

CAMPAIGN ORGANIZER AND ELECTOR ORGANIZATION GUIDE



**Local Elections
in British Columbia
2008**



**BRITISH
COLUMBIA**

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This guide may be photocopied.

NOTE: Although this guide was prepared to help campaign organizers and elector organizations understand the electoral process and legislation regarding local elections in British Columbia, each organization must refer to the *Local Government Act* and its regulations for specific interpretation and advice.

Campaign organizers and elector organizations in elections conducted by the City of Vancouver should refer to the *Vancouver Charter* and its regulations.

Introduction

This guide is designed to be a resource for anyone who is considering engaging in **campaign** activities in relation to a local government election.

The guide provides an overview of the election process in British Columbia and a summary of the steps needed to run a campaign in a local election supporting or opposing a **candidate** or an **elector organization**. This includes campaigns related to elections for a **municipal council**, a **regional district board**, a **local community commission** or the **Islands Trust Council**. For the purposes of this guide, they will be referred to collectively as local governments.

A separate guide, the *Candidate's Guide to Local Elections in British Columbia*, has been produced for individuals interested in seeking election or re-election to local government office.

The Candidate's Guide is available on the Ministry's website at:
www.cd.gov.bc.ca/lgd/gov_structure/library/local_elections_candidate_guide.pdf

For easy reference, the chapter titles of this guide follow those of the legislation whenever possible, and the relevant section numbers from the *Community Charter*, *Local Government Act* and *Vancouver Charter* are listed with each chapter title. Terms that are in **boldface** font are further explained in the Glossary.

The information in this document is meant only as a guide. Careful reference to the legislation should be made on all matters. The guide is not a substitute for the legislation.

If you have any questions about the material in this guide or if you would like more information about local government elections in general, please contact your local government office or:

Ministry of Community Development
Local Government Department
PO Box 9839 Stn. Prov. Govt.
Victoria, BC V8W 9T1
Phone: 250-387-4020

This guide is available on the Ministry's website at:
www.cd.gov.bc.ca/lgd/gov_structure/library/campaign_organizer_guide.pdf

Much of the information explained in this guide also applies to campaigns related to board of education trustee elections.

Copies of the *School Trustee Elections Procedures Guide*, are available on the Ministry of Education website at:
http://www.bced.gov.bc.ca/legislation/trustee_election/welcome.htm

For more information about becoming a school board trustee, please contact your local board of education, or call or write:

Ministry of Education
Governance and Legislation Branch
PO Box 9146 Stn. Prov. Govt.
Victoria, BC V8W 9H1
Phone: 250-356-1404

This guide does not cover every aspect of local elections. For specific provisions and additional details, please refer directly to the latest consolidation of statutes on the provincial government website:

Local Government Act http://www.qp.gov.bc.ca/statreg/stat/L/96323_00.htm
Vancouver Charter http://www.qp.gov.bc.ca/statreg/stat/V/vanch_00.htm
School Act http://www.qp.gov.bc.ca/statreg/stat/S/96412_00.htm

These Acts are also available in your local library or from:

Crown Publications Inc.
106 Ontario Street
Victoria, BC V8V 1M9
Phone: 250-386-4636
Fax: 250-386-0221
Toll Free: 1-877-747-4636

Local Elections Generally

Since 1990, **general local elections** for **mayors, councillors, electoral area directors** and Islands Trust **local trustees** in British Columbia have been held every three years. **General voting day** is the third Saturday in November.

Local governments have a dual role, acting as a political forum through which a local community can express its collective objectives, and providing services and programs to the community.

Local elections are the foundation of democratic local governments. In an election, residents and property owners determine the body of individuals who will make decisions on their behalf regarding the assortment of services they will receive, the level of taxation and fees collected to pay for those services, and the representation of their community to the rest of the world.

Key Participants

ELECTORS

Informed electors are fundamental to creating effective, accountable and democratic local governments. The electorate provides elected officials with considerable authority over their everyday lives through their support for certain **candidates**.

In British Columbia, the right to vote is conferred on two types of electors – **resident electors** and **non-resident property electors**. In both cases, an individual must be a Canadian citizen, 18 years of age, and a resident of British Columbia.

Resident electors must have lived within the jurisdiction where the election is to be held for 30 days before registering as an elector. Non-resident property electors must have owned property (solely or with other individuals) for 30 days before registering as an elector and live in another local government jurisdiction.

CANDIDATES

Following a **general local election**, considerable responsibility for the policies and activities of the local government is conferred on the **candidates** who are elected.

Any qualified elector who has not been legally barred from seeking or holding elected office may become a candidate if nominated by a sufficient number of electors from the jurisdiction. A person does not have to live or own property in the jurisdiction where they run for office. The number of nominators may vary from one local government to another, depending on the local election bylaw. The number of nominators is either 2, 10 or 25.

A person is not officially a candidate until they have submitted nomination papers before the close of the nomination period, and have been declared a candidate by the **Chief Election Officer**.

Endorsement of a candidate by a campaign organizer does not appear on the ballot.

CAMPAIGN ORGANIZERS

Campaign organizers are groups or individuals that create and implement local government election **campaigns** that augment the election campaign of one or more **candidates** or **elector organizations**. A campaign organizer may do this by promoting or opposing a candidate or an elector organization, or point of view. Endorsement of a candidate by a campaign organizer does not appear on the ballot.

Campaign organizers may be one or two individuals in a single community, or provincial or national organizations that are seeking to elect people in several jurisdictions simultaneously. Campaign organizers do not have to be incorporated as a company or a society.

Campaign finance requirements apply to campaign organizers, and all campaign organizers must appoint a financial agent who is responsible for ensuring compliance with these requirements.

ELECTOR ORGANIZATIONS

Elector organizations are formed for the purposes of directly promoting a **candidate** or a point of view in a local government election. Elector organizations are occasionally referred to as civic political parties, because they share some of the characteristics of provincial or federal political parties.

The name, abbreviation or acronym of the elector organization may appear on the ballot beside the names of candidates that the organization has endorsed. In order for the endorsement to appear on the ballot, an elector organization must have:

- existed as a group of self-identified individuals for at least 60 days before the endorsement; and
- had a membership of at least 50 people qualified to vote in the election for which the candidate is running throughout that period.

Elector organizations do not have to be incorporated as a company or a society. Campaign finance rules apply to elector organizations, and all elector organizations must appoint a financial agent who is responsible for ensuring compliance with legislation.

ELECTION OFFICIALS

Every local government is responsible for the election process within its jurisdiction, and its elected body appoints a **Chief Election Officer** and Deputy Chief Election Officer to administer the election at arms-length and in accordance with the legislation.

The Chief Election Officer is responsible for ensuring that, as much as possible, the election is conducted in accordance with the provincial legislation, regulations and local government bylaws. The Chief Election Officer is also responsible for the recruitment and training of election officials who will assist in conducting the election.

An election **campaign** is a connected series of actions designed to bring about a particular result. The desired result of an election campaign is the election of a particular **candidate** or group of candidates by the electorate.

Typically, an election campaign involves communicating with the electorate, through:

- public appearances;
- advertisements on television, radio, internet web sites or in newspapers and magazines;
- brochures, signs, posters, billboards;
- mailing inserts and newsletters; and
- displays, exhibitions.

In the context of local government elections, an election campaign may be undertaken by a candidate, a **campaign organizer** or an **elector organization**.

Each election campaign is distinguished by the individual or group of individuals giving direction to its operations. In the case of a candidate campaign, it is generally the candidate and their financial agent who direct the campaign. In the case of a campaign organizer or an elector organization, the structure of the organization will determine how decisions about the campaign will be made.

Campaign Organizers

A person or group becomes a **campaign organizer** when they engage in an election **campaign** that augments or operates in place of the campaign of a **candidate** or an **elector organization** in a local government election.

Campaign organizers may exist in a wide variety of circumstances, such as:

- organizations that could not meet the elector organization qualifications to have their endorsement appear on a ballot but still support the candidate through a campaign; or
- individuals and organizations that would be considered third-party advertisers in provincial elections or independent sponsors of election advertising in federal elections.

TAKING THE REINS

After a recent city council meeting, you decide that it is time for a change in leadership. You recruit people you think would be suitable for council, and build support for them in the community. You design and print posters, distribute flyers, and fundraise for their campaigns.

Although you are not a formal organization, you are engaged in election activities and are augmenting or operating in place of the election campaigns of the candidates you support. You are, therefore, a campaign organizer.

Participation in, or contribution to, an election campaign that is directed by another person or group does not make an individual a campaign organizer.

Organizations that lobby for specific policy objectives are not necessarily campaign organizers if their efforts remain general and are not intended to benefit or negatively affect particular candidates. However, an organization that is engaged in ongoing promotion of specific policy objectives may become a campaign organizer if it publicly endorses a candidate and begins to design its activities in conjunction with a candidate. Participation in, or contribution to, an election campaign that is directed by another person or group does not make an individual a campaign organizer.

MIXED MESSAGES

You belong to an organization that advocates for environmental issues. At election time, you publish advertisements in local newspapers and distribute pamphlets that encourage local residents to vote for candidates that support environmental issues. Because these activities are a continuation of a broader issue campaign, and because neither you nor your organization supported a specific candidate, neither you nor your organization meets the definition of a campaign organizer.

The situation would be different if your organization issued a press release endorsing one or more candidates and changes its advertising message to direct the public to vote for those candidates during the election. Even if the candidates have not sought the endorsement, these activities effectively augment the election campaigns run by the candidates and your organization would be considered a campaign organizer.

