applicable;

(AM)
May
19/16

"campaign period" means the period applicable in relation to an election under section 10 (2) [*what is a campaign period*];

(ADD)
May
19/16

"campaign period expense" means a campaign period expense within the meaning of section 15 [*what are campaign period expenses*];

"candidate" includes

- (a) an individual who intends to become a candidate in an election,
(b) an individual who is seeking or intends to seek endorsement by an elector organization in relation to an election, and
(c) in relation to obligations applicable under this Act to an individual as a candidate, an individual who was a candidate;

"candidate disclosure statement" means a disclosure statement required under section 46 (1) (a) [*candidate disclosure statement*];

(AM)
Dec
01/21

"compliance deadline" means the applicable compliance deadline under section 45.2 (3) [*compliance deadline for filing annual financial report*], section 47 (4) [*compliance deadline for filing disclosure statements*] or 54 (6) [*compliance deadline for filing supplementary report*];

(SUB)
Dec
01/21

"court order for relief" means a court order under section 76.2 [*court relief powers in relation to requirement to provide information*] and the following Divisions of Part 6:

- (a) Division 2 [*Court Orders for Relief in Relation to Disclosure Requirements*];
(b) Division 4 [*Court Orders for Relief in Relation to Exceeding Expense Limits or Amount Available*];
(c) Division 5 [*Third Party Advertising Limits – Penalties and Court Orders for Relief*];
(d) Division 5.1 [*Campaign Contributions – Penalties and Court Orders for Relief*];
(e) Division 5.2 [*Sponsorship Contributions – Penalties and Court Orders for Relief*];
(f) Division 5.3 [*Third Party Sponsors – Penalties and Court Orders for Relief*];
(g) Division 5.4 [*Registration of Elector Organizations – Penalties and Court Orders for Relief*];

(ADD)
May
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"cumulative third party advertising limit" means the overall amount prescribed under section 41.1 (b) [*cumulative third party advertising limit*] for directed advertising and issue advertising;

(AM)
Jan
01/16

"declared" , in relation to a candidate, means declared as a candidate under section 97 [*declaration of candidates*] of the *Local Government Act* or section 46 of the *Vancouver Charter*;

"designated local authority officer" , in relation to a matter, means

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- (a) the local authority official assigned responsibility for the matter by the local authority, or
- (b) if no such assignment has been made, whichever of the following is applicable:
 - (i) in relation to a municipality other than the City of Vancouver, the municipal corporate officer;
 - (ii) in relation to the City of Vancouver or the Vancouver Park Board, the City Clerk;
 - (iii) in relation to a regional district, the regional district corporate officer;
 - (iv) in relation to the Islands Trust, the secretary;
 - (v) in relation to a board of education, the secretary treasurer;
 - (vi) in relation to any other jurisdiction, the official designated by regulation;

"directed advertising" means directed advertising within the meaning of section 12 [*types of third party advertising – issue advertising and directed advertising*];

(AM)
Dec
01/21

"disclosure requirements" means the applicable requirements and obligations under Division 2 [*Disclosure Requirements for Candidates, Elector Organizations and Advertising Sponsors*] of Part 5 in relation to a disclosure statement, annual financial report or supplementary report;

"disclosure statement" means a disclosure statement required under section 46 [*disclosure statements required for candidates, elector organizations and advertising sponsors*];

"election" means an election to which this Act applies under section 1 [*elections to which this Act applies*];

"election advertising" means election advertising within the meaning of section 7 [*what is election advertising*];

(ADD)
May
19/16

"election area" ,

- (a) in relation to an election under the *Local Government Act*, has the same meaning as in the *Local Government Act*,
- (b) in relation to an election under the *School Act*, has the same meaning as in the *School Act*,
- (c) in relation to an election under the *Vancouver Charter*, has the same meaning as in the *Vancouver Charter*, and
- (d) in relation to an election prescribed under section 1 of this Act, has the prescribed meaning;

"election campaign" means, as applicable,

- (a) an election campaign of a candidate within the meaning of section 4 [*what is the election campaign of a candidate*], or
- (b) an election campaign of an elector organization within the meaning of section 5 [*what is the election campaign of an elector organization*];

"election expense" means an election expense within the meaning of section 14 [*election expenses of candidates and elector organizations*];

(ADD)
May
19/16

"election period" means an election period within the meaning of section 10 (1) [*what is an election period*];

(ADD)
May
19/16

"election period expense" means an election period expense within the meaning of section 15 [*what are election period expenses*];

"Elections BC" means the office administered by the BC chief electoral officer under the *Election Act*;

"Elections BC authorized internet site" means an internet site

- (a) maintained by Elections BC, or
- (b) authorized by the BC chief electoral officer to be used for purposes of this Act;

"elector organization" includes

- (a) an organization that intends to endorse a candidate in an election, and
- (b) in relation to obligations applicable under this Act to an organization as an elector organization, an organization that was an elector organization;

"elector organization disclosure statement" means a disclosure statement required under section 46 (1) (b) [disclosure statements for elector organizations];

"eligible individual" means an individual who is

(RET)
Oct
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- (a) a resident of British Columbia, and
- (b) a Canadian citizen or a permanent resident as defined in the *Immigration and Refugee Protection Act* (Canada);

(ADD)
May
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"endorsed" , in relation to a candidate or an elector organization, includes the candidate having entered into a campaign financing arrangement with the elector organization before endorsement documents are filed with the local election officer;

(ADD)
May
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"expense limit" means the applicable limit for a candidate established under section 63.01 [expense limits – general local election] or 63.04 [expense limits – by-election];

(AM)
Dec
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"final campaign financing arrangement" means a campaign financing arrangement as it reads at the end of general voting day;

"financial agent" means,

- (a) in relation to a candidate, the financial agent under section 17 [each candidate must have a financial agent],
- (b) in relation to an elector organization, the financial agent under section 19 [each elector organization must have a financial agent], and
- (c) in relation to obligations applicable under this Act to an individual as financial agent, an individual who was a financial agent;

(RET)
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"fundraising function" includes a social function held by, or on behalf of, a candidate or elector organization for the purpose of obtaining funds for the candidate or elector organization;

"general local election" includes the elections that are held at the same time as a general local election under the *Local Government Act*;

(ADD)
May
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"incurring a campaign period expense" means using property or services in such a manner that the value of the property or services is a campaign period expense;

"incurring an election expense" means using property or services in such a manner that the value of the property or services is an election expense;

(ADD)
May
19/16

"incurring an election period expense" means using property or services in such a manner that the value of the property or services is an election period expense;

"issue advertising" means issue advertising within the meaning of section 12 [types of third party advertising – issue advertising and directed advertising];

"jurisdiction" means,

- (a) in relation to an election, the applicable jurisdiction referred to in section 1 [elections to which this Act applies] for which the election is being held, and
- (b) in relation to assent voting, the jurisdiction for which the assent voting is being held;

(SUB)
Dec
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"late filing deadline" means,

- (a) in relation to a disclosure report, the late filing deadline as established under section 47 (2) [filing up to 120 days after general voting day on payment of penalty fee], or

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(AM)
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(RET)
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- (b) in relation to an annual financial report, the late filing deadline as established under section 45.2 (2) *[filing within 30 days of March 31 on payment of penalty fee]*;

"late filing penalty fee" means the applicable penalty fee under section 45.2 (2) or 47 (2);

"loan" , in relation to a loan made by an eligible individual, includes an interest free loan;

"local authority" means the local authority of a jurisdiction to which this Act applies under section 1 *[elections to which this Act applies]* or 2 *[assent voting to which this Act applies]*;

"local authority offices" means,

- (a) in relation to a local government, the local government offices, and
(b) in relation to another form of local authority, the location of the regular office of the designated local authority officer;

"local election officer" , in relation to a jurisdiction, means

- (a) the chief election officer for the jurisdiction, or
(b) if at the applicable time no individual is appointed as that official, the designated local authority officer;

"local elections legislation" means

- (a) this Act and the regulations under this Act,
(b) the enactments referred to in sections 1 *[elections to which this Act applies]* and 2 *[assent voting to which this Act applies]* and the regulations under those enactments, as they apply in relation to elections or assent voting to which this Act applies, and
(c) any other prescribed enactment as it applies in relation to elections or assent voting to which this Act applies;

"local government" includes the council of the City of Vancouver;

"market value" , in relation to property or services, means the lowest price charged for an equivalent amount of equivalent property or services in the market area at the relevant time;

"minister responsible" means,

- (a) in relation to an election, the minister responsible for the enactment under which the applicable local authority is established or continued, and
(b) in relation to assent voting, the minister responsible for the enactment under which the assent voting is required or authorized to be held;

"money" includes cash, a negotiable instrument, payment by means of credit card and any form of electronic payment or transfer of funds;

"non-election assent voting advertising" means non-election assent voting advertising within the meaning of section 8 (4) *[non-election assent voting advertising]*;

"organization" means a corporation or an unincorporated organization;

"permissible loan" means a loan that is made to a candidate for campaign use, to an elector organization for any use or to a third party sponsor or assent voting advertising sponsor for sponsorship use

- (a) by a savings institution at a rate of interest that is not less than the prime rate of the principal banker to the government on the date the loan is received, or
(b) by an eligible individual;

"personal election expenses" means the personal election expenses in relation to a candidate within the meaning of section 14 (7) *[exclusions from election expenses]*;

"personal information of an individual" means personal information within the meaning of the *Freedom of Information and Protection of Privacy Act*;

"pre-campaign period" means the period applicable in relation to a general local election under section 10 (1.1) *[what is a pre-campaign period]*;

(AM)
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(SUB)
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(ADD)
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01/21

"principal official" , in relation to an organization, means,

- (a) in the case of an organization that is a corporation, a director of the corporation, and
- (b) in the case of an organization that is not a corporation, a director or a principal officer of the organization or, if there are no directors or principal officers, a principal member of the organization;

"property" means property or the use of property, as applicable;

"provided without compensation" means provided without compensation by way of donation, advance, deposit, discount or otherwise;

(ADD)
Dec
01/21

"register of elector organizations" means the register maintained by the BC chief electoral officer in accordance with section 30.10 [*register to be open to public*];

(SUB)
Dec
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"registered" means,

- (a) in relation to an elector organization, registered under Division 6 [*Registration of Elector Organizations*] of Part 2 [*Candidate and Elector Organization Campaign Financing*], and
- (b) in relation to a third party sponsor or non-election assent voting advertising sponsor, registered under Division 3 [*Registration of Third Party Sponsors*] of Part 3 [*Third Party Advertising*];

"required contact information" , in relation to an individual, means all of the following:

- (a) a mailing address for the individual;
- (b) a telephone number at which the individual can be contacted;
- (c) an email address at which the individual can be contacted, unless the individual does not have such an address;

"responsible principal official" means,

- (a) in relation to an elector organization, an individual identified under section 21 [*responsible principal officials of elector organization*] as a responsible principal official of the organization, and
- (b) in relation to a third party sponsor or assent voting advertising sponsor that is an organization, an individual identified under section 40 [*responsible principal officials of sponsor that is an organization*] as a responsible principal official of the organization;

(SUB)
May
19/16

"shared election expense" means

- (a) election advertising sponsored jointly by 2 or more candidates, such that a portion of the total value of the election advertising attributed under section 16 (6) [*valuation of election expenses*] to each candidate is an election expense of each of the candidates participating in the sponsorship, or
- (b) property or services, other than election advertising, used jointly by 2 or more candidates, such that a portion of the total value of the property or services attributed under section 16 (6) to each candidate is an election expense of each of the candidates participating in that use;

(AM)
Mar
25/21

"shared third party advertising" means third party advertising sponsored jointly by 2 or more third party sponsors, such that a portion of the total value of the third party advertising attributed to each third party sponsor under section 33 (6) [*valuation rules for third party advertising*] is third party advertising of each of the third party sponsors participating in the third party advertising;

"significant contributor" means,

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(RET)
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31/17

- (a) in relation to campaign contributions, an eligible individual who
 - (i) makes a campaign contribution having a value of \$100 or more, or
 - (ii) makes multiple campaign contributions to the same candidate or elector organization such that the total value of the campaign contributions to that candidate or elector organization is \$100 or more, and

