



## NOTICE TO BROADCASTERS AND PUBLISHERS

### Broadcasters and publishers must follow new advertising rules during the 2018 municipal election

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The municipal election for Grey County municipalities will take place on Monday, October 22, 2018.

This courtesy notice informs broadcasters and publishers of their new 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.

For further information, visit the Ministry of Municipal Affairs’ [Municipal Elections Act Review website](#) or contact the [Ministry of Municipal Affairs](#).

#### Definition of 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.

#### 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.

An election campaign advertisement purchased by or under the direction of a candidate shall identify the candidate.

#### 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 ‘yes’ or ‘no’ answer to a question on the ballot.

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*This document is for reference only. For advice on new obligations under the MEA respecting candidates and third party advertisers, please consult independent legal counsel.*

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.

### **Legal obligations for broadcasters and publishers in the municipal election**

The new requirements for broadcasters and publishers include:

#### **A. Broadcasters or publishers as registered 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.

#### **B. Mandatory Information**

A candidate must provide broadcasters and publishers with the following information in writing before the advertisement can appear:

1. Name of the candidate.
2. 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).

A registered third party advertiser must provide the following information to the broadcaster or publisher in writing before the third party advertisement appears:

1. Name of registered third party.
2. Name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the third party advertiser.
3. The municipality where the registered third party is registered.

#### **C. Maintaining records**

The broadcaster or publisher must maintain records of the advertisement for 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:

1. The mandatory information described above.
2. A copy of the advertisement, or the means of reproducing it for inspection.
3. 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.