Not all individuals involved in a campaign are campaign organizers. For example, a person who agrees to have a lawn sign or volunteers to work for an election campaign that is already underway is a campaign supporter, and a person who provides goods or money to a campaign is a campaign contributor.

EXTRA! EXTRA!

Shortly after the declaration of candidates, the local newspaper ran an editorial critical of the incumbents and calling for a fresh perspective on council. With only two candidates for mayor – the current mayor and a new challenger – supporters of the mayor cry “Foul!” Hasn’t the newspaper just endorsed the challenger and become a campaign organizer?

Based on this single editorial, the answer is no.

Although the author of the editorial may be a campaign supporter, neither the author nor the newspaper is considered a campaign organizer as a result of this single action.

A week later, a series of advertisements appear in the same paper for five days in a row, also supporting the challenger with language that echoes the editorial. The mayor’s campaign manager is concerned. Surely now the newspaper has crossed the line and everyone sees that they are a campaign organizer!

Not so fast – the answer depends on who is orchestrating the ads.

If the newspaper was running ads with no control over the content and message, the newspaper would be considered a vendor of services or a campaign contributor, depending on whether full price was paid for the ad space. If the newspaper took the initiative, designing the content of the ads and placing them without consulting the challenger, the newspaper is beginning to implement a campaign that augments the challenger’s campaign... and is becoming a campaign organizer.

MEMBERSHIP

A **campaign organizer** is not obligated to maintain a membership base, although this might help with fundraising. Due to the broad range of situations, a campaign organizer may be comprised of a single individual, a group of individuals, a mixture of individuals and organizations, or a coalition of organizations.

As private entities, campaign organizers are responsible for the protection of any personal information they collect from their members. Under the *Personal Information Protection Act*, the campaign organizer must establish a policy regarding the use and disclosure of personal information and advise any prospective members of that policy prior to collecting their personal information.

STRUCTURE

Campaign organizers are free to adopt any decision-making model or organizational structure that provides a basis upon which the members collectively agree to the objectives of the election **campaign**. However, they must appoint a financial agent for the election campaign, and designate an official to represent the organization to the **Chief Election Officer**.

For organizations with local, regional or provincial affiliations, identifying the relative roles in decision-making will be key in determining how campaign finance records are kept and disclosures are reported.

CAMPAIGNS

In the case of a **campaign organizer**, an election **campaign** augments or operates in place of the election campaign of a **candidate** or **elector organization**. The election campaign includes any activities that:

- promote or oppose the election of a candidate;
- approve or disapprove of a course of action advocated by a candidate;
- promote or oppose an elector organization or campaign organizer or its program;
- approve or disapprove of a course of action advocated by an elector organization or campaign organizer; or
- promote or oppose the selection of a person to be endorsed by an elector organization.

Activities that are separate from these purposes may be undertaken by a campaign organizer but are not considered to be part of their election campaign, and therefore are not covered by the campaign financing disclosure rules.

There are no specific rules related to how a campaign endorsement decision is made or who may be involved in planning campaign activities.

An election campaign usually relates to one or more elections that are being conducted in a local government at the same time – for example, elections for **municipal council** and **school board**. However, a single election campaign could be active in multiple jurisdictions at the same time.

The primary intention of elector organizations is to have their endorsement of one or more candidates appear on the ballot.

CAMPAIGN FINANCE

Campaign finance rules apply to **campaign organizers** and their election **campaigns**. All campaign organizers must appoint a financial agent who is responsible for ensuring compliance with the campaign financing rules and for filing **campaign financing disclosure statements** in accordance with these rules.

Elector Organizations

An **elector organization** is typically formed to directly promote a **candidate** or a point of view in a local government election. Elector organizations are not the same as political parties, although they may share many of the same characteristics and may be referred to generally as civic parties. In some communities, elector organizations may be affiliated with provincial or federal political parties.

The primary intent of elector organizations is to have their endorsement of one or more candidates appear on the ballot. Elector organizations are only eligible to do this if they have demonstrated a broad base of electorate support by maintaining a membership of at least 50 eligible electors for at least 60 days before the endorsement. As a result, elector organizations will tend to have some degree of formal structure, although this may not always be the case.

MEMBERSHIP

While the legislation does not prescribe a format for collecting membership information, an **elector organization** should have sufficient information regarding its members to make a reasonable determination of which members are eligible electors in the jurisdiction where the election is being held. This would include, at a minimum, the names and addresses of the members, and for members who are **non-resident property electors**, the addresses of the property in relation to which they are eligible to vote.

In order to have their endorsement appear on a ballot, a representative of the elector organization is required to swear a **solemn declaration** indicating that for the 60 days prior to the endorsement the organization has had at least 50 members who are electors of the jurisdiction. Further information regarding what must appear on the solemn declaration is outlined in the chapter on Endorsements. An elector organization is not required to provide a list of its members to the **Chief Election Officer** upon making an endorsement, but may be required to provide the list if a **candidate's** nomination is challenged on the basis that the elector organization is not qualified to make an endorsement on the ballot.

As a private entity, an elector organization is subject to the *Personal Information Protection Act*. Under that Act, the elector organization must establish a policy regarding the use and disclosure of personal information and advise any prospective members of that policy prior to collecting their personal information.

STRUCTURE

Elector organizations are free to adopt any decision-making model or organizational structure as long as it provides a basis upon which the members collectively agree to endorse a **candidate** or slate of candidates. However they must appoint a financial agent for the election **campaign** and designate an official to represent the organization to the **Chief Election Officer**.

CAMPAIGNS

In the case of an **elector organization**, an election **campaign** may begin before an endorsement is made, and includes all activities that:

- promote or oppose the election of a **candidate**;
- approve or disapprove of a course of action advocated by a candidate;
- promote or oppose an elector organization or **campaign organizer** or its program; or
- approve or disapprove of a course of action advocated by an elector organization or campaign organizer.

Other activities may be undertaken by an elector organization, but are not considered part of their election campaign and are therefore not covered by the campaign financing disclosure requirements.

There are no specific rules related to how a campaign endorsement decision is made or who may be involved in planning campaign activities.

An elector organization's election campaign may be in relation to one or more positions to be elected in a local government at the same time. If an elector organization has sufficient qualified membership in more than one jurisdiction, it may run a separate campaign in each jurisdiction, and must report on the campaign finances in each jurisdiction. It is possible for a group that is an elector organization in one jurisdiction to be a campaign organizer in another, if the campaign activities support candidates in both jurisdictions, but the group only meets the requirements of an elector organization in one jurisdiction.

CAMPAIGN FINANCE

The campaign finance rules for candidate **campaigns** also apply to **elector organization** campaigns, and elector organizations must appoint a financial agent who is responsible for ensuring compliance with the campaign financing rules.

Campaign organizers cannot make a ballot endorsement.

A ballot endorsement, where a **candidate's** affiliation with an **elector organization** is noted beside their name on the ballot, is the only visible indication of elector organization support for a candidate that is permitted within a voting place. The eligibility and process for making a ballot endorsement are quite specific.

A ballot endorsement requires timely mutual consent on the part of the elector organization and the candidate. The endorsement may be decided in advance of the election, but must be submitted to the **Chief Election Officer** during the nomination period. The nomination period occurs between the 46th and 36th days before **general voting day**. The nomination period officially begins at 9 a.m. on the first day and ends at 4 p.m. on the last day. Notice of the nomination period will be advertised by the Chief Election Officer.

CHOOSING CANDIDATES

The process for selecting a **candidate** to endorse is unique to each **elector organization**. How the selection of candidates for endorsement occurs depends on factors such as the history of the organization, its central objectives, or its guiding principles. Although the legislation does not specify a method for selecting a candidate for endorsement, the selection should be sufficiently formal to allow a designated representative of the elector organization to make a **solemn declaration** indicating which candidate or candidates are being endorsed on behalf of the organization.

If an elector organization holds a nomination meeting to select candidates for endorsement, it is important to advise potential candidates that any expenses they incur in seeking the endorsement of the elector organization are considered **election expenses** and must be included in their **campaign financing disclosure statements**.

MAKING A BALLOT ENDORSEMENT

To endorse a **candidate**, or a slate of candidates, an **elector organization** must authorize its appointed official to make a **solemn declaration** of the endorsement. The solemn declaration must include the following:

- a statement that, to the best of their knowledge, information and belief of the official, the elector organization has:
 - been in existence for at least 60 days immediately before the date on which the solemn declaration is made,
 - throughout those 60 days, maintained a membership of at least 50 electors of the jurisdiction for which the election is being held, and
 - authorized the official to make the solemn declaration;
- the name of the candidate endorsed by the elector organization;
- the identifiers used by the elector organization, including its corporate name, if any, the usual name of the organization and any abbreviations, acronyms and other names used by the elector organization;
- a statement as to which name, abbreviation or acronym the elector organization wishes to have included on the ballot;
- the name of the director or other official responsible for the financial affairs of the elector organization; and
- the name of the president, chair or other chief official of the elector organization and an address and telephone number at which that person can be contacted.

This solemn declaration may be made in advance or taken by the **Chief Election Officer** when the candidate delivers their nomination papers. These forms may be available from the local government's Chief Election Officer.

A ballot endorsement is the only visible indication of elector organization support for a candidate that is permitted within a voting place.

CHOOSING A BALLOT ENDORSEMENT MARK

Elector organizations should take care when choosing the name, abbreviation or acronym that will mark their endorsement of **candidates** on the ballot.