(RET)
Oct
31/17

- (b) in relation to sponsorship contributions, an eligible individual who
 - (i) makes a sponsorship contribution having a value of \$100 or more, or
 - (ii) makes multiple sponsorship contributions to the same individual or organization such that the total value of the sponsorship contributions to that individual or organization is \$100 or more;

"solemn declaration" means a declaration on oath or by solemn affirmation in accordance with section 97 [*solemn declarations*];

"specifically related", in relation to election advertising, means specifically related within the meaning of section 12 [*types of third party advertising – issue advertising and directed advertising*];

"sponsor", in relation to election advertising or non-election assent voting advertising, means the individual or organization that is the sponsor within the meaning of section 9 [*who is the sponsor of election advertising or non-election assent voting advertising*];

(RET)
Oct
31/17

"sponsorship contribution" means a sponsorship contribution within the meaning of section 32 [*sponsorship contributions generally*] or 32.01 [*sponsorship contributions through loans*] to a third party sponsor or assent voting advertising sponsor;

"sponsorship use" means,

(RET)
Oct
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- (a) in relation to a contribution or permissible loan to an individual or organization that is or becomes a third party sponsor, use in relation to sponsorship of third party advertising by the individual or organization, and

(RET)
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- (b) in relation to a contribution or permissible loan to an individual or organization that is or becomes an assent voting advertising sponsor, use in relation to sponsorship of non-election assent voting advertising by the individual or organization;

"supplementary report" means a supplementary report required under section 54 [*requirement for supplementary report*];

"third party advertising" means election advertising that is third party advertising within the meaning of section 11 [*what is third party advertising*];

(ADD)
May
19/16

"third party advertising limit" means the applicable limit for a third party sponsor established under section 41.1 [*third party advertising limit – general local election*] or 41.4 [*third party advertising limits – by-election*];

"third party disclosure statement" means a disclosure statement required under section 46 (1) (c) [*disclosure statements for third party sponsors*];

"third party sponsor" means

- (a) an individual or organization that sponsors or intends to sponsor third party advertising,
- (b) an individual or organization that registers as a third party sponsor under Division 3 [*Registration of Third Party Sponsors*] of Part 3, and
- (c) in relation to obligations applicable under this Act to the individual or organization as a third party sponsor, an individual or organization that was a third party sponsor;

LOCAL ELECTIONS CAMPAIGN FINANCING ACT

(ADD)
May
19/16

"unendorsed candidate" means a candidate who is not endorsed by an elector organization;

"volunteer" means an individual who provides services for no remuneration or material benefit, but does not include

- (a) an individual who is employed by an employer, if the employer makes the services available at the employer's expense, or
- (b) an individual who is self-employed, if the services provided by the individual are normally sold or otherwise charged for by the individual.

(RET)
Oct
31/17

- (2) For the purposes of the definition of "eligible individual", the rules set out in section 67 *[rules for determining residence]* of the *Local Government Act* apply to determine if an individual is resident in British Columbia.

2014-18-Sch.; RS2015-1-RevSch (B.C. Reg. 257/2015); 2016-9-39; 2017-21-29; 2021-5-68, 69; 2021-5-67, 70 (B.C. Reg. 281/2021).

How this Act applies in relation to other legislation

- 2. (1) Subject to the definitions under this Act,
 - (a) the definitions in the *Community Charter* and the *Local Government Act* apply to this Act in relation to elections to which Part 3 *[Electors and Elections]* of the *Local Government Act* applies and in relation to assent voting to which Part 4 *[Assent Voting]* of that Act applies, and
 - (b) the definitions in the *Vancouver Charter* apply to this Act in relation to elections to which Part I *[Electors and Elections]* of the *Vancouver Charter* applies and in relation to assent voting to which Part II *[Assent Voting]* of that Act applies.
- (2) So far as the terms defined can be applied, the definitions under this Act extend to all enactments in relation to election and assent voting matters that are dealt with by this Act.

2014-18-Sch

References to other Acts

- 3. Where this Act or a regulation under this Act refers to the *Community Charter*, *Local Government Act* or *Vancouver Charter*, or a provision of one of those Acts, the reference extends to an election, assent voting or other matter under another enactment to which the referenced Act or provision applies.

2014-18-Sch

THE BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 43 (COQUITLAM)

TRUSTEE ELECTIONS BYLAW NO. 2022

This Bylaw hereby repeals Trustee Elections Bylaw No. 2018-1

A bylaw to provide for the determination of various procedures for the conduct of general school elections and other trustee elections.

Preamble:

Under the *School Act*, the Board of Education may, by bylaw, determine various procedures and requirements to be applied in the conduct of trustee elections.

In School District No. 43 (Coquitlam), under section 37 of the *School Act*, trustee elections in the following trustee electoral areas are the responsibility of the following authorities:

Trustee Electoral Area	No. of Trustees	Authority
City of Coquitlam	4	City of Coquitlam
City of Port Coquitlam	2	City of Port Coquitlam
City of Port Moody	2	City of Port Moody
Village of Anmore and Village of Belcarra (hereinafter "Anmore-Belcarra")	1	Board of Education

Trustee elections in the Anmore-Belcarra trustee electoral area that are conducted at the same time as general local elections have customarily been carried out by the Village of Belcarra and it is the board's expectation that such arrangements are likely to continue under agreements authorized by section 38(4) of the *School Act*.

The Board of Education wishes to establish various procedures and requirements under the authority of the *School Act* for trustee elections.

The Board of Education, in an open meeting of the Board, enacts as follows:

1. Definitions

The terms used shall have the meanings assigned by the *School Act* and the *Local Government Act*, except as the context indicates otherwise.

"By-election" means a trustee election to fill a vacancy on the school board.

"Election" means a trustee election.

"Board" or "school board" means the Board of Education of School District No. 43 (Coquitlam).

2. Application

This bylaw applies to both general elections and by-elections, except as otherwise indicated.

3. Order of Names on the Ballot

The order of names of candidates on the ballot will be alphabetical.

4. Resolution of Tie Votes after Judicial Recount

In the event of a tie vote after a judicial recount, the tie vote will be resolved by lot in accordance with section 151 of the *Local Government Act*.

5. Number of Nominators

The minimum number of qualified nominators for a trustee candidate is two.

6. Application of Local Government Bylaws

- a) When the board enters into an agreement with the Village of Anmore or Village of Belcarra under section 38(4) of the *School Act*, under which the Village of Anmore or Village of Belcarra conducts a trustee election for the board of education, or conducts a trustee election in conjunction with a local government election, the elections bylaws of the above mentioned local governments, as they may be amended from time to time, apply to any trustee election or part of a trustee election carried out under that agreement, except as otherwise provided by the *School Act* or by this bylaw.
- b) Where the board conducts an election in a trustee electoral area at the same time as a local government election for the Village of Anmore or the Village of Belcarra is being conducted, the election bylaws of the Village of Anmore or Village of Belcarra, as the case may be, as they may be amended from time to time, apply to that part of the trustee election relating to the Village of Anmore or to the Village of Belcarra, as the case may be, except as otherwise provided by the *School Act* or by this bylaw.
- c) For certainty, trustee elections in the City of Coquitlam, City of Port Coquitlam, and City of Port Moody are governed by the elections bylaws of the respective local governments, except as provided otherwise by the *School Act* or this bylaw.

7. Public Access to Election Documents

- a) The Board authorizes posting of nomination documents of trustee candidates on the website of School District No. 43 (Coquitlam) until 30 days after declaration of the election results.
- b) The Board authorizes but does not require chief election officers to post nomination documents of trustee candidates for public access on any or all of websites of the Cities of Coquitlam, Port Coquitlam, Port Moody and Villages of Anmore and Belcarra until such time as established by the bylaws of the relevant local government.

- c) The Board authorizes posting of a link to the Elections BC website where trustee candidates' campaign financing disclosure statements, other than a mailing address or residential address of a significant contributor and declarations and supplementary statements and declarations are posted.
- d) The Board authorizes the chief elections officers to post a link to the Elections BC website where trustee candidates' campaign financing disclosure statements, other than a mailing address or residential address of a significant contributor and declarations and supplementary statements and declarations are posted.

This bylaw may be cited as "School District No. 43 (Coquitlam) Trustee Elections Bylaw No. 2022".

Read a first time the 10th day of May 2022.

Read a second time the 10th day of May 2022.

Read for a third time, passed and adopted the 10th day of May 2022.



Board Chair



Secretary-Treasurer

I HEREBY CERTIFY this to be a true original of School District No. 43 (Coquitlam) Trustee Elections Bylaw No. 2022, adopted by the Board the 10th day of May 2022.



Secretary-Treasurer

Section 3

Nomination Documents School Trustee

3.1 Instructions and Guide to Filing Nomination Forms

3.2 Provincial Candidate Nomination Package:

- Instruction Page
- CS1 – Candidate Cover Sheet and Checklist Form
- CS2 – Nomination Documents
- CS3 – Other Information Provided by Candidate
- CS4 – Appointment of Candidate Financial Agent
- CS5 – Appointment of Candidate Official Agent
- CS6 – Appointment of Candidate Scrutineer
- Statement of Disclosure: Financial Disclosure Act

NOTE: **The Provincial Candidate Nomination Package is available as a fillable pdf. Please contact the Election Office to access these forms.**

CANDIDATE NOMINATION PACKAGE – SCHOOL TRUSTEE

IMPORTANT: The following forms are for candidates in school trustee elections. A separate set of forms are available for regional trustee candidates in School District No. 93 (Conseil scolaire francophone).

Use the Candidate Cover Sheet and Checklist Form CS1 to ensure that the Candidate Nomination Package – School Trustee is complete and meets the legislative requirements of the *School Act*, *Local Government Act*, *Local Elections Campaign Financing Act*, *Financial Disclosure Act* and/or *Vancouver Charter*.

The Candidate Cover Sheet and Checklist Form CS1 serve as a guide to the forms that must be submitted by a Candidate, their Official Agent and/or their Financial Agent to the Chief Election Officer as part of the nomination process.

Ensure that, for each item checked off on the Checklist Form CS1 (Section B), the relevant form is completed and attached.

The Candidate Cover Sheet and Checklist Form CS1 are for the Chief Election Officer's reference only and do not constitute part of the Candidate Nomination Package – School Trustee.

Completing only the Candidate Cover Sheet and Checklist Form CS1 **does not** constitute completion of the Candidate Nomination Package – School Trustee, nor does it satisfy the legislative requirements set out in the *School Act*, *Local Government Act*, *Local Elections Campaign Financing Act*, *Financial Disclosure Act* and/or *Vancouver Charter*.

COMPLETION INSTRUCTIONS:

1. Record the Candidate's full name.
2. Use section B of the Candidate Cover Sheet and Checklist Form CS1 to identify which forms have been completed and are included in the Candidate Nomination Package – School Trustee.
3. Return the completed package to the Chief Election Officer.

As per *Local Elections Campaign Financing Act* requirements, the following forms will be forwarded to Elections BC by the Chief Election Officer:

CS2 – Nomination Documents (only page 3);
CS3 – Other Information Provided by Candidate; and,
CS4 – Appointment of Candidate Financial Agent.

After election results have been declared, please send any changes to documents previously provided to Elections BC to:

Elections BC
PO Box 9275 Stn Prov Govt
Victoria BC V8W 9J6
Toll-free fax: 1-866-466-0665
Email: electoral.finance@elections.bc.ca

CS1 – Candidate Cover Sheet and Checklist Form

PLEASE PRINT IN BLOCK LETTERS

SECTION A

CANDIDATE'S LAST NAME	FIRST NAME	MIDDLE NAME(S)
NAME OF OFFICE FOR WHICH CANDIDATE IS SEEKING ELECTION BOARD OF EDUCATION TRUSTEE		

SECTION B

This information package includes the following completed forms, appointments, consents and declarations:

- CS2 – Nomination Documents
- CS3 – Other Information Provided by Candidate
- CS4 – Appointment of Candidate Financial Agent (if Candidate is not acting as own Financial Agent)
- CS5 – Appointment of Candidate Official Agent (if applicable)
- CS6 – Appointment of Candidate Scrutineer (if applicable)
- Statement of Disclosure: *Financial Disclosure Act* (required under the *Financial Disclosure Act*)

Disclaimer: All attempts have been made to ensure the accuracy of the forms contained in the Candidate Nomination Package – School Trustee; however, the forms are not a substitute for provincial legislation and/or regulations.

