



NOTICE TO BROADCASTERS AND PUBLISHERS

Broadcasters and publishers must follow advertising rules during the 2022 municipal election

This courtesy notice informs broadcasters and publishers of their obligations under the [Municipal Elections Act, 1996](#) (the “MEA”) if they broadcast or publish a candidate or third party advertisement during the upcoming municipal election being held on October 24, 2022.

For further information, contact the [Ministry of Municipal Affairs and Housing](#).

What is a registered third party advertiser?

A registered third party advertiser is an individual, corporation, or trade union that has registered with the clerk of the municipality in which they wish to advertise. Third party advertisers must register prior to incurring any expenses for the appearance of a third party advertisement, and must comply with requirements, including filing financial statements, spending, and contribution limits.

A candidate in the election cannot direct a third party advertiser.

What is a candidate advertisement?

A candidate advertisement is a message in any broadcast, print, electronic or other medium that a candidate purchases or directs to promote or support their election. Candidate advertisements must contain the following information:

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

What is a third party advertisement?

A third party advertisement is a message in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting, or opposing a candidate in the election, or a question on the ballot. Third party advertisements must contain the following information:

1. Name of the registered third party.
2. Municipality where the registered third party is registered.
3. Telephone number, mailing address, or email address at which the registered third party may be contacted regarding the advertisement.

This document is for reference only. For advice on obligations under the MEA, please consult independent legal counsel.

What are the legal obligations for broadcasters and publishers in the municipal election?

1. Broadcasters or publishers as third party advertisers

Broadcasters or publishers who wish to conduct third party advertising must register as a third party advertiser and follow the MEA's requirements.

2. Mandatory Information

Broadcasters and publishers shall not cause a candidate advertisement to appear until the candidate provides the following information in writing:

- a. Name of the candidate.
- b. Name, business address, and telephone number of the individual who deals with the broadcaster or publisher under the candidate's direction (including the candidate themselves).

Broadcasters and publishers shall not cause a third party advertisement to appear until the third party advertiser provides the following information in writing:

- a. Name of registered third party.
- b. Name, business address, and telephone number of the individual who deals with the broadcaster or publisher under the direction of the third party advertiser.
- c. The municipality where the registered third party is registered.

3. Maintaining records

Broadcasters and publishers must maintain records of the advertisement for four (4) years after the date it appears and the public must be allowed to inspect these records during normal business hours. These records must contain:

- a. The mandatory information described in section 2 above.
- b. A copy of the advertisement, or the means of reproducing it for inspection.
- c. A statement of charge made for its appearance.

List of candidates and registered third parties

A list of candidates and registered third party advertisers will be available on the election website of each municipality, or upon request from the Clerk of the municipality.