The legislation does not permit the ballot to show any indication of a candidate's current or prior experience as an elected official, their occupation, or titles, honours, degrees or decorations received or held. This restriction extends to information contained in the endorsement mark of an elector organization.

While an elector organization may use the same mark of endorsement from one election to the next, a new elector organization should choose a mark that cannot be confused with the name, abbreviation or acronym of another elector organization whose endorsement of a candidate appeared on a ballot in a previous election or will appear in the upcoming election.

The **Chief Election Officer** is prohibited from allowing additional candidate information or marks of endorsement that may be confusing to the electors from appearing on the ballot.

CONSENT

Consent of the endorsed **candidate** is required before the **Chief Election Officer** may place the endorsement mark on the ballot. A candidate may only consent to endorsement by one **elector organization**. Each endorsed candidate should include a statement in their nomination papers that acknowledges the endorsement and confirms that they wish to have the endorsement of the elector organization included on the ballot. The nomination papers submitted by the candidate must be accompanied by the **solemn declaration** from the elector organization that the organization fulfils the requirements for endorsing a candidate.

At the end of the nomination period, the Chief Election Officer will officially declare all of the nominees who have met the requirements as candidates for the local government election. Should a candidate or elector organization reconsider the endorsement, the deadline for withdrawing the endorsement is 4 p.m. on the 29th day before **general voting day**.

An elector organization may withdraw its endorsement of a candidate by delivering to the Chief Election Officer a written withdrawal signed by an appointed official of the elector organization. It must be accompanied by a solemn declaration of the official signing the withdrawal that the elector organization has authorized the person to make the withdrawal. It is an election offence to claim that the ballot endorsement of an elector organization has been withdrawn unless a written withdrawal and solemn declaration have been submitted within this timeframe.

A candidate may withdraw their consent to the elector organization's endorsement by delivering a signed withdrawal to the Chief Election Officer by 4 p.m. on the 29th day before general voting day.

An elector organization may endorse more than one candidate, but a candidate may only be endorsed by one elector organization.

CHALLENGE OF BALLOT ENDORSEMENT

Once a **candidate's** nomination papers are delivered to the **Chief Election Officer** or designate, they are available for public inspection until 30 days after the declaration of the election results. If an elector of the jurisdiction, another candidate, or the Chief Election Officer believes the nomination documents to be incorrect – including the eligibility of an **elector organization** to make a ballot endorsement – then that person may challenge the nomination through an application to the Supreme Court.

The Chief Election Officer is obligated to challenge the elector organization named in the nomination documents if the organization is identified on the list of organizations that are disqualified from endorsing a candidate for failure to file **campaign financing disclosure statement** in a previous election.

The Court will only accept an application within four days after the end of the nomination period. This application must briefly set out the facts on which the challenge is based and be supported by affidavit. A time will be set for the Court to hear the challenge and make a ruling, which may occur no later than 4 p.m. on the seventh day after the end of the nomination period. The decision of the Court on a challenge is final and may not be appealed.

A candidate whose nomination is challenged is entitled to immediate notification of the challenge, of the date and time of the hearing, and should receive a copy of the application documents submitted to the Court within 24 hours. Elector organizations are not entitled to separate notification.

Campaign organizers and **elector organizations** must appoint individuals to take responsibility for running an election **campaign**. Specifically, campaign organizers and elector organizations need to identify a chief official, and a financial agent; these roles may be filled by the same person. Elector organizations and campaign organizers do not have official standing in a voting place and are not entitled to appoint scrutineers. Only a **candidate** can appoint a scrutineer.

- **President, Chair or Other Chief Official**

A chief official may act on behalf of the **campaign organizer** or **elector organization** throughout the election process – for example, as a contact for the **Chief Election Officer**, as a campaign manager, or as a spokesperson.

The chief official will be required to sign several documents on behalf of the campaign organizer or elector organization. This person is required to sign the appointment letter of the financial agent on behalf of the organization, and in the case of an elector organization, may be required to make the **solemn declarations** attesting to the endorsement of **candidates**.

The chief official may also act as the financial agent, although it is important to note that if the chief official is not the financial agent, he or she has no authority to accept contributions or incur expenses except as directed by the financial agent.

- **Financial Agent**

The financial agent is legally responsible for ensuring that the financial aspects of the **campaign** comply with the requirements of the legislation. The specific responsibilities of the financial agent are outlined in the chapter on Campaign Financing.

A **candidate**, **campaign organizer** or **elector organization** may only have one financial agent at any one time, but an individual can be a financial agent for more than one campaign. This means that a financial agent for a campaign organizer or elector organization may also be appointed as the financial agent for the campaigns of the candidates endorsed by the organization. If this is the case, the financial agent will need to be very clear about the campaign to which each financial transaction relates.

The responsibilities of the financial agent position are considerable, and the financial agent should be someone who has some knowledge of accounting or bookkeeping practices. It is also important to ensure that the financial agent's role in the campaign will not be perceived as inappropriate or otherwise place them in conflict with their business or other interests.

The person appointed as a financial agent must understand the responsibilities and consent to take the position – failure to comply with the campaign finance rules could result in a fine of up to \$5,000 for the primary organizers of the group or the financial agent, and disqualification of the campaign organizer or elector organization from campaigning until after the next general local election.

An individual who is acting as a campaign organizer is deemed to be their own financial agent until another person is appointed to fill that role.

A financial agent must be appointed before any **campaign contributions** may be accepted or any **election expenses** may be incurred. The appointment of a financial agent must be made in writing and signed by an authorized official of the campaign organizer or elector organization and include the name and address of the person appointed.

The appointment of a financial agent by a campaign organizer does not need to be delivered to the **Chief Election Officer**, or designate, until its campaign contributions or election expenses exceed \$500.

The appointment of a financial agent by an elector organization must be delivered to the Chief Election Officer, or designate, as soon as reasonably possible after the appointment is made or the Chief Election Officer is appointed by the local government.

Notifying the Chief Election Officer

Campaign organizers and **elector organizations** must notify the **Chief Election Officer** of their existence and provide contact and identifying information for their official representatives.

Specifically, the Chief Election Officer must be provided with:

- the legal name of the campaign organizer or elector organization, if one exists;
- the usual name of the campaign organizer or elector organization, if this is different from its legal name, and any abbreviations, acronyms and other names used;
- the name of the financial agent and the campaign organizer or elector organization and address and telephone number at which the financial agent can be contacted;
- the name of the president, chair or other chief official of the campaign organizer or elector organization and an address and telephone number at which that person can be contacted; and
- the name of the director or other official responsible for the general financial affairs of the campaign organizer or elector organization, if one exists.

A campaign organizer must deliver this information as soon as reasonably possible after its **campaign contributions** or **election expenses** exceed \$500.

An elector organization must deliver this information to the Chief Election Officer as soon as reasonably possible after it becomes an elector organization.

If either of these events occurs before the Chief Election Officer has been appointed, the information must be provided as soon as the local government appoints a Chief Election Officer.

Election Campaigns

Campaign organizers and **elector organizations** developing election **campaigns** should be aware of the restrictions that may apply to campaigning. There may also be resources available to assist with campaigning.

List of Registered Electors

Each **candidate** is entitled to a copy of a list of registered electors – if one exists – for **campaign** purposes only. If the local government only permits registration on voting day, then a list of registered electors will not be available. **Campaign organizers** and **elector organizations** are not entitled to receive a copy of the list from the local government.

Before receiving a copy of a list of registered electors, a candidate must agree, in writing, that the information provided on the list will only be used for the purposes of the election. For example, the list may be used in the development of a candidate's voter identification strategy and to mail information about the candidate or campaign. The list must not be used to solicit money for a charity or solicit support or contributions for a subsequent political campaign or for other purposes.

The list of registered electors contains personal information regarding registered electors, and it is incumbent upon any person using the list in relation to an election campaign to treat this information with respect. The local government may ask the candidate to return or confidentially destroy all copies of the list following the election, and attest to the security of the list during their campaign.

A candidate who is working closely with a campaign organizer or elector organization may allow their copy of the list of registered electors to be used for by the campaign organizer or elector organization. A campaign organizer or elector organization that comes into possession of a copy of the list of registered electors may only use it for election campaigning in the local election for which it was issued.

Canvassing

• Door to door

Candidates and campaign **volunteers** often canvass door to door in order to raise awareness of the candidate, or the **campaign organizer** or **elector organization**, to determine the level of elector support, and to determine which issues are of importance to electors.

• Phone banks

Some **campaigns** establish phone banks where campaign **volunteers** call electors to raise awareness of a **candidate**, a **campaign organizer** or an **elector organization**, to determine the level of support, and to determine which issues are of importance to electors. Some campaigns employ a marketing or communications company to provide a similar service.

Another common purpose of a phone bank, particularly on voting day, is to remind potential voters to attend the voting place. Some campaigns, in an effort to make attending the voting place as easy as possible, offer free transportation; however, to avoid any allegations of intimidation or inducing electors to vote for a candidate, it must be clear that the person accepting transportation is not obligated to vote for or against any particular candidate.

Campaign organizers and elector organizations are not entitled to receive a copy of the list of registered electors from the local government.

Events

- **All-candidate meetings**

Local governments, community groups and local media often provide opportunities for all **candidates** to convey their **campaign** messages to the electorate and to offer opportunities for electors to question candidates. The local media may be aware of public debates or all-candidates meetings that are being organized. Local governments are not obligated to organize or supervise these events.