Please refer directly to the latest consolidation of provincial statutes at BC Laws (www.bclaws.ca) for applicable election-related provisions and requirements.

CS2 – Nomination Documents

PLEASE PRINT IN BLOCK LETTERS

JURISDICTION (NAME OF SCHOOL DISTRICT)		TRUSTEE ELECTORAL AREA (TEA NUMBER OR AT LARGE)
We, the following electors of the above-named trustee electoral area, hereby nominate:		
NOMINEE'S LAST NAME	FIRST NAME	MIDDLE NAME(S)
USUAL NAME OF PERSON NOMINATED IF DIFFERENT FROM ABOVE AND PREFERRED BY THE PERSON NOMINATED TO APPEAR ON THE BALLOT		
RESIDENTIAL ADDRESS (STREET ADDRESS)	CITY/TOWN	POSTAL CODE
MAILING ADDRESS IF DIFFERENT FROM RESIDENTIAL ADDRESS (STREET ADDRESS/PO BOX NUMBER)	CITY/TOWN	POSTAL CODE
As a Candidate for the office of:		
POSITION BOARD OF EDUCATION TRUSTEE	JURISDICTION (NAME OF SCHOOL DISTRICT)	TRUSTEE ELECTORAL AREA (TEA NUMBER OR AT LARGE)

Each of us **affirms** that to the best of our knowledge, the above-named person nominated for office:

1. Is or will be on general voting day for the election, age 18 or older.
2. Is a Canadian citizen.
3. Has been a resident of British Columbia, as determined in accordance with section 42 of the *School Act*, for at least six months immediately preceding today's date.
4. Is not disqualified under the *School Act* or any other enactment from being nominated for, being elected to or holding office as a trustee, or be otherwise disqualified by law.

A Nominator MUST be Qualified Under the *Local Government Act* or *Vancouver Charter* to Nominate a Nominee for Office

NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)	NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)
RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR	RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR
PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR	PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR
NOMINATOR'S SIGNATURE	NOMINATOR'S SIGNATURE

Please see over for additional space when more than two (e.g., 10) nominators are required. For Boards that require 25 nominators attach an additional sheet(s) as necessary.

I consent to the above nomination for office:

NOMINEE'S SIGNATURE	DATE: (YYYY/MM/DD)
---------------------	--------------------

CANDIDATE NOMINATION PACKAGE – SCHOOL TRUSTEE

NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)	NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)
RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR	RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR
PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR	PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR
NOMINATOR'S SIGNATURE	NOMINATOR'S SIGNATURE

NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)	NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)
RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR	RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR
PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR	PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR
NOMINATOR'S SIGNATURE	NOMINATOR'S SIGNATURE

NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)	NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)
RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR	RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR
PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR	PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR
NOMINATOR'S SIGNATURE	NOMINATOR'S SIGNATURE

NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)	NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)
RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR	RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR
PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR	PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR
NOMINATOR'S SIGNATURE	NOMINATOR'S SIGNATURE

NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)	NOMINATOR'S NAME (FIRST, MIDDLE AND LAST NAMES)
RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR	RESIDENTIAL ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A RESIDENT ELECTOR
PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR	PROPERTY ADDRESS (CITY/TOWN, STREET ADDRESS, POSTAL CODE) IF NOMINATING AS A NON-RESIDENT PROPERTY ELECTOR
NOMINATOR'S SIGNATURE	NOMINATOR'S SIGNATURE

CS2 – Nomination Documents

PLEASE PRINT IN BLOCK LETTERS

I do solemnly declare as follows:

1. I am qualified under section 32 of the *School Act* to be nominated, elected and to hold the office of

POSITION

BOARD OF EDUCATION TRUSTEE

2. I am or will be on general voting day for the election, age 18 or older.
3. I am a Canadian citizen.
4. I have been a resident of British Columbia, as determined in accordance with section 42 of the *School Act*, for at least six months immediately preceding today's date.
5. I am not disqualified by the *School Act* or any other enactment from being nominated for, being elected to or holding office as a trustee, or otherwise disqualified by law.
6. To the best of my knowledge, the information provided in these nomination documents is true.
7. I fully intend to accept the office if elected.
8. I am aware of and understand the requirements and restrictions of the *Local Elections Campaign Financing Act* and intend to fully comply with those requirements and restrictions.

NOMINEE'S SIGNATURE

DECLARED BEFORE ME: CHIEF ELECTION OFFICER OR COMMISSIONER FOR TAKING AFFIDAVITS FOR BRITISH COLUMBIA

AT: (LOCATION)

DATE: (YYYY/MM/DD)

I am acting as my own Financial Agent

NOMINEE'S SIGNATURE

I have appointed as my Financial Agent

FINANCIAL AGENT'S NAME (IF APPLICABLE)

CS3 – Other Information Provided by Candidate

PLEASE PRINT IN BLOCK LETTERS

Office for which individual is a nominee:

POSITION BOARD OF EDUCATION TRUSTEE	JURISDICTION (NAME OF SCHOOL DISTRICT)	TRUSTEE ELECTORAL AREA (TEA NUMBER OR AT LARGE)
NOMINEE'S LAST NAME	FIRST NAME	MIDDLE NAME(S)
USUAL NAME OF PERSON NOMINATED IF DIFFERENT FROM ABOVE AND PREFERRED BY THE PERSON NOMINATED TO APPEAR ON THE BALLOT		
MAILING ADDRESS (STREET ADDRESS/PO BOX NUMBER) AS PROVIDED IN THE NOMINATION DOCUMENTS	CITY/TOWN	POSTAL CODE
ADDRESS FOR SERVICE (STREET ADDRESS OR EMAIL ADDRESS)	CITY/TOWN	POSTAL CODE
TELEPHONE NUMBER	EMAIL ADDRESS (IF AVAILABLE)	

Additional Addresses for Service Information

OPTIONAL

MAILING ADDRESS (STREET ADDRESS/PO BOX NUMBER) IF EMAIL WAS PROVIDED AS ADDRESS FOR SERVICE	CITY/TOWN	POSTAL CODE
FAX NUMBER	EMAIL ADDRESS IF MAILING ADDRESS WAS PROVIDED AS ADDRESS FOR SERVICE	

NAME OF ELECTOR ORGANIZATION ENDORSING THE CANDIDATE (IF APPLICABLE)

<input type="checkbox"/> I am acting as my own Financial Agent	<input type="checkbox"/> I am not acting as my own Financial Agent
--	--

Please ensure that name and mailing address information is the same as that entered on FORM CS2 – NOMINATION DOCUMENTS

CS4 – Appointment of Candidate Financial Agent

PLEASE PRINT IN BLOCK LETTERS

CANDIDATE'S LAST NAME	FIRST NAME	MIDDLE NAME(S)
POSITION BOARD OF EDUCATION TRUSTEE	JURISDICTION (NAME OF SCHOOL DISTRICT)	TRUSTEE ELECTORAL AREA (TEA NUMBER OR AT LARGE)
I hereby appoint as my Financial Agent for the:		
GENERAL VOTING DATE: (YYYY/MM/DD)	<input type="checkbox"/> General Local Election	<input type="checkbox"/> By-election
FINANCIAL AGENT'S LAST NAME	FIRST NAME	MIDDLE NAME(S)
MAILING ADDRESS (STREET ADDRESS/PO BOX NUMBER)	CITY/TOWN	POSTAL CODE
TELEPHONE NUMBER	EMAIL ADDRESS (IF AVAILABLE)	
EFFECTIVE DATE OF APPOINTMENT: (YYYY/MM/DD)		
CANDIDATE'S SIGNATURE	DATE: (YYYY/MM/DD)	

I hereby consent to act as the Financial Agent for the above-named Candidate for the:		
GENERAL VOTING DATE: (YYYY/MM/DD)	<input type="checkbox"/> General Local Election	<input type="checkbox"/> By-election
FINANCIAL AGENT ADDRESS FOR SERVICE (STREET ADDRESS OR EMAIL ADDRESS)	CITY/TOWN	POSTAL CODE
Additional Addresses for Service Information		OPTIONAL
MAILING ADDRESS (STREET ADDRESS/PO BOX NUMBER) IF EMAIL WAS PROVIDED AS ADDRESS FOR SERVICE	CITY/TOWN	POSTAL CODE
FAX NUMBER	EMAIL ADDRESS IF MAILING ADDRESS WAS PROVIDED AS ADDRESS FOR SERVICE	
FINANCIAL AGENT'S SIGNATURE	DATE: (YYYY/MM/DD)	

CS5 – Appointment of Candidate Official Agent

PLEASE PRINT IN BLOCK LETTERS

CANDIDATE'S LAST NAME	FIRST NAME	MIDDLE NAME(S)
POSITION BOARD OF EDUCATION TRUSTEE	JURISDICTION (NAME OF SCHOOL DISTRICT)	TRUSTEE ELECTORAL AREA (TEA NUMBER OR AT LARGE)
I hereby appoint as my Official Agent for the:		
GENERAL VOTING DATE: (YYYY/MM/DD)	<input type="checkbox"/> General Local Election	<input type="checkbox"/> By-election
OFFICIAL AGENT'S LAST NAME	FIRST NAME	MIDDLE NAME(S)
MAILING ADDRESS (STREET ADDRESS/PO BOX NUMBER)	CITY/TOWN	POSTAL CODE
<input type="checkbox"/> I hereby delegate to the above-named official agent the authority to appoint scrutineers.		
CANDIDATE'S SIGNATURE	DATE: (YYYY/MM/DD)	

CS6 – Appointment of Candidate Scrutineer

PLEASE PRINT IN BLOCK LETTERS

CANDIDATE'S LAST NAME	FIRST NAME	MIDDLE NAME(S)
POSITION BOARD OF EDUCATION TRUSTEE	JURISDICTION (NAME OF SCHOOL DISTRICT)	TRUSTEE ELECTORAL AREA (TEA NUMBER OR AT LARGE)
I hereby appoint as my Scrutineer for the:		
GENERAL VOTING DATE: (YYYY/MM/DD)	<input type="checkbox"/> General Local Election	<input type="checkbox"/> By-election
SCRUTINEER'S LAST NAME	FIRST NAME	MIDDLE NAME(S)
MAILING ADDRESS (STREET ADDRESS/PO BOX NUMBER)	CITY/TOWN	POSTAL CODE
CANDIDATE'S SIGNATURE	DATE: (YYYY/MM/DD)	

Liabilities – s. 3 (e)

List all creditors to whom you owe a debt. Do not include residential property debt (mortgage, lease or agreement for sale), money borrowed for household or personal living expenses, or any assets you hold in trust for another person:

<i>creditor's name(s)</i>	<i>creditor's address(es)</i>

Income – s. 3 (b-d)

List each of the businesses and organizations from which you receive financial remuneration for your services and identify your capacity as owner, part-owner, employee, trustee, partner or other (e.g. director of a company or society).

- Provincial nominees and designated employees must list all sources of income in the province.
- Local government officials, school board officials, francophone education authority directors and designated employees must list only income sources within the regional district that includes the municipality, local trust area or school district for which the official is elected or nominated, or where the employee holds the designated position.

<i>your capacity</i>	<i>name(s) of business(es)/organization(s)</i>

Real Property – s. 3 (f)

List the legal description and address of all land in which you, or a trustee acting on your behalf, own an interest or have an agreement which entitles you to obtain an interest. Do not include your personal residence.

- Provincial nominees and designated employees must list all applicable land holdings in the province.
- Local government officials, school board officials, francophone education authority directors and designated employees must list only applicable land holdings within the regional district that includes the municipality, local trust area or school district for which the official is elected or nominated, or where the employee holds the designated position.