Advertising

- **Free Advertising Opportunities**

Local governments, community groups and local media often provide opportunities for all **candidates** to convey their **campaign** messages to the electorate.

Candidates, **campaign organizers**, and **elector organizations** should be aware that, there is a prohibition against print, radio or television election advertising by any person or organization on **general voting day**. Candidates, campaign organizers, elector organizations or individuals must not purchase advertising to appear in these media on voting day, nor may they accept supportive advertising purchased or donated by another party to appear in these media on voting day as a **campaign contribution**.

- **Signs**

Be aware that local governments have the authority to regulate the size, placement, maintenance and removal of signs and other forms of public advertising, and that the rules may be quite different on either side of a local government boundary.

The Ministry of Transportation and Infrastructure is responsible for the regulation of signs along Provincial highways. In some instances, it is easy to identify a road that has been designated as a Provincial highway, and in other cases it is not. If you are uncertain, check with the local government or the local Ministry of Transportation and Infrastructure office before placing signs on medians, bridges or along major roads.

Campaigning Offences

Campaign organizers, **elector organizations** and individuals working on behalf of their **campaigns**, must be careful not to appear to be offering inducements or intimidating electors in order to influence or interfere with their votes, especially on voting day. These are serious election offences and may result in fines of up to \$10,000 and/or imprisonment for up to two years, if convicted. A person convicted of this type of offence can also be disqualified from holding local office anywhere in the province.

It is important for the individuals who hold positions of responsibility with a campaign organizer or elector organization to be aware that they are responsible for the election campaign activities of their members. Those individuals holding positions of responsibility may be liable for election offences committed by campaign **volunteers** or paid workers that they knowingly condoned or failed to prevent from occurring.

- **Campaigning Near a Voting Place**

In order to create an environment in which all voters can feel free to vote for the **candidate** of their choice, campaigning and other activities that show support for one candidate over another are prohibited within 100 metres of any voting place.

During **advance voting** and **general voting** hours (8 a.m. – 8 p.m.), election advertising by means of a public address system or a loudspeaker is not permitted within hearing distance of the voting place.

Candidates, and their supporters, must not canvas, solicit votes or advertise within 100 metres of any place where general or advance voting is taking place. Advertising includes the display of signs, posters, flyers, bumper stickers on vehicles parked outside the voting place and badges worn by supporters.

- **Vote Buying**

It is an offence to offer inducements to vote in a particular manner or at all. Vote buying includes offers of money, gifts, valuable consideration, refreshment, entertainment, employment or any other benefit that rewards a person for voting, or not voting, in the manner suggested.

Examples of such contraventions might include buying coffee for patrons of a coffee shop or volunteering to drive individuals to a voting place in exchange for their votes. These activities themselves are not prohibited, but in order to be acceptable, the offer must not create an obligation on the elector, whether overt or implied, to vote in a particular way.

- **Intimidation**

It is an offence to intimidate an elector, whether by action or threat, to compel the person to vote or to refrain from voting. It is also an offence to punish a person for voting or refraining from voting generally, or voting in support of a particular **candidate**, or otherwise coercing an elector.

Campaign workers must take care not to offer money, gifts, valuable consideration, refreshments, entertainment, office placement, employment or any other benefit of any kind to an elector, as an inducement to vote in a particular way.

Campaign financing disclosure rules exist to provide British Columbians with information about who is financially supporting each **candidate** and how much candidates and their supporters spent in pursuit of local elected office. This information can only be used for such purposes as determining whether an application could be made to the Courts for a conflict of interest or disqualification from office, if elected.

Candidates, **campaign organizers** and **elector organizations** endorsing candidates, are required to make public an account of the **campaign contributions** they received and **election expenses** they incurred in the form of a **campaign financing disclosure statement** filed with the local government. This disclosure statement must be filed within 120 days after **general voting day**.

This requirement applies to all nominees who are declared candidates at the end of the nomination period, to all elector organizations, and to all campaign organizers that raise or spend \$500 or more. There are no exceptions to this requirement – it does not matter how many candidates were endorsed or how successful those candidates were in the election.

The financial agent and principal directors of an elector organization that spent nothing on its **campaign** activities, or a campaign organizer that failed to elect an endorsed candidate, are still legally bound to file a campaign financing disclosure statement.

Public Inspection

The local government is required to retain all **campaign financing disclosure statements** and supplementary reports for seven years after **general voting day**, and to make these documents available to any member of the public who wishes to inspect them. At a minimum, the documents must be available at the local government offices during regular business hours. Some local governments may also make the documents available in other locations or by other means, such as on their website.

Local government officers are not responsible for ensuring that campaign financing disclosure statements are filed on time or that they are correct – the accuracy and timeliness of this document is the responsibility of the principal directors of the **campaign organizer** or **elector organization**, and the financial agent.

Recording Before Disclosing

Fulfilling the requirements related to the **campaign financing disclosure statement** is a two-stage process.

1. The financial agents for potential candidates, campaign organizers and elector organizations must record campaign contributions and election expenses throughout their campaigns.
2. The financial agents for declared candidates, campaign organizers that receive or spend more than \$500, and all elector organizations must disclose campaign contributions and election expenses.

The **campaign finance records** are needed to prepare, and support, the campaign financing disclosure statement. As soon as contributions are accepted or expenses are incurred with the intention of running an election **campaign**, record keeping must begin - even if a contribution or expense occurs before a **campaign organizer**

has raised \$500 and the group is legally required to file a campaign financing disclosure statement or before an **elector organization** has made an endorsement. Good record keeping will ensure that the campaign organizer or elector organization is able to file a complete and accurate campaign financing disclosure statement after the campaign has ended.

Record keeping must continue after **general voting day**, and include any contributions received or expenses incurred after the election that are reasonably related to the election campaign. This includes transactions for any activity that:

- promote or oppose the election of a candidate;
- approve or disapprove of a course of action advocated by a candidate;
- promote or oppose an elector organization or campaign organizer or its program; or
- approve or disapprove of a course of action advocated by an elector organization or campaign organizer.

In addition, a campaign organizer must include contributions and expenses related to activities that promote or oppose the selection of a person to be endorsed by an elector organization. Similarly, the candidate must include contributions they receive or expenses they make in their bid to be endorsed by an elector organization, even if their bid is unsuccessful.

The financial agent, candidate, campaign organizer or elector organization must keep the campaign finance records required under the legislation for seven years after general voting day. Throughout this period, the campaign financing disclosure statement based on these records will be available for public inspection from the local government.

Financial Agent Responsibilities

Each election **campaign** must have a financial agent, whether it is the campaign of an individual **candidate**, or an **elector organization** endorsing one or more candidates, or of a **campaign organizer**.

The specific responsibilities of the financial agent are to:

- open a **campaign account** at a savings institution;
- receive **campaign contributions** and pay **election expenses** on behalf of the election campaign;
- ensure that all contributions of money are deposited into the campaign account and that all election expenditures are made from the campaign account;
- keep proper records of all campaign contributions and election expenses;
- assign a value to and record contributions of goods and services; and
- file a **campaign financing disclosure statement** with the local government.

Only the financial agent may accept campaign contributions or pay election expenses, or authorize other individuals to do so.

Only the financial agent, or those authorized by the financial agent, may accept campaign contributions or pay election expenses.

A personal bank account must not be used for campaign funds; the account must be in the name of the campaign.

Campaign Accounts

Financial agents must open a **campaign account**, in the name of each election **campaign** for which they are responsible, at a bank, credit union, trust company, or other savings institution. The campaign account must be in the name of the election campaign of the **candidate, campaign organizer or elector organization**, as applicable, and must be used exclusively for the purposes of that election campaign. A personal bank account must not be used for campaign funds; the account must be in the name of the campaign. A “sub-account” created for an election campaign, and in the name of the campaign, by an campaign organizer or elector organization that holds a primary account with that financial institution is acceptable, provided that a cheque made out to or on behalf of the election campaign would be accepted by another institution and the account is under the care and control of the financial agent. A “sub-account” with an institution that requires a “primary” or “membership” account is acceptable as long as it has a distinct account number.

All campaign-related monetary transactions must be made to and from this account.

The very latest time that a campaign account may be opened is:

- before an **election expense** that is expected to be paid from money available to the election campaign is incurred; or
- as soon as practicable after the financial agent receives a monetary **campaign contribution**.

The campaign account must be set up before any materials or services are ordered, even if payment is not immediately required.

Campaign Contributions

A **campaign contribution** is the value of any money, good or service provided to a **candidate, elector organization or campaign organizer** for use in an election **campaign**.

There are no campaign contribution limits or timeframes within which contributions may be accepted – a contribution can be received before or after the official declaration of candidates or even after voting day. Regardless of the timing or amount, the financial agent must record all contributions accepted toward the election campaign.

OFF AND RUNNING

Last October, more than a year before the general local election, Judy Carr and Harry Tudor got together and decided to recruit and campaign on behalf of several candidates for Town Council who shared their views on various issues. Marjorie Simpson heard what they were doing, and took Harry aside at the November council meeting to voice her support. She insisted that Harry accept a donation of \$100, saying that she wanted to jump-start the campaign. Even though the candidates had not yet been nominated and campaign activities had not yet started, Marjorie’s contribution must be recorded by Judy and Harry, who are acting as a campaign organizer. They must record the contribution and open an account in a savings institution as soon as practicable after receiving the \$100. If they eventually receive or spend more than \$500, Judy and Harry must file a campaign financing disclosure statement.

Contributions made to a candidate, campaign organizer or elector organization in a local government election do not qualify as a deduction for income tax purposes.

TYPES OF CONTRIBUTIONS

• Monetary contributions

Monetary contributions are those funds that could be deposited into the **campaign account** and may be provided generally or for a specific purpose, such as to pay down a debt incurred during the course of the **campaign** or as **election expenses** are incurred.

Monetary contributions may be money from the primary organizers of the campaign, or from known or unknown donors. Regardless of the source, a monetary **campaign contribution** must be deposited in the campaign account and recorded.

• In-kind contributions

Many people prefer to donate goods or services instead of money. These are known as “in-kind contributions” and must first be assigned a fair market value, then recorded and disclosed in the same way as monetary contributions.

In-kind contributions are recorded as **campaign contributions** because they have been given for use in the **campaign**; but they are also recorded as **election expenses** because they are used in the election campaign.

For the purposes of determining the value of a donated or discounted good or service, the value of an election expense is the fair market value of the good or service. If the market value is greater than the price your financial agent actually paid, the difference is the corresponding campaign contribution.

MARKET VALUE	-	PRICE PAID	=	CAMPAIGN CONTRIBUTION
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IN KINDNESS

A campaign organizer or elector organization has purchased office supplies at Brock Carr Office Supplies, where one of the owners applies a generous discount to the bill. If the office supplies would typically have cost \$50, and the business gave a 50% discount, the calculation of the campaign contribution would look like this:

MARKET VALUE (ELECTION EXPENSE)	-	PRICE PAID	=	CAMPAIGN CONTRIBUTION
\$50	-	\$25	=	\$25

Martin LeBlanc makes his living as a communications professional. The campaign manager for an elector organization asks Martin to help the campaign spokesperson prepare for a newspaper interview as a favour. Typically, Martin would charge \$100 for the three hours he spends with the spokesperson but agrees not to charge for the service. The calculation of the campaign contribution from Martin would look like this:

MARKET VALUE (ELECTION EXPENSE)	-	PRICE PAID	=	CAMPAIGN CONTRIBUTION
\$100	-	\$0	=	\$100

There are no campaign contribution limits or timeframes within which contributions may be accepted.

A local union cost-shares a phone bank with its Provincial affiliate. As the election approaches, the local executive agrees to include campaign messaging when they contact their members in October. Including the local union share of the facility rental, phone lines and other overhead, the average cost per completed call to the local is \$1.25. The phone bank contacted 300 union members on behalf of the election campaign. The calculation of the campaign contribution from the union would look like this:

MARKET VALUE (ELECTION EXPENSE)	-	PRICE PAID	=	CAMPAIGN CONTRIBUTION
\$375	-	\$0	=	\$375

For a limited range of donated services, outlined in the section on Valuation Exempt Services, no price is assigned, and no contribution is recorded.

VALUATION EXEMPT SERVICES

Certain services are not assigned a monetary value under the **campaign** finance provisions. These include services provided by the financial agent or professional services provided to comply with the campaign finance rules, free advertising space provided equally to all **candidates** or campaigns, and **volunteer** services.

The time spent by volunteer campaign workers, does not need to be disclosed in the campaign financing disclosure statement, and is therefore not recorded. The following services are not considered volunteer services and must be valued and disclosed:

- when a self-employed person provides you with the same service for which they would normally charge; or
- when an employer makes the services of an employee available at the employer's expense.

Although volunteer services are not recorded or disclosed, any expenses incurred by volunteers on behalf of the campaign must be valued and recorded as an expense and either reimbursed or valued and recorded as a contribution by the volunteer.

RESTRICTIONS ON CAMPAIGN CONTRIBUTIONS

There are a number of restrictions on how **campaign contributions** may be received. Be aware that violating these restrictions is a serious election offence and may result in a prohibition from holding local elected office or voting in a local election for up to six years, fines of up to \$5,000, and imprisonment.

• Receiving contributions

Contributions may only be accepted by the financial agent or a person authorized by the financial agent. A **campaign** manager or campaign worker must direct potential contributors to the financial agent or a person who has been explicitly authorized to accept contributions by the financial agent.

• Anonymous contributions

An individual or organization must not make an anonymous contribution of more than \$50, either as a single contribution or as a series of contributions. If an anonymous contribution of more than \$50 is received, it cannot be accepted and, because its origins are unknown, must be given to the local government.

PRECIOUS METALS

The office manager arrives at the campaign office one morning to find a jar of coins on the doorstep with an unsigned note.

When counted, the coins add up to \$50.17. Some great publicity is had when a local columnist writes a story about the unknown soul who gave the campaign this gift, but after a reasonable period of time no one has come forward to claim the jar as their contribution to the campaign.

Because the total exceeds \$50 and the source is unknown, the entire contents of the jar must be turned over to the local government, not just the 17¢ in excess of the \$50.

A contribution is not really anonymous if anyone associated with the **campaign** knows who gave it. A donor cannot request that their contribution be anonymous. If the source of an anonymous contribution is or becomes known, the identity of the individual or organization making the **campaign contribution** must be recorded as soon as possible. The names of the donors who contributed less than \$100 do not need to be disclosed in the **campaign financing disclosure statement**, but information about the contribution must be recorded in order to calculate the total contributions from that donor when the disclosure statement is prepared.

- **Indirect contributions**

Indirect contributions – where contributions are given to the **campaign** specifically through another person or organization – are not permitted.

It is illegal to give money to an organization or individual with the intention that the money will be redistributed as contributions to one or more **candidates**. This is the case even if the person contributing to the organization does not know which candidate will get the money in the end.

If this kind of “funneling” of funds does occur, the individuals and organizations making the contributions – and a financial agent who knowingly accepted the funnelled contribution – will have committed an election offence and may face penalties upon conviction.

Contributions to Settle Campaign Debts

If after voting day a **candidate, elector organization** or **campaign organizer** has spent more money on the election **campaign** than received in contributions, they must use contributions received to pay down the campaign debt. All funds given to the candidate, campaign organizer or elector organization for the purpose of paying off principal or financing charges must be recorded as contributions to the campaign during which the debt was incurred, and must be disclosed.

The restrictions on **campaign contributions** also apply to debt repayment fundraising.

As with campaign contributions, there is no limit for campaign spending.

A debt cannot be anonymously paid by a supporter – if this occurs, it is an anonymous contribution and must be given to the local government, even if this would require the campaign to raise an additional amount to make the outstanding payment.

A campaign organizer or elector organization also must be careful not to accept debt repayment support through a third party, as this would be an indirect contribution, which is an election offence.

It is possible to receive contributions to the repayment of previous campaign debts during the same time period as contributions to an upcoming campaign. The financial agent must be clear with the contributor which campaign the funds are intended to support, and ensure that the records of the two campaigns remain separate.

Election Expenses

An **election expense** is the value of property, goods or services used in an election **campaign**. This includes both expressly authorized purchases made by campaign workers, such as a trip to the office supply store with petty cash, and private goods used in the campaign, such as the gas used by a **volunteer** driving a personal vehicle to run the errand for the campaign.

Election expenses may include, but are not limited to, the following classes of goods or services:

- campaign advertising or other communication;
- operating a campaign office;
- holding or attending conventions and similar meetings, or other campaign-related functions or events;
- research and opinion polling; and
- campaign-related transportation.

The value of an expense is not simply the cash price paid for a good or service, but rather is the fair market value of the good or service. For a limited range of donated services, outlined in the section on Valuation Exempt Services, a price is not assigned and an expense need not be recorded.

In relation to a **general local election**, all election expenses incurred during the calendar year in which the election is held must be recorded and disclosed. In relation to a **by-election**, all election expenses incurred after the date of the vacancy for which the election is being held must be recorded and disclosed. As with **campaign contributions**, there is no limit for campaign spending.

Only the financial agent, or a person authorized by the financial agent, may incur election expenses on behalf of the campaign, and the financial agent must record all election expenses. Any money required to pay for campaign-related expenses must come from the **campaign account**.

DESIGNING A CAMPAIGN

A local graphic designer has agreed to donate four hours of his time to designing and creating posters for an elector organization and only charges the organization for the supplies.

If the designer is a professional, he might charge \$60 per hour for his time and \$50 in materials to produce the posters. The value of the election expense would be his normal rate for the time plus the cost of the posters, or \$290. The cash transaction would cost \$50, paid from the campaign account, and the value of the campaign contribution would be \$240 for his donated services.

	MARKET VALUE (ELECTION EXPENSE)	-	PRICE PAID	=	CAMPAIGN CONTRIBUTION
Design Service	\$290	-	\$50	=	\$240

If the designer is an art student at the local college who designs and creates the posters for the elector organization using his own art supplies, he might estimate the cost of materials at \$30. As he is not a professional graphic designer, he is considered a volunteer and his time is not assigned an equivalent monetary value. In this case, the election expense would be limited to the \$30 toward the cost of supplies. Unless he is reimbursed from the campaign account, the \$30 would have to be recorded as a campaign contribution.

OUT AND ABOUT

Hearing that the campaign needs some help putting up campaign posters around town, a business supporter rounds up three co-workers to help. They first spend an hour printing and organizing the posters, and mapping out their route, and then spend another two hours driving around in the supporter's truck posting them. When they get back to the office, the supporter estimates that the quarter tank of gas they used would normally cost him \$35, but says not to worry about reimbursing him for the gas. The financial agent takes them out for lunch in appreciation for their work.