<i>legal description(s)</i>	<i>address(es)</i>

Corporate Assets – s. 5

Do you individually, or together with your spouse, child, brother, sister, mother or father, own shares in a corporation which total more than 30% of votes for electing directors? (Include shares held by a trustee on your behalf, but not shares you hold by way of security.)

no yes

If yes, please list the following information below & continue on a separate sheet as necessary:

- the name of each corporation and all of its subsidiaries
- in general terms, the type of business the corporation and its subsidiaries normally conduct
- a description and address of land in which the corporation, its subsidiaries or a trustee acting for the corporation, own an interest, or have an agreement entitling any of them to acquire an interest
- a list of creditors of the corporation, including its subsidiaries. You need not include debts of less than \$5,000 payable in 90 days
- a list of any other corporations in which the corporation, including its subsidiaries or trustees acting for them, holds one or more shares.

signature of person making disclosure

date

Where to send this completed disclosure form:

Local government officials:

... to your local chief election officer

- with your nomination papers, and

... to the officer responsible for corporate administration

- between the 1st and 15th of January of each year you hold office, and
- by the 15th of the month after you leave office

School board trustees/ Francophone Education Authority directors:

... to the secretary treasurer or chief executive officer of the authority

- with your nomination papers, and
- between the 1st and 15th of January of each year you hold office, and
- by the 15th of the month after you leave office

Nominees for provincial office:

- with your nomination papers. If elected you will be advised of further disclosure requirements under the *Members' Conflict of Interest Act*

Designated Employees:

... to the appropriate disclosure clerk (local government officer responsible for corporate administration, secretary treasurer, or Clerk of the Legislative Assembly)

- by the 15th of the month you become a designated employee, and
- between the 1st and 15th of January of each year you are employed, and
- by the 15th of the month after you leave your position

Section 4

Electoral Organization Endorsement Package

- 4.1 Electoral Organization Guide to Local Elections in B.C. (2022)
- 4.2 Guide to Filling out Nomination Forms
- 4.3 Provincial Electoral Organization Endorsement Package
 - ES1 – Electoral Organization Cover Sheet and Checklist Form
 - ES2 – Electoral Organization Endorsement Documents
 - ES3 – Other Information Provided by Electoral Organization

NOTE: The Provincial Electoral Organization Endorsement Package is available as a fillable pdf. Please contact the Election Office to access these forms.

ELECTOR ORGANIZATION ENDORSEMENT PACKAGE – SCHOOL TRUSTEE

Use the Elector Organization Cover Sheet and Checklist Form ES1 to ensure that the Elector Organization Endorsement Package – School Trustee is complete and meets the legislative requirements of the *School Act*, *Local Government Act*, *Local Elections Campaign Financing Act*, *Financial Disclosure Act* and/or *Vancouver Charter*.

The Elector Organization Endorsement Package Cover Sheet and Checklist Form ES1 serve as a guide to the forms that must be submitted by the Elector Organization Authorized Principal Official to the Chief Election Officer and Elections BC as part of the Candidate endorsement process.

Ensure that, for each item checked off on the Checklist Form ES1 (Section B), the relevant form is completed and attached.

The Elector Organization Cover Sheet and Checklist Form ES1 are for the Chief Election Officer's reference only and do not constitute part of the Elector Organization Endorsement Package – School Trustee.

Completing only the Elector Organization Cover Sheet and Checklist Form ES1 **does not** constitute completion of the Elector Organization Endorsement Package – School Trustee, nor does it satisfy the legislative requirements set out in the *School Act*, *Local Government Act*, *Local Elections Campaign Financing Act*, *Financial Disclosure Act* and/or *Vancouver Charter*.

COMPLETION INSTRUCTIONS:

1. Record the endorsing Elector Organization's name.
2. Record the Elector Organization Authorized Principal Official's full name.
3. Use section B of the Cover Sheet and Checklist Form ES1 to identify which forms have been completed and are included in the Elector Organization Endorsement Package – School Trustee.
4. Return the completed package to the Chief Election Officer and Elections BC.

After election results have been declared, please send any changes to documents previously provided to Elections BC to:

Elections BC
PO Box 9275 Stn Prov Govt
Victoria BC V8W 9J6
Toll-free fax: 1-866-466-0665
Email: electoral.finance@elections.bc.ca

ES1 – Elector Organization Cover Sheet and Checklist Form

PLEASE PRINT IN BLOCK LETTERS

SECTION A

ENDORISING ELECTOR ORGANIZATION'S NAME	GENERAL VOTING DAY (YYYY/MM/DD)
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SECTION B

This Elector Organization Endorsement Package – School Trustee includes the following completed forms, appointments, consents and declarations:

- ES2 – Elector Organization Endorsement Documents
- ES3 – Other Information Provided by Elector Organization

Disclaimer: All attempts have been made to ensure the accuracy of the forms contained in the Elector Organization Endorsement Package – School Trustee; however, the forms are not a substitute for provincial legislation and/or regulations.

Please refer directly to the latest consolidation of provincial statutes at BC Laws (www.bclaws.ca) for applicable election-related provisions and requirements.

ES2 – Elector Organization Endorsement Documents

PLEASE PRINT IN BLOCK LETTERS

ELECTOR ORGANIZATION'S LEGAL NAME (IF APPLICABLE)	USUAL NAME IF DIFFERENT FROM LEGAL NAME OR NO LEGAL NAME	
ABBREVIATION/ACRONYMS/OTHER NAMES USED BY THE ELECTOR ORGANIZATION	NAME, ABBREVIATION OR ACRONYM TO BE INCLUDED ON THE BALLOT	
MAILING ADDRESS (STREET ADDRESS/PO BOX NUMBER)	CITY/TOWN	POSTAL CODE

AUTHORIZED PRINCIPAL OFFICIAL'S LAST NAME	FIRST NAME	MIDDLE NAME(S)
MAILING ADDRESS (STREET ADDRESS/PO BOX NUMBER)	CITY/TOWN	POSTAL CODE
ADDRESS FOR SERVICE (STREET ADDRESS OR EMAIL ADDRESS)	CITY/TOWN	POSTAL CODE
TELEPHONE NUMBER	EMAIL ADDRESS (IF AVAILABLE)	

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT
CANDIDATE'S CONSENT TO ENDORSEMENT (SIGNATURE)	CANDIDATE'S CONSENT TO ENDORSEMENT (SIGNATURE)

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT
CANDIDATE'S CONSENT TO ENDORSEMENT (SIGNATURE)	CANDIDATE'S CONSENT TO ENDORSEMENT (SIGNATURE)

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT
CANDIDATE'S CONSENT TO ENDORSEMENT (SIGNATURE)	CANDIDATE'S CONSENT TO ENDORSEMENT (SIGNATURE)

***Please see over for additional space when endorsing more than two candidates.
Please attach an additional endorsement sheet(s) as necessary.***

ELECTOR ORGANIZATION ENDORSEMENT PACKAGE – SCHOOL TRUSTEE

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT
CANDIDATE'S CONSENT TO ENDORSEMENT (SIGNATURE)	CANDIDATE'S CONSENT TO ENDORSEMENT (SIGNATURE)

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT
CANDIDATE'S CONSENT TO ENDORSEMENT (SIGNATURE)	CANDIDATE'S CONSENT TO ENDORSEMENT (SIGNATURE)

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT
CANDIDATE'S CONSENT TO ENDORSEMENT (SIGNATURE)	CANDIDATE'S CONSENT TO ENDORSEMENT (SIGNATURE)

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT
CANDIDATE'S CONSENT TO ENDORSEMENT (SIGNATURE)	CANDIDATE'S CONSENT TO ENDORSEMENT (SIGNATURE)

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT
CANDIDATE'S CONSENT TO ENDORSEMENT (SIGNATURE)	CANDIDATE'S CONSENT TO ENDORSEMENT (SIGNATURE)

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT
CANDIDATE'S CONSENT TO ENDORSEMENT (SIGNATURE)	CANDIDATE'S CONSENT TO ENDORSEMENT (SIGNATURE)

ES3 – Other Information Provided by Elector Organization

PLEASE PRINT IN BLOCK LETTERS

JURISDICTION NAME (NAME OF SCHOOL DISTRICT)	TRUSTEE ELECTORAL AREA (TEA NUMBER OR AT LARGE)	
ELECTOR ORGANIZATION'S LEGAL NAME (IF APPLICABLE)	USUAL NAME IF DIFFERENT FROM LEGAL NAME OR NO LEGAL NAME	
ABBREVIATION/ACRONYMS/OTHER NAMES USED BY THE ELECTOR ORGANIZATION	NAME, ABBREVIATION OR ACRONYM TO BE INCLUDED ON THE BALLOT	
MAILING ADDRESS (STREET ADDRESS/PO BOX NUMBER)	CITY/TOWN	POSTAL CODE

Endorsed Candidate(s):

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT

Please see over for additional space and attach an additional endorsement sheet(s) as necessary.

ELECTOR ORGANIZATION ENDORSEMENT PACKAGE – SCHOOL TRUSTEE

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT

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USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT

CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)	CANDIDATE'S FULL NAME (FIRST, MIDDLE AND LAST NAMES)
USUAL NAME TO BE USED ON THE BALLOT	USUAL NAME TO BE USED ON THE BALLOT

Section 5

Additional Resources for Candidates

- 5.1 Additional Resources for Candidates
- 5.2 Voting Place Location Map
- 5.3 Elections Sign Exclusion Zone Maps
- 5.4 Permitted Election Sign Location Maps

Additional Resources

**Websites may be best viewed using a web browser other than Internet Explorer.*

PROVINCIAL

❖ The Basics of General Local Elections	https://www2.gov.bc.ca/gov/content/governments/local-governments/governance-powers/general-local-elections/thinking-of-running/general-local-elections-basics
❖ Candidate's Guide to Local Elections in BC (2022)	https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/governance-powers/candidates_guide_to_local_elections.pdf
❖ General Local Elections 101	https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/governance-powers/general_local_elections_101.pdf
❖ General Local Elections Participants	https://www2.gov.bc.ca/gov/content/governments/local-governments/governance-powers/general-local-elections/participants

SCHOOL TRUSTEE

❖ School District No. 43 (Coquitlam) – Board of Education – Board Members / Trustee Information	https://www.sd43.bc.ca/Board/BoardMembers/Pages/default.aspx#/=
❖ British Columbia School Trustees Association – A Guide for School Trustee Candidates	https://bcsta.org/wp-content/uploads/2022/03/BCSTA-Guide-for-School-Trustee-Candidates.pdf
❖ School Trustee Election Procedures	https://www2.gov.bc.ca/gov/content/education-training/k-12/administration/legislation-policy/school-trustee-election-procedures

ELECTIONS BC

❖ Elections BC – 2022 General Local Elections	https://elections.bc.ca/local-elections/2022-general-local-elections/
❖ Guide to Local Elections Campaign Financing in BC for Candidates and their Financial Agents	https://elections.bc.ca/docs/lecfa/guide-to-local-elections-campaign-financing-in-bc-for-candidates-and-their-financial-agents.pdf
❖ Guide to Local Elections Campaign Financing in BC for Elector Organizations and their Financial Agents	https://elections.bc.ca/docs/lecfa/guide-for-local-elections-third-party-sponsors-in-bc.pdf
❖ Campaign Account Letter	https://elections.bc.ca/docs/lecfa/Campaign%20Account%20Letter.pdf