Three types of election expenses have been incurred: the posters (\$100 for printing), the transportation (\$35 for gas), and the food (\$50 for lunch). Assuming that full price was paid for the sign materials and food, the campaign contribution would be limited to \$35 for the gas.

	MARKET VALUE (ELECTION EXPENSE)	-	PRICE PAID	=	CAMPAIGN CONTRIBUTION
Poster printing	\$100	-	\$100	=	\$0
Labour (poster placement)	No value assigned	-	\$0	=	\$0
Transportation (gas)	\$35	-	\$0	=	\$35
Food	\$50	-	\$50	=	\$0

Things might be different if the supporter is the owner of the business where all four people work. If the other three are his employees and are paid by him for the three hours spent working on the campaign, their wages for those three hours must be recorded as a election expense (related to the posters) and as a campaign contribution from the company. Similarly, if the truck is owned by the company and the gas tank filled on the company account, when the supporter says, "don't worry about it", a campaign contribution must be recorded showing the company as the contributor.

	MARKET VALUE (ELECTION EXPENSE)	-	PRICE PAID	=	CAMPAIGN CONTRIBUTION
Poster printing	\$100	-	\$100	=	\$0
Labour (poster placement)	\$180	-	\$0	=	\$180
Transportation (gas)	\$35	-	\$0	=	\$35
Food	\$50	-	\$50	=	\$0

LABOUR OF LOVE

One of the candidates a campaign organizer is supporting informs the financial agent that, under a policy of her union, when running for elected office she is automatically entitled to assistance designing the layout of campaign pamphlets and to 500 free copies of those pamphlets from the union. In order to access this support, she needs to provide the final text for the pamphlet, within the specified word limit. Design services are provided for three hours, and would normally cost \$30 per hour, and printing would normally cost \$.10 per copy. The calculation of this campaign contribution from the union would look like this:

	MARKET VALUE (ELECTION EXPENSE)	-	PRICE PAID	=	CAMPAIGN CONTRIBUTION
Design services	\$90	-	\$0	=	\$90
Printing	\$50	-	\$0	=	\$50

Recording Contributions and Expenses

For further clarification, see the sample record keeping form and the sample **campaign financing disclosure statement** at the back of this guide.

CONTRIBUTIONS

The financial agent is required, at a minimum, to record the following information about each **campaign contribution**:

- type of contribution (monetary or in-kind);
- date of the campaign contribution;
- the value of the campaign contribution; and
- if the contributor is known:
 - the contributor’s full name and address;
 - the class of the contributor: individual, corporation, unincorporated organization engaged in business or community activity; trade union; non-profit organization; or other contributor; and
 - if the contributor is a numbered corporation or an unincorporated organization, the full names and addresses of at least two individuals who are directors of the organization, or are principal officers or principal members of the organization.

EXPENSES

The **campaign financing disclosure statement** must include a summary of **election expenses** separated according to expense class. These classes are prescribed by a regulation and are listed in the Glossary entry under “election expense”. Given this requirement, the records should be as complete as possible. For each election expense, the records should include the following details, at a minimum:

- the date the election expense was incurred and/or paid for;
- the type of election expense (e.g. gas, posters, food for volunteers); and
- the amount spent (or the market value of donated or discounted goods or services).

DINNER AND DANCE

As a kick-off to the campaign, a campaign organizer decide to throw a gala dinner fundraiser. A campaign supporter, well known for her delicious cooking, volunteers to cater the event for the cost of food and to provide dishes, glassware and decorations. Other campaign supporters offer items to be sold in a silent auction, and one of the candidates recruits her daughter and some friends from the local performing arts school to provide entertainment. A local hotel agrees to rent the space at half price. The event sells out, at \$20 per plate, and another \$250 is raised in donations from the “wishing well” set up beside the buffet to collect donations.

The campaign financing rules apply to all aspects of fund-raising events, so the records will have to show the date, nature and market value of all the election expenses that went into putting on the evening (venue rental, ticket printing, audio rental, catering, etc).

RECORD OF ELECTION EXPENSES				
DATE INCURRED	DATE PAID	GOODS, PROPERTY OR SERVICES RECEIVED	EXPENSE CLASS	FAIR MARKET VALUE
05-Oct	25-Oct-08	ticket printing – fundraiser	Other	\$40.00
10-Oct	donated	decorations – fundraiser	Other	\$35.00
20-Oct	25-Oct-08	audio equipment rental – fundraiser	Other	\$110.00
20-Oct	01-Nov-08	food and catering services –fundraiser	Other	\$600.00
20-Oct	donated	tableware – fundraiser	Other	\$75.00
20-Oct	donated	venue – fundraiser	Other	\$300.00

The record of contributions must include the following:

- for each \$20 ticket, the date, name and address of the purchaser (not the attendee); and
- for the \$250 in anonymous donations received, the date and location of the contributions.

RECORD OF MONETARY CONTRIBUTIONS

DATE	NAME	ADDRESS	CLASS	AMOUNT
05-Oct	Metro Performing Arts Society	579 South Main St.	Non-Profit	\$120.00
	James Harper	360 Humbolt St.		
	Jessica Marland	17-160 Eckhart Ave.		
07-Oct	Theresa Babcock	82 Younge Avenue	Individual	\$20.00
08-Oct	Estella Cameron	879 Clifton Terr.	Individual	\$20.00
09-Oct	Sheena Hiles	193 Wishart Ave	Individual	\$60.00
15-Oct	Nancy Avery	203-45 Avebury St.	Individual	\$20.00
15-Oct	Sandeep Johal	276 Linden Rd.	Individual	\$20.00
17-Oct	Amped Communications	1039 Queen St.	Corporate	\$80.00
	Michael Ceasar	306 16th Ave		
17-Oct	Brenda Mather	6387 Begbie Rd.	Individual	\$60.00
17-Oct	Anthony Charles	275 Manifold St.	Individual	\$20.00
20-Oct	Misaki Yakura	8736 St. Lawrence Dr.	Individual	\$60.00
20-Oct	Aidan Marson	83 Douglas Cres.	Individual	\$60.00
20-Oct	Anonymous	at fundraiser	Other	\$20.00
20-Oct	Anonymous	at fundraiser	Other	\$40.00
20-Oct	Anonymous	at fundraiser	Other	\$10.00
20-Oct	Anonymous	at fundraiser	Other	\$50.00
20-Oct	Anonymous	at fundraiser	Other	\$100.00
20-Oct	Anonymous	at fundraiser	Other	\$5.00
20-Oct	Anonymous	at fundraiser	Other	\$5.00
20-Oct	Anonymous	at fundraiser	Other	\$20.00

- for the use of the dishes and decorations, the date of the event, name and address of the caterer, and the market value of catering a similar event and renting or purchasing similar dishes, glassware and decorations; and
- for the use of the venue, the date of the event, the names and addresses of the company, and the difference between the market value of the space and the price actually charged.

RECORD OF IN-KIND (DISCOUNTED AND DONATED) CONTRIBUTIONS

DATE	NAME	ADDRESS	CONTRIBUTOR CLASS	GOOD OR SERVICE	MARKET VALUE	PRICE PAID	CONTRIBUTION VALUE
10-Oct	Jenny Norton	1827 Norman Way	Individual	decorations	\$35.00	\$0	\$35.00
20-Oct	Jenny Norton	1827 Norman Way	Individual	catering	\$600.00	\$250.00	\$350.00
20-Oct	Jenny Norton	1827 Norman Way	Individual	tableware	\$75.00	\$0	\$75.00
20-Oct	Harbourview Hotel & Conference Centre	1360 Marine Dr.	Corporate	venue	\$300.00	\$150.00	\$150.00

RECORDING DEBTS AS CONTRIBUTIONS

The campaign finance rules do not allow a **campaign** to run a deficit – **election expenses** must not exceed **campaign contributions**.

This does not mean that a **candidate** or **elector organization** cannot purchase goods and services on credit, but rather that once that credit ends, the unpaid cost of the expense must be viewed as a contribution from the supplier or creditor until the amount owed for the goods or services is paid.

Most suppliers do not intend to make campaign contributions, and so credit is not reported as a contribution until payment is past due and the supplier or creditor has not taken legal action to recover the money owed. An outstanding debt is not recorded as a contribution until the debt has been owing for six months.

In the case of revolving credit, or credit that has been extended over a longer period of time, such as with a credit card or personal loan, the debt is recorded as a contribution six months after the agreed upon repayment date or a missed payment. At that time, unless the creditor has commenced legal proceedings in an attempt to recover the debt, the contribution must be recorded in the same manner as an in-kind contribution.

Should a debt become a contribution from the creditor after the deadline to file the **campaign financing disclosure statement**, the **campaign organizer** or elector organization must file a supplementary report to add the contribution of the creditor within 30 days of the conversion of the debt to a contribution.

If a creditor who has been reported as a contributor eventually recovers the funds owed, the person or organization from whom the funds were recovered must replace the creditor as the contributor of those funds to the campaign. This too must be done by supplementary report filed within 30 days of the recovery of the funds owed.

Surplus Funds

Contributions received that exceed expenses are considered surplus funds. While **candidates** must transfer surplus funds that exceed \$500 to the local government in trust for future election **campaigns**, **campaign organizers** and **elector organizations** may retain, return, or use the funds for alternative purposes, depending on their policies and the expectations of their contributors.

If a campaign organizer or elector organization retains surplus funds for a future election campaign, it is important to ensure that a link to the source of the funds is made in the **campaign financing disclosure statement** for that future campaign. This may be done in the campaign financing disclosure statement within which the surplus funds were received as contributions, and must be done in the campaign financing disclosure statement within which the surplus funds are spent.

Filing Requirements

The financial agent for every **campaign organizer** must file a **campaign financing disclosure statement** with the designated local government officer within 120 days from **general voting day** if **campaign contributions** or **election expenses** exceed \$500.

The financial agent for every **elector organization** must file a campaign financing disclosure statement with the designated local government officer within 120 days from general voting day, regardless of whether the individual or individuals it endorsed were declared a candidate or withdrew consent to the endorsement. Elector organizations must file even if they did not receive any contributions or incur any expenses.

Electoral organizations must file a campaign financing disclosure statement even if they did not receive any contributions or incur any expenses.

Campaign organizers or elector organizations that conducted election **campaigns** in multiple jurisdictions are required to complete the filing requirements in each of those jurisdictions. The financial agent may produce a single report for the overall election campaign, including activities in each of the jurisdictions where candidates were endorsed. A copy of the campaign financing disclosure statement will need to be filed with each jurisdiction in which candidates were endorsed, noting the jurisdiction in which each candidate sought elected office.

Failure to file a campaign financing disclosure statement will result in automatic disqualification from endorsing candidates for local government office, and prohibition from accepting campaign contributions or incurring election expenses until after the next **general local election** anywhere in British Columbia.

DISCLOSURE OF CONTRIBUTIONS

The **campaign financing disclosure statement** must contain:

- the total value of all **campaign contributions** received, including the value of all monetary and in-kind contributions;
- for each individual or organization that made contributions totalling \$100 or more:
 - the name and class of the contributor,
 - the address of the contributor and names of two directors or principal officers of the contributor if the contributor is a numbered company or unincorporated organization, and
 - the date(s) and total value of the contribution;
- the total value of campaign contributions received, and the total number of contributors from whom they were received, for all campaign contributions from known individuals, or organizations, that made contributions totalling less than \$100;
- the total value of anonymous contributions received, and the total number of contributors from whom they were received, for all anonymous campaign contributions of \$50 or less; and
- the date received and value of each anonymous campaign contribution of more than \$50 remitted to the local government.

For the purposes of the campaign financing disclosure statement, multiple contributions from the same person or organization must be added together.

Michelle Gifford supported the campaign through three separate campaign contributions: a cash donation of \$70 in August, another cash donation of \$100 in October, and an in-kind donation of services worth \$200 in October. The campaign financing disclosure statement would show that Michelle Gifford made a total contribution of \$370 on three distinct dates; as an individual contributor, Ms. Gifford's address is not included.

NAME	ADDRESS (IF APPLICABLE)	DATE	AMOUNT	CLASS
Michelle Gifford		10-Aug-08 10-Oct-08 18-Oct-08	\$370.00	Individual

DISCLOSURE OF EXPENSES

The **campaign financing disclosure statement** must disclose the following information about **election expenses**:

- the total value of expenses incurred, including the value of all full-price, discounted, or donated goods or services; and
- the total amount of expenses in each class (see the Glossary entry on election expenses for a list of the classes).

DISCLOSURE OF SURPLUS FUNDS

The following information regarding the receipt and disposition of surplus funds must also be disclosed in the **campaign financing disclosure statement**:

- any surplus funds from a previous **campaign**;
- the total amount of any surplus or deficit after the payment of **election expenses** and other reasonable incidental expenses; and
- how that surplus was dealt with (e.g. retained as “start up” funds for the next **general local election** or donated to a like-minded group for non-election purposes) if there was a surplus remaining in the **campaign account**.

DISCLOSURE OF OTHER INFORMATION

Additional information that must be disclosed in a **campaign financing disclosure statement** includes:

- the name and address of the savings institution for the **campaign account**;
- a **solemn declaration** that the person filing the financing disclosure statement that to the best of their knowledge, the information in the statement is accurate and correctly recorded;
- in the case of a **campaign organizer**, the names of the **candidates** and **elector organizations** in relation to which the campaign organizer undertook an election **campaign**; and
- in the case of an elector organization, the names of the candidates endorsed.

LATE FILING

Candidates, elector organizations and **campaign organizers** that have not filed a disclosure statement within the 120-day deadline from **general voting day** are permitted to file the disclosure statement within 30 days after that deadline, but the disclosure statement can only be accepted if it is accompanied by a \$500 late filing fee.

This fee must be paid to the local government, which has no discretion to waive or reduce it.

COURT RELIEF FROM FILING OBLIGATIONS

In certain circumstances, the Supreme Court may grant an extension to the filing deadline or relieve a **candidate, campaign organizer** or an **elector organization** from the obligation to file a disclosure statement or supplementary report, or from specific obligations in relation to those reports.

An application to the Court must be made before the end of the late filing period, that is, within 150 days from **general voting day** or in relation to a supplementary report, at anytime.

Supplementary Reports

If circumstances have changed – e.g., the period that a debt has been owed now exceeds six months or a debt has been paid by a supporter – a financial agent must update the **campaign financing disclosure statement** to reflect the change by filing a supplementary report within 30 days.

Contributions received after the filing of this disclosure statement will have to be disclosed in one or more supplementary reports. As supplementary reports have to be filed within 30 days after contributions are received, it may be necessary to file a series of supplementary reports.

RUNNING ON EMPTY

The Coalition of Alarmed Vegetarian Electors (CAVE) ended up with a large campaign debt after the last election. In March, when it filed its campaign financing disclosure statement, it still owed \$200.

On April 15, CAVE received a contribution of \$100, which it applied towards the debt. CAVE's financial agent waited a couple of weeks - in case any additional contributions were to come in – and filed a supplementary report on May 10, within 30 days of receiving this contribution.

In late June, CAVE received another contribution of \$250. After confirming that the contribution was intended to assist with the most recent campaign, and consulting with other members of the coalition, the financial agent used \$100 of this contribution to pay down the remaining debt and filed another supplementary report, showing the contribution and a surplus of \$150 to be retained as seed money for the next election campaign.

If an error is discovered in the original or supplementary disclosure statement, it must be corrected by filing a supplementary report within 30 days of the discovery.

While a supplementary report may be used to correct or complete information, this will not automatically prevent disqualification for filing a false disclosure statement. To avoid disqualification for filing a false disclosure statement, the financial agent must still be able to demonstrate that the necessary steps were taken to meet the requirement to file a complete, accurate and timely disclosure statement in the first place.

Note that filing a supplementary report that is false or incomplete carries the same consequences as filing a false or incomplete disclosure statement as noted in the following section about penalties.

Penalties for Failure to File

It is important to do everything reasonable to ensure that the **campaign financing disclosure statement** is accurate, complete and filed on time.

AUTOMATIC DISQUALIFICATION

A **campaign organizer** or **elector organization** that has not filed within the 30-day late-filing period, and has not received court relief, cannot:

- endorse any **candidates** anywhere in British Columbia; or
- accept **campaign contributions** or incur **election expenses** in relation to future elections, until after the **next general local election**.

If a candidate has not filed within the 30-day late-filing period and has not received court relief from the requirement to do so, the candidate will be automatically disqualified from being nominated, elected to, or holding a local government office until after the next general local election anywhere in British Columbia. An elected candidate who has been disqualified from holding office for this reason must vacate their elected office.

If a disqualified elector organization attempts to make a ballot endorsement in the next election, the **Chief Election Officer** for that election is obliged to challenge the nomination on the grounds that the endorsement is invalid.

ADDITIONAL PENALTIES

The penalties for filing an incorrect **campaign financing disclosure statement** can go well beyond election campaigning.

Where a financial agent or other officer or director of a **campaign organizer** or **elector organization** is found guilty of contravening the **campaign** financing rules, the Court may impose one or more of the following penalties on either (or both) the candidate and financial agent:

- fine of up to \$5,000;
- imprisonment for up to one year;
- prohibition from holding an elected local government office for up to six years; and
- prohibition from voting in a local government election for up to six years.

If a campaign organizer or an elector organization commits an campaign financing offence, an officer, director, employee or agent of the organization who authorizes, permits or acquiesces in the offence commits the same offence, even if the organization is not convicted of the offence.

Public Report

At the end of the 30-day late filing period, the Corporate Officer of the local government must present a report at an open meeting of the local government that identifies any **candidates**, **campaign organizers** and **elector organizations** that have failed to file a disclosure statement.

All campaigns that have been reported as failing to file a disclosure statement are named on a disqualification list that is maintained by the Ministry responsible for local government.

On Voting Day

A candidate must not be present at the voting place on the day of an advance voting opportunity or general voting day except to vote.

Candidate Conduct

A **candidate** must not be present at the voting place on the day of an **advance voting opportunity** or **general voting day** except to vote. It is recommended that candidates vote at an advance voting opportunity so that they do not appear to be campaigning near a voting place on general voting day.

Every jurisdiction must hold an advance voting opportunity ten days prior to the general election. In addition, jurisdictions with a population of more than 5,000 residents are required to hold more than one advance voting opportunity. Check with the local government office for information on advance voting in your jurisdiction.

Scrutineer Conduct

On voting day, the role of the scrutineer is to observe the voting and counting. Neither the scrutineer, nor anyone else in the room, may wear anything that advertises the person as a supporter of a particular **candidate** at the voting place. Only a candidate may appoint scrutineers.

Communication between scrutineers and election officials should only occur during a time when no voters are present at the voting station, unless there is a challenge of an elector before a ballot is issued. If a scrutineer makes a challenge either, because the elector is not entitled to vote or has accepted an inducement for voting, the election official should be asked to note the challenge in the voting book.