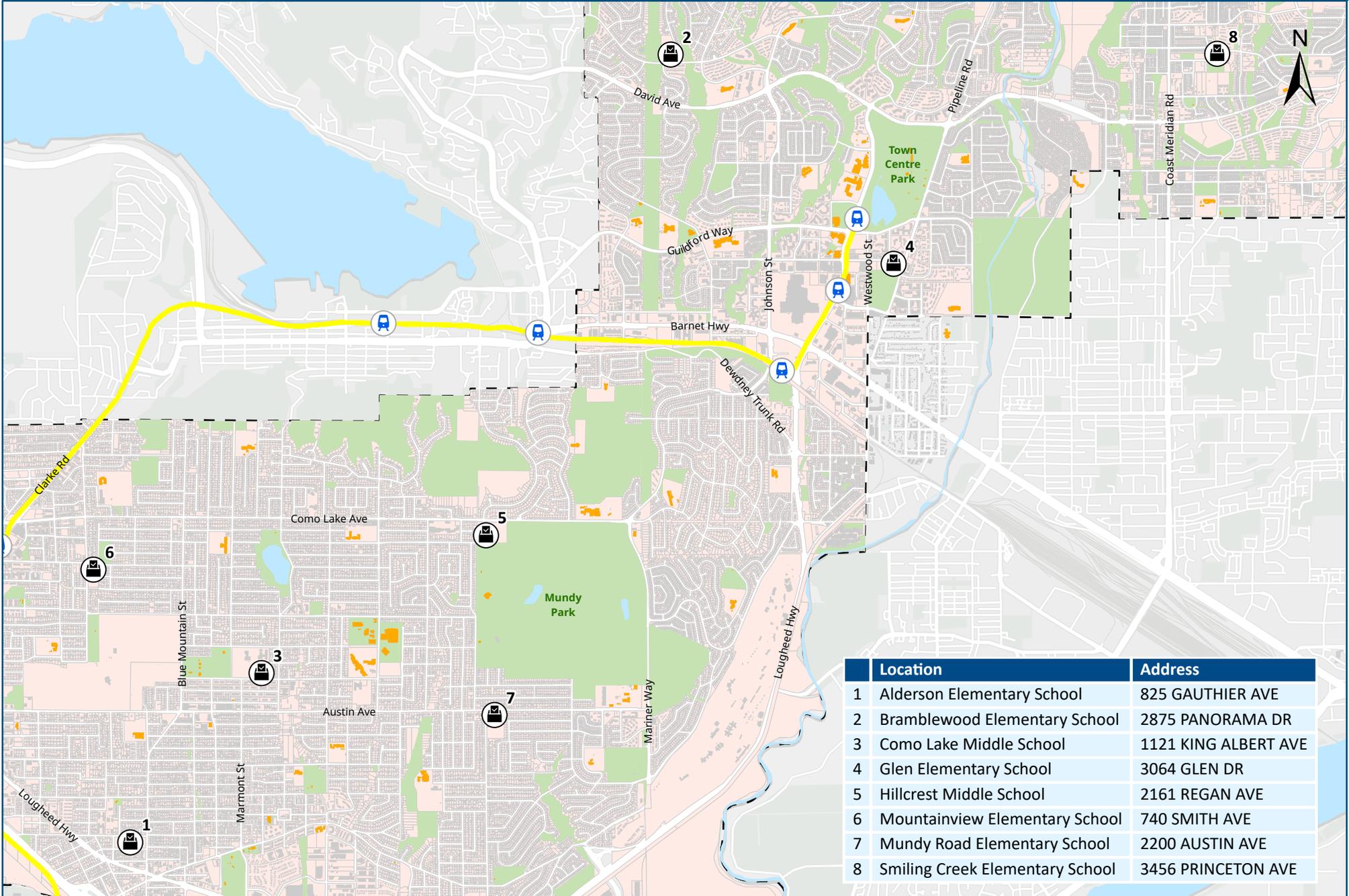
EXPENSE LIMITS

❖ School Board Trustee Candidate Expense Limits	https://elections.bc.ca/local-elections/local-candidates/candidate-expense-limits/#SD43
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LEGISLATION

❖ Local Government Act – Part 3 – Electors and Elections	https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/r15001_03
❖ School Act – Part 4 – School Trustees	https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/96412_04#part4
❖ Local Elections Campaign Financing Act	https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/14018

General Voting Day Locations



	Location	Address
1	Alderson Elementary School	825 GAUTHIER AVE
2	Bramblewood Elementary School	2875 PANORAMA DR
3	Como Lake Middle School	1121 KING ALBERT AVE
4	Glen Elementary School	3064 GLEN DR
5	Hillcrest Middle School	2161 REGAN AVE
6	Mountainview Elementary School	740 SMITH AVE
7	Mundy Road Elementary School	2200 AUSTIN AVE
8	Smiling Creek Elementary School	3456 PRINCETON AVE

Dec. 10, 2024



Coquitlam

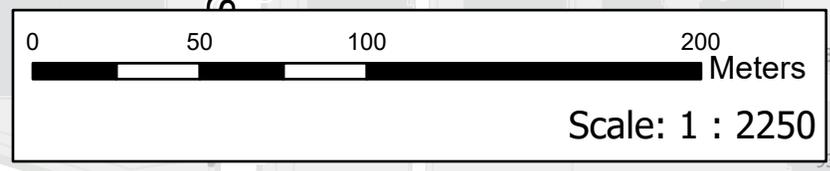


Alderson Elementary School
825 Gauthier Ave



Legend

-  General Voting Day Location
-  Election Sign Exclusion Zone

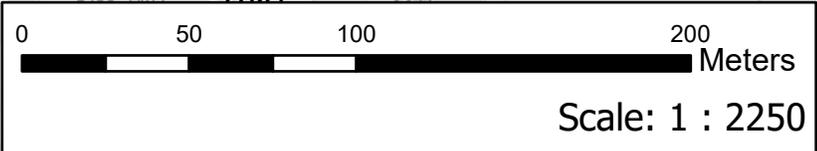


Bramblewood Elementary School
2875 Panorama Dr
Coquitlam



Legend

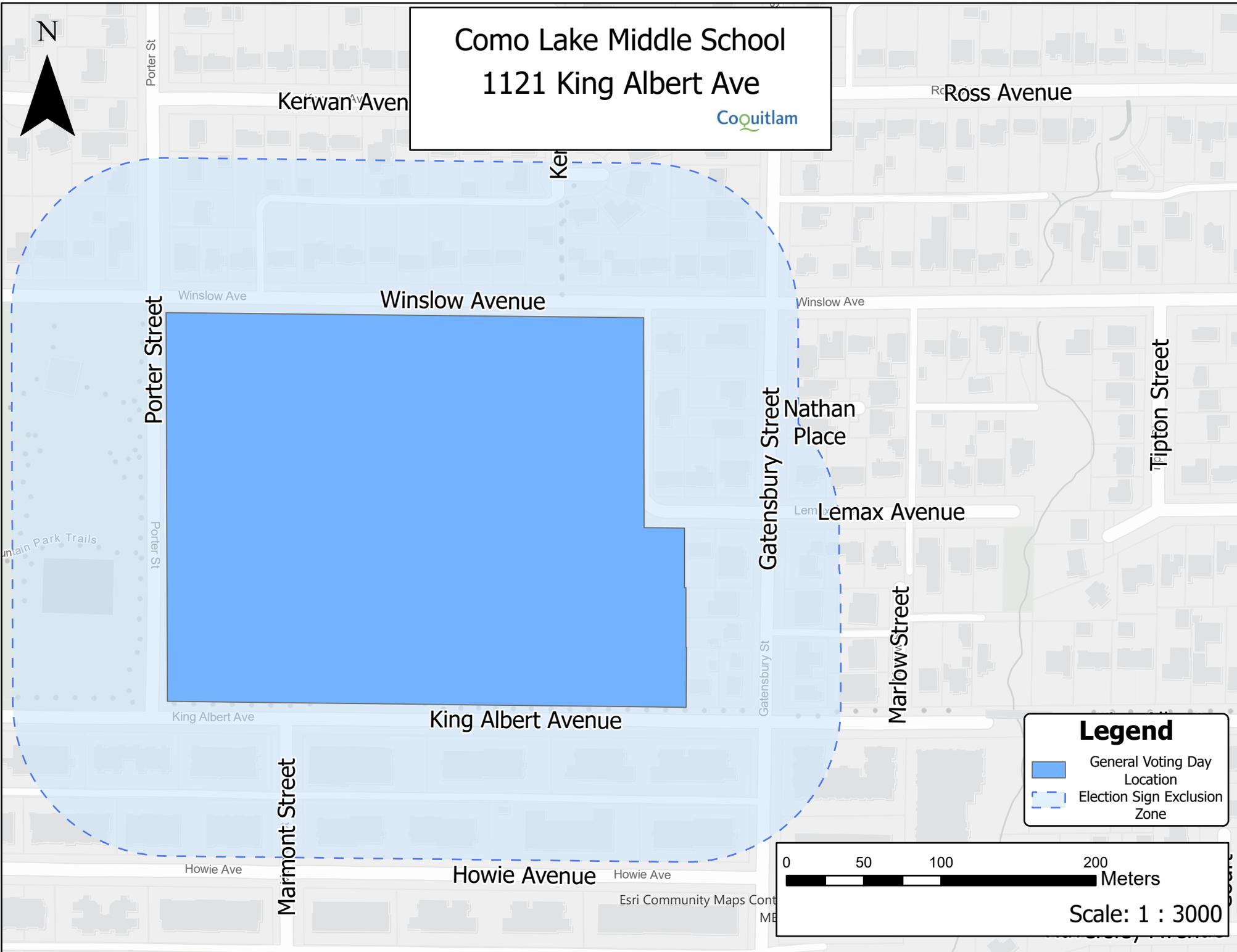
-  General Voting Day Location
-  Election Sign Exclusion Zone



N



Como Lake Middle School
 1121 King Albert Ave

Porter Street

Kerwan Avenue

Ross Avenue

Winslow Ave

Winslow Avenue

Winslow Ave

Nathan Place

Tipton Street

Porter St

Gatensbury Street

Lemax Avenue

Mountain Park Trails

Marlow Street

King Albert Ave

King Albert Avenue

Legend

-  General Voting Day Location
-  Election Sign Exclusion Zone

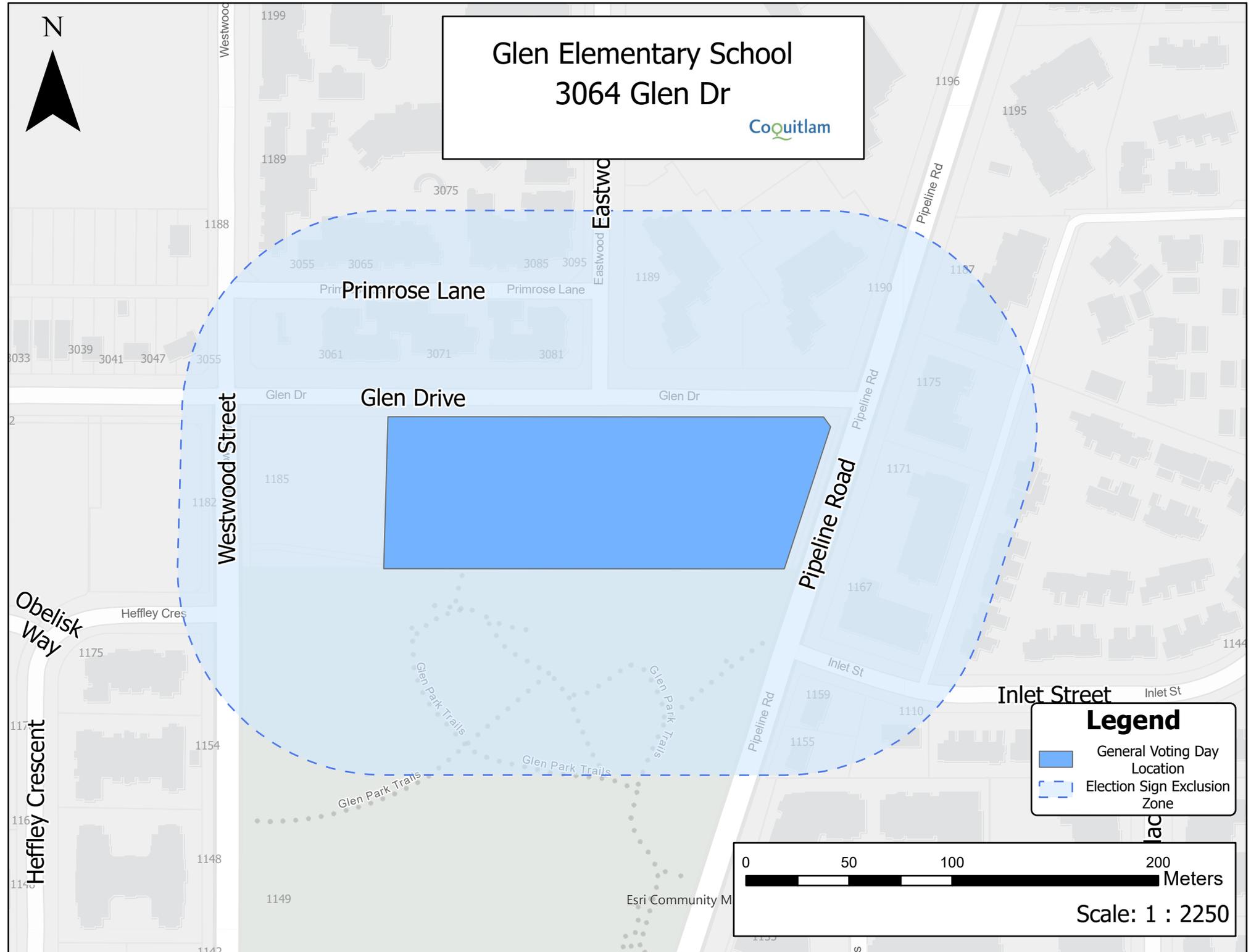


Scale: 1 : 3000

Esri Community Maps Cont
ME



Glen Elementary School
3064 Glen Dr



Legend

-  General Voting Day Location
-  Election Sign Exclusion Zone

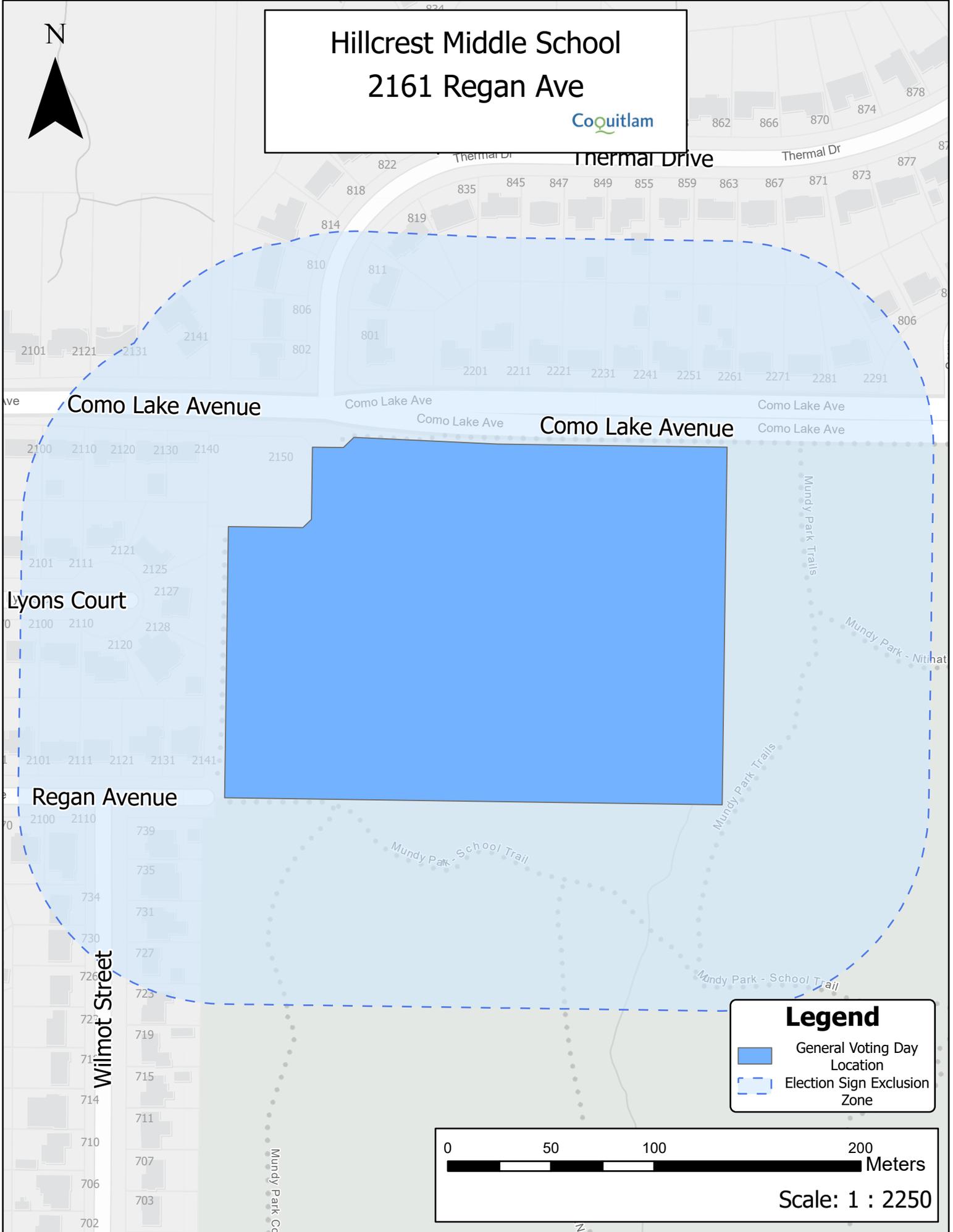
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N

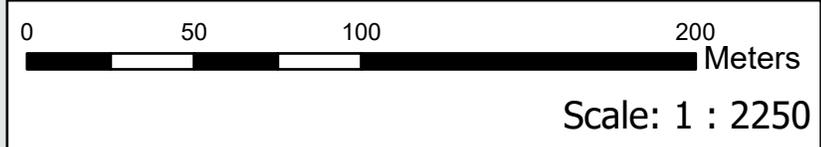


Hillcrest Middle School
2161 Regan Ave
Coquitlam



Legend

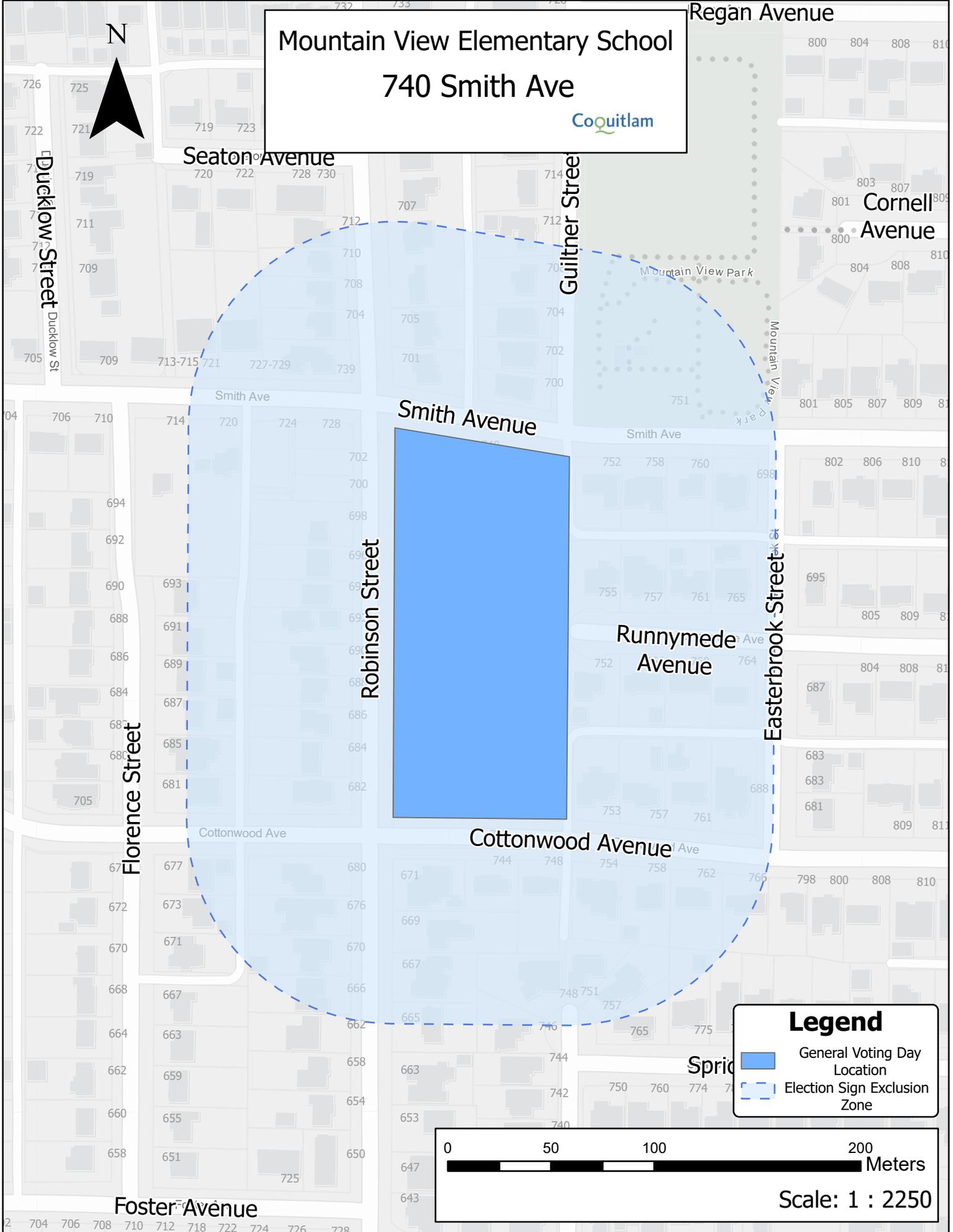
-  General Voting Day Location
-  Election Sign Exclusion Zone



Mountain View Elementary School
740 Smith Ave



N

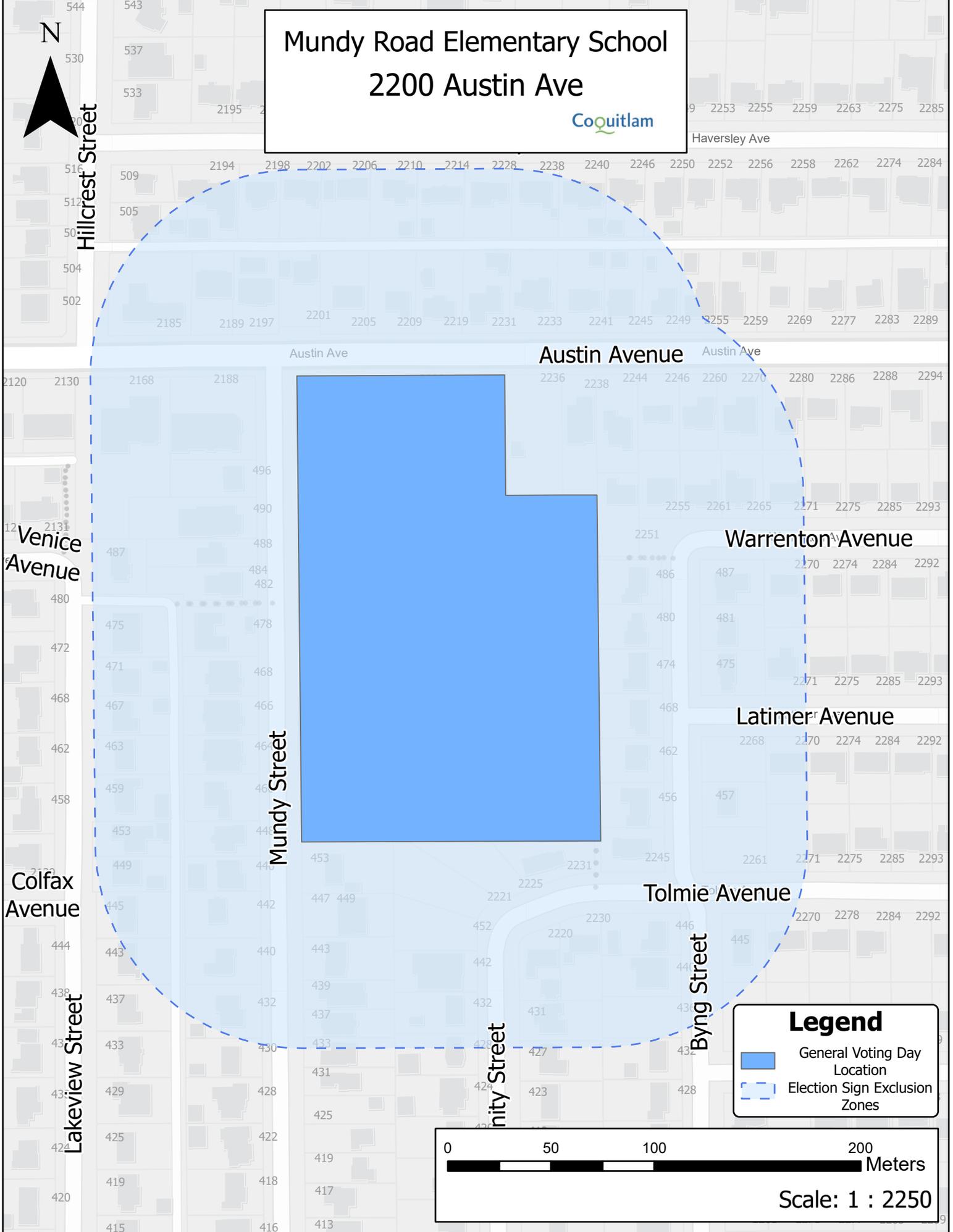


Legend

- General Voting Day Location
- Election Sign Exclusion Zone

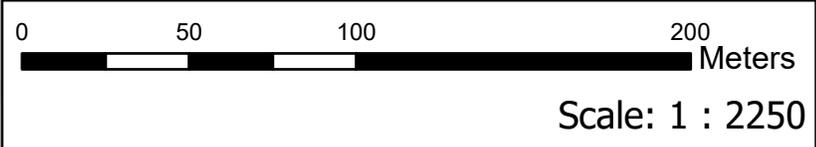
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Mundy Road Elementary School
2200 Austin Ave
Coquitlam



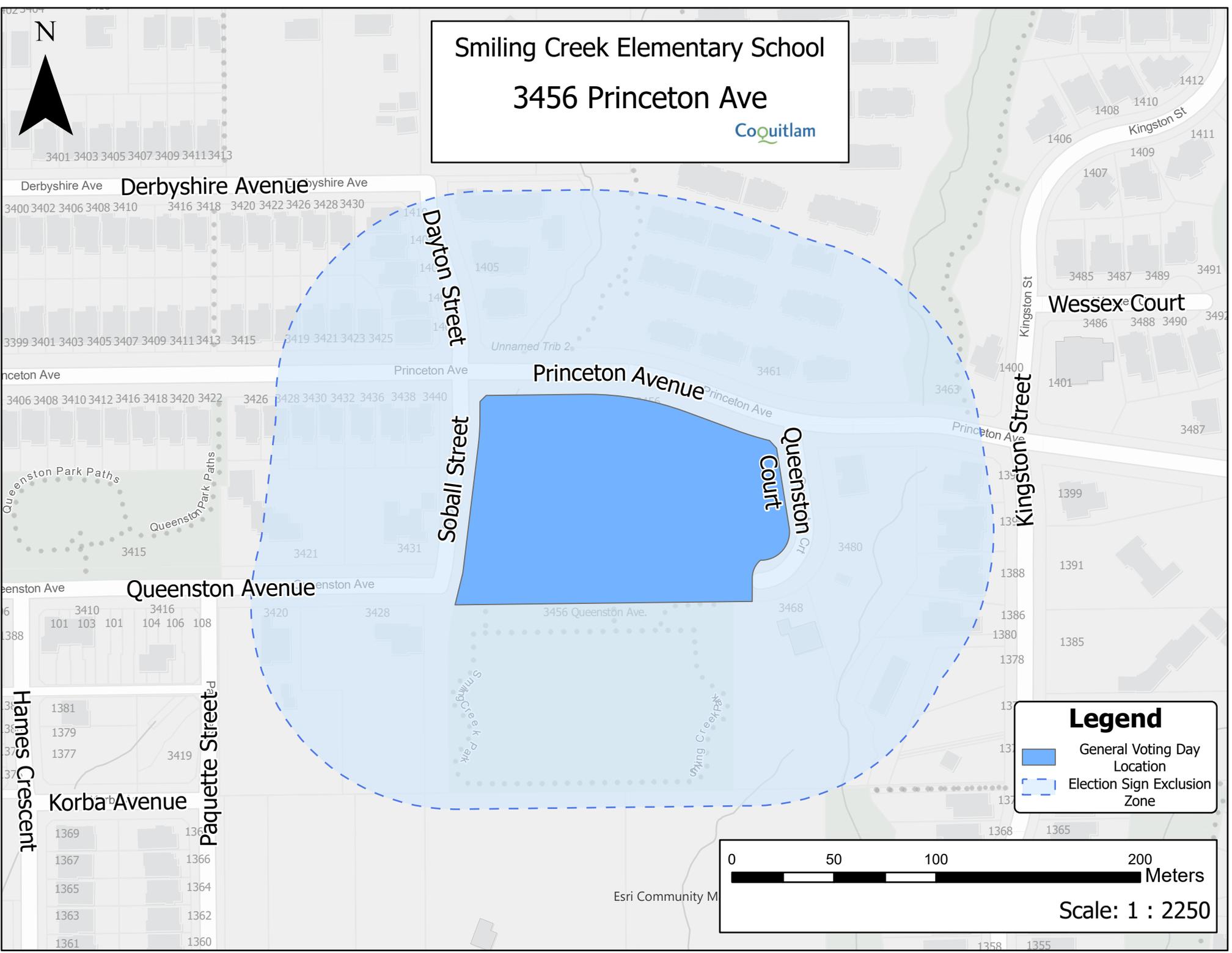
Legend

-  General Voting Day Location
-  Election Sign Exclusion Zones



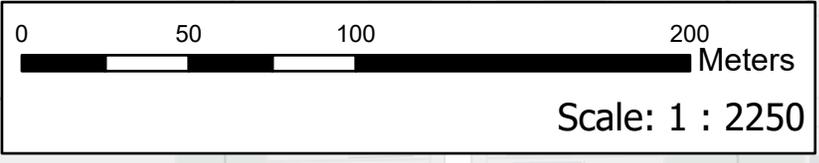


Smiling Creek Elementary School
 3456 Princeton Ave

Legend

-  General Voting Day Location
-  Election Sign Exclusion Zone



Esri Community M

N



Advance Voting Location only -
Centennial Pavilion
620 Poirier St 

Spruce Ave

Newport Street

Poirier Street

Ave

Foster Avenue

Foster Avenue

Berry Street

Poirier St

Poirier Street

Poirier Sport
Leisure Comp

v Ave

Winslow Avenue

Coquitlam Public
Library

Berry Street

Lemax
Avenue

Berry St

Centennial
Secondary

Legend

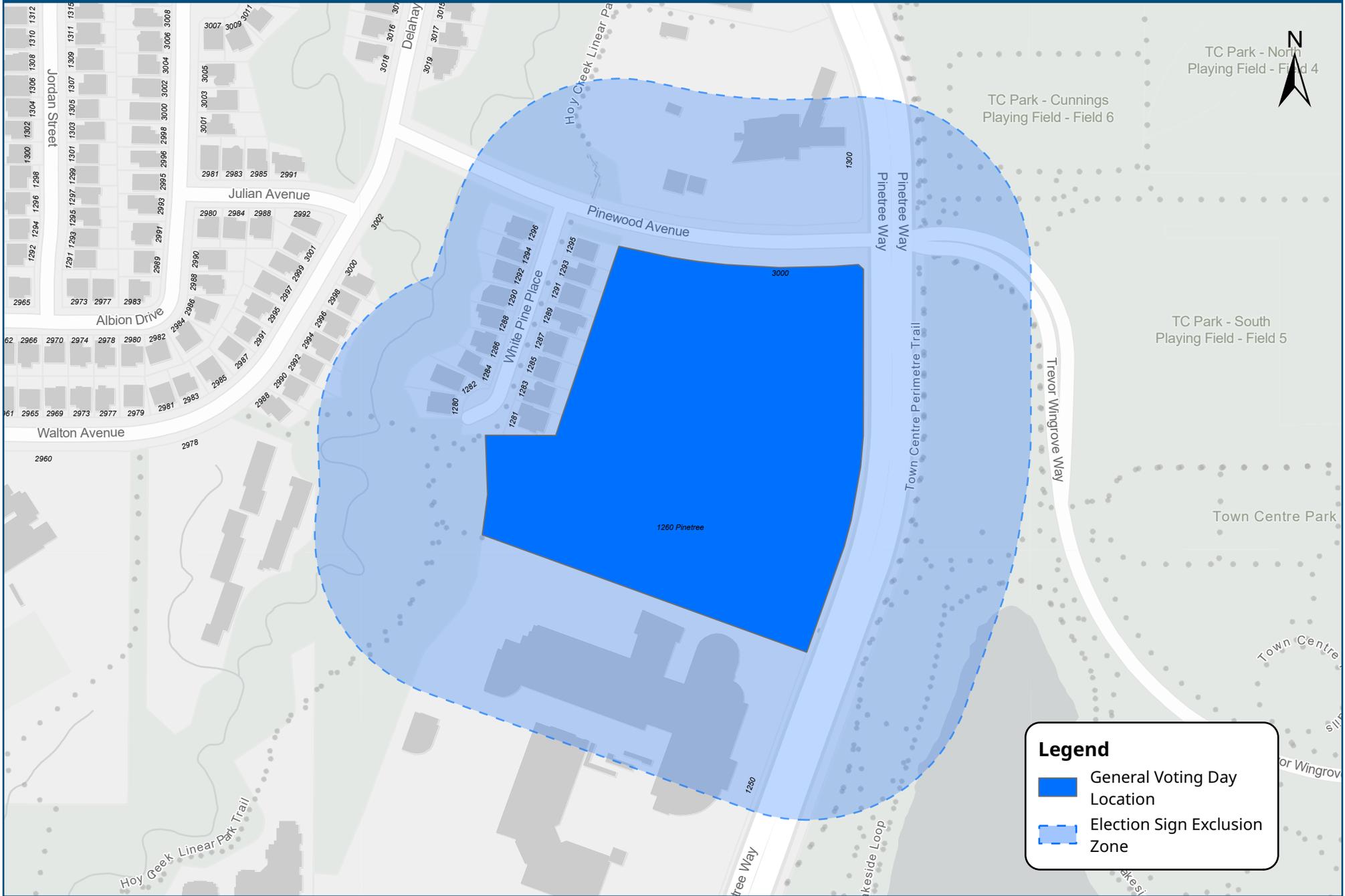
-  General Voting Day Location
-  Election Sign Exclusion Zone

0 50 100 200 Meters

Scale: 1 : 2500

Centennial

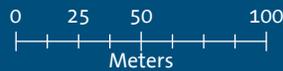
Advanced Voting Location only - Pinetree Community Centre (1260 Pinetree Way)



Legend

-  General Voting Day Location
-  Election Sign Exclusion Zone

Dec. 16, 2024



Coquitlam

West side of Coast Meridian Road, between Highland and Devonshire
(low signs only)



DEVONSHIRE AVENUE

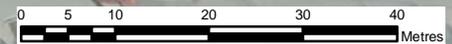


COAST MERIDIAN ROAD

HIGHLAND DRIVE

Legend

 Candidate Sign Locations



South side of David Avenue and east of Shaughnessy Street



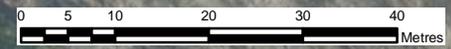
SHAUGHNESSY STREET

DAVID AVENUE



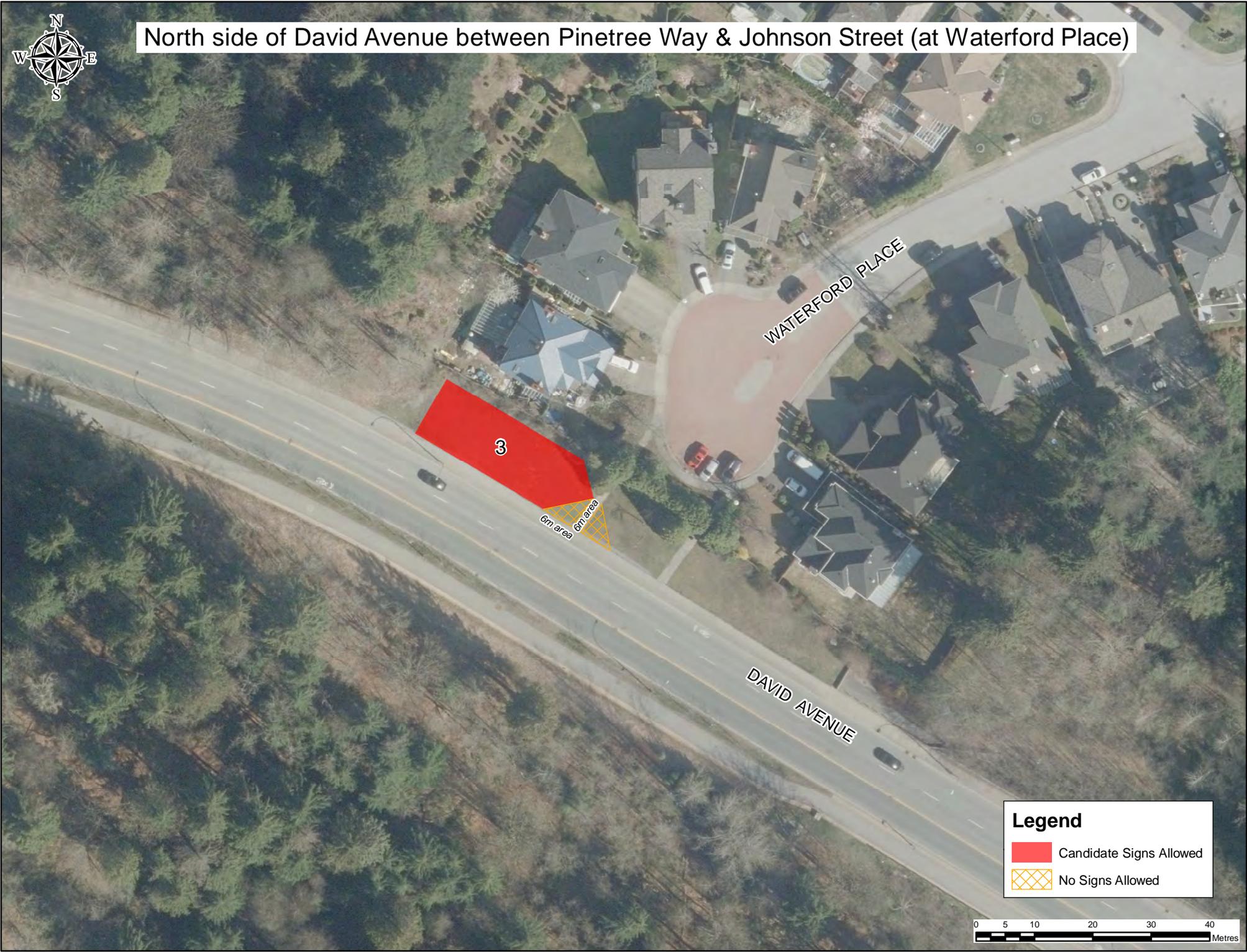
Legend

 Candidate Sign Locations





North side of David Avenue between Pinetree Way & Johnson Street (at Waterford Place)



Legend

- Candidate Signs Allowed
- No Signs Allowed

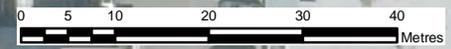


Southwest corner of Glen Drive and Johnson Street



Legend

 Candidate Signs Allowed





South side of Barnet Highway, East of Bond Street
(low signs only)



BARNET HIGHWAY

5

BOND STREET

Legend

 Candidate Signs Allowed

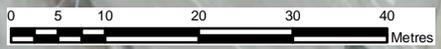


Southwest corner of Mariner Way and Dewdney Trunk Road

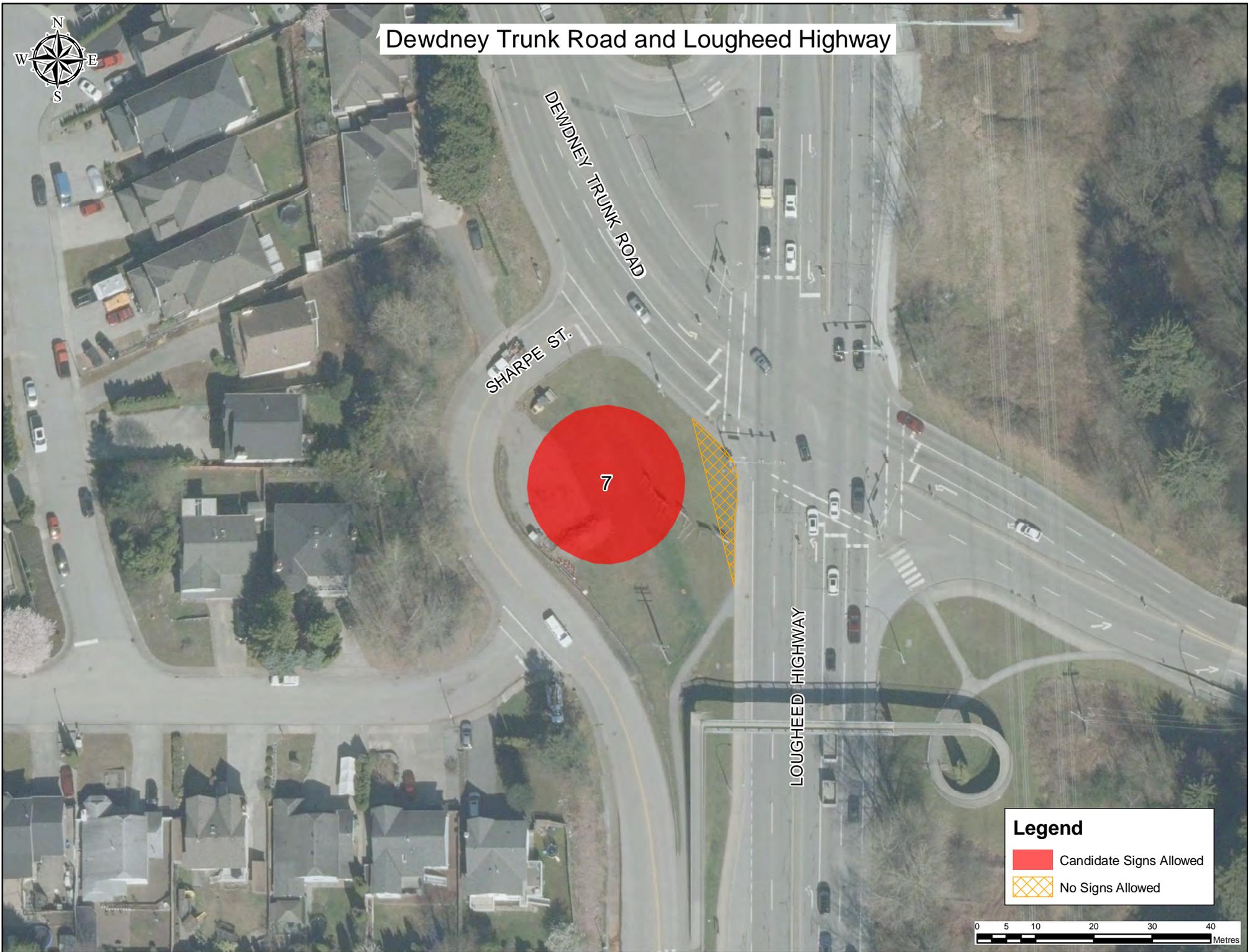


Legend

-  Candidate Signs Allowed
-  No Signs Allowed (due to sightline at crosswalk)

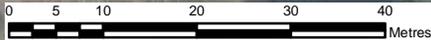


Dewdney Trunk Road and Lougheed Highway



Legend

-  Candidate Signs Allowed
-  No Signs Allowed

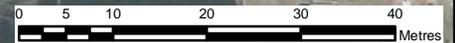


Northwest corner of Como Lake Avenue and Mariner Way



Legend

 Candidate Signs Allowed

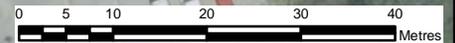


Lougheed Highway across from Colony Farm Road

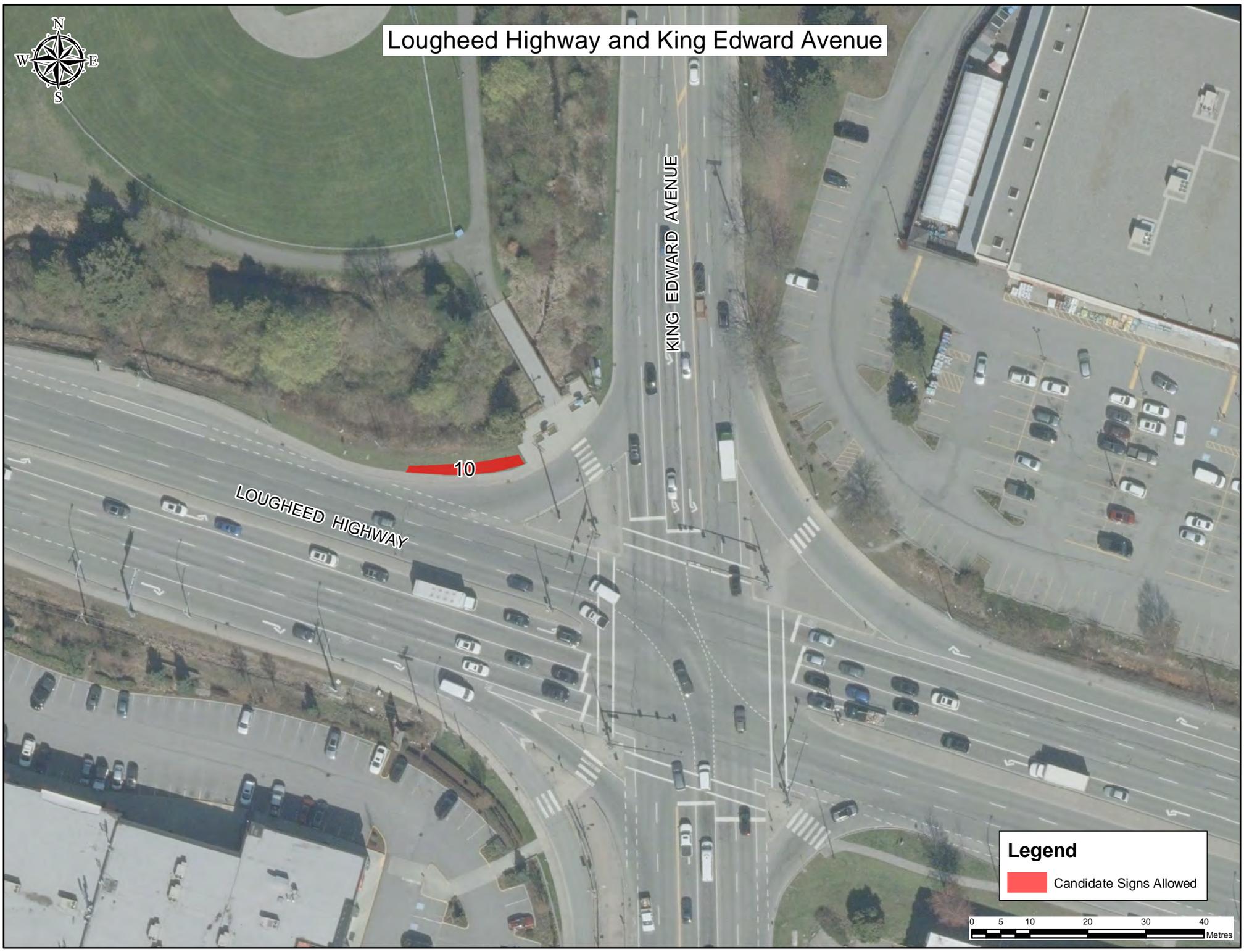


Legend

 Candidate Signs Allowed



Lougheed Highway and King Edward Avenue



10

LOUGHEED HIGHWAY

KING EDWARD AVENUE

Legend

 Candidate Signs Allowed