Other than the official objection, scrutineers are not permitted to interfere with the routines of the voting place and the duties of voting officials. Under no circumstances should a scrutineer handle election documents.

Individual **Chief Election Officers** may have specific rules governing the conduct and responsibilities of scrutineers. For example, local governments may permit more than one scrutineer for each candidate to be present per ballot box at a voting place during voting proceedings. If in doubt, candidates should contact the Chief Election Officer prior to voting day in order to confirm rules governing scrutineer conduct.

For more information, contact:

Ministry of Community Development
Local Government Department
PO Box 9839 Stn. Prov. Govt.
Victoria, BC V8W 9T1
Phone: 250-387-4020

Enquiry BC – Enquiry BC is a provincial call centre that provides services to all British Columbia residents from 7:30 a.m. to 5:00 p.m., Monday to Friday.

In Victoria call: 250-387-6121
In Vancouver call: 604-660-2421
Elsewhere in BC call: 1-800-663-7867
Outside British Columbia: 604-660-2421
E-mail address: EnquiryBC@gov.bc.ca

Glossary

advance voting opportunity

A voting day, prior to general voting day, for electors who want to vote on that day for any reason. Typically electors who vote at that time do so because they:

- expect to be absent from the jurisdiction for which the election is to be held on general voting day;
- will be unable to vote on general voting day for reasons of conscience;
- will not be able to attend at a voting place on general voting day for reasons beyond the elector's control;
- have a physical disability or are mobility impaired that make it difficult to reach or navigate within a busy voting place;
- are candidates or candidate representatives; or
- are election officials.

board

See entry for "regional district board"

board of education

See entry for "school board"

by-election

An election held to fill a vacancy that occurs due to death, disqualification or resignation between general local elections.

By-elections may take place at any time of year, although a municipal council may choose not to hold a by-election if the vacancy occurs in the same calendar year as a general local election. Regional district boards and the Islands Trust Council may choose not to hold a by-election to fill a vacancy that occurs after July 1 in the same calendar year as a general local election.

campaign

An election campaign organized and conducted to benefit a candidate, may be initiated for one or several of the following purposes to:

- promote the election of a candidate;
- oppose the election of another candidate;
- approve or disapprove of a course of action advocated by a candidate;
- promote or oppose an elector organization or its program; or
- approve or disapprove of a course of action advocated by an elector organization.

A campaign may consist of any or all of the following activities to persuade voters: advertising, distribution or mailing of printed leaflets or letters, speeches, interviews with news media, and door-to-door visits with potential voters.

campaign account

An account opened exclusively for the purposes of the election campaign. The campaign account must be distinct from any personal or business accounts, and financial agents must ensure that all cash campaign contributions are deposited into the campaign accounts, and all payments for election expenses are made from the campaign accounts.

Sections 97-98 of the
Local Government Act

Sections 69-70 of the
Vancouver Charter

Section 37 of the
Local Government Act

Section 10 of the
Vancouver Charter

Section 84 of the
Local Government Act

Section 56 of the
Vancouver Charter

Section 85.1 of the
Local Government Act

Section 57.1 of the
Vancouver Charter

Section 83 of the
Local Government Act

Section 55 of the
Vancouver Charter

Sections 83-93 of the
Local Government Act

Sections 55-65 of the
Vancouver Charter

Section 88 of the
Local Government Act

Section 60 of the
Vancouver Charter

Section 83 of the
Local Government Act

Section 55 of the
Vancouver Charter

Section 33 of the
Local Government Act

Section 7 of the
Vancouver Charter

Sections 41-43 of the
Local Government Act

Sections 14-16 of the
Vancouver Charter

campaign contribution

A sum of money, or the value of any goods or services, provided to a candidate, elector organization or campaign organizer for use in an election campaign or towards the election expenses of an election campaign. A campaign contribution may be provided by donation, advance, deposit or discount. Any money provided by a candidate or the principal organizers of an election campaign is considered a campaign contribution.

campaign financing disclosure statement

A statement that outlines the total amount of campaign contributions received, the sources of campaign contributions of \$100 or more, the amount and purpose of the election expenses, and use of surplus funds, in relation to an election campaign. The campaign financing disclosure statement must be filed with the local government within 120 days after general voting day.

A campaign financing disclosure statement may be amended by filing a supplementary disclosure statement.

campaign finance records

The records used to complete a campaign financing disclosure statement. Campaign finance records must be kept by the candidate or financial agent for seven years for each campaign and include specific information about each campaign contribution made to the candidate, campaign organizer or elector organization, and information about the election expenses that will be reported in the campaign financing disclosure statement.

campaign organizer

An individual or organization that organizes and directs a series of coordinated activities that promote or oppose a candidate or point of view during a local government election, and which supplements the election campaign of one or more particular candidates.

An individual is not a campaign organizer unless they accept campaign contributions from others to finance these political activities.

Campaign finance rules for candidate campaigns also apply to campaign organizer campaigns and all campaign organizers must appoint a financial agent who is responsible for ensuring compliance with the campaign financing rules.

candidate

A person who has submitted nomination papers before the close of the nomination period, and has been declared a candidate by the Chief Election Officer. Prior to the close of the nomination period, a person who wishes to become a candidate is a nominee or prospective nominee.

chief election officer

The Chief Election Officer is appointed by the local government to conduct the election. They are guided by the *Local Government Act* or *Vancouver Charter* and the local government elections bylaws, and have broad authority to do all things necessary for the conduct of an election in accordance with the legislation.

commissioner

See entry for "local community commission"

council

See entry for “municipal council”

councillor

Any member of a municipal council who is not the mayor. Every member of council has the following responsibilities under the *Community Charter* to:

- consider the well-being and interests of the municipality and its community;
- contribute to the development and evaluation of the policies and programs of the municipality respecting its services and other activities;
- participate in council meetings, committee meetings and meetings of other bodies which the member is appointed;
- carry out other duties assigned by the council; and
- carry out other duties assigned under the *Community Charter* or any other Act.

election expense

The value of property or services used in an election campaign during the calendar year in which the general election is held. In a by-election, an election expense is the value of goods or services used in an election campaign after the date of the vacancy for which the election is being held.

Under the *Local Government Elections Regulation* (B.C. Reg. 380/93), election expenses are classified as follows:

A. Election campaign advertising for:

- 1) radio, television, newspaper, periodical or electronic advertising to the public;
- 2) signs, pamphlets, flyers and brochures; and
- 3) advertising and promotion for the public not included in A-1 or A-2 above.

B. Election campaign office expenses for:

- 1) compensation paid to persons for campaign work, other than for services described in section 89(2) of the *Local Government Act* and section 61(2) of the *Vancouver Charter*;
- 2) rent, insurance, utilities;
- 3) courier services and postage;
- 4) furniture and equipment; and
- 5) office supplies and other office expenses not covered by B-1 to B-4 above.

C. Convention and other similar meeting expenses;

D. Expenses for campaign related functions not described in C;

E. Research and polling expenses;

F. Campaign related transportation; and

G. Other (provide description).

Section 115 of the
Community Charter

Section 83 of the
Local Government Act

Section 55 of the
Vancouver Charter

Section 79 of the
Local Government Act

Section 51 of the
Vancouver Charter

elector organization

An organization formed for the purposes of directly promoting a candidate or point of view in a local government election by endorsement of one or more candidates on the ballot. An elector organization may only endorse candidates if the elector organization has a membership that includes at least 50 eligible electors for at least 60 days before the endorsement.

Campaign finance rules for candidate campaigns also apply to elector organization campaigns, and all elector organizations must appoint a financial agent who is responsible for ensuring compliance with the campaign financing rules.

electoral area director

A regional district board member who has been elected to that position by the electors of an electoral area.

financial disclosure statement

A public statement of corporate and personal holdings, made by all elected and appointed public officials required under the *Financial Disclosure Act*. The financial disclosure statement is designed to help public officials avoid situations of conflict of interest by identifying their financial interests. Financial disclosure statements must be filed with the local government at the time of nomination, annually while holding elected office, and shortly after leaving elected office.

The financial disclosure statement is different from the requirement to disclose campaign financing information.

general local election

A collective reference to the elections conducted throughout the Province every three years for the mayor and all councillors of each municipality, electoral area directors of each regional district, commissioners of each local community commission that uses a three-year term, local trustees of each area in the Islands Trust, and school board trustees of each school district.

general voting day

The final voting day in an election. General voting day is the third Saturday in November in a general local election, and a Saturday chosen by the Chief Election Officer in a by-election.

islands trust council

The governing body of the Islands Trust. The Islands Trust Council is composed of two elected trustees (local trustees) from each local trust area and two appointed trustees from each municipal council in the Trust area (municipal trustees).

local community commission

A body established by regional district bylaw in an electoral area to provide advice in relation to, or management of, one or more services of the regional district that are provided within the "local community". A local community commission is composed of four or six elected commissioners and the electoral area director.

Elected commissioners may be elected for a three-year term at the time of the general local election or for a one-year term, as specified in the establishing bylaw.

local trustee

A member of the Islands Trust Council who has been elected to that position by the electors of an island in the area of the Islands Trust that is not a municipality. Local trustees also serve on a Local Trust Committee for the local trust area in which they are elected.

mayor

The head of a municipal council and chief executive officer of the municipality. In addition to the responsibilities of a councillor, the mayor has the following additional responsibilities under the *Community Charter* to:

- provide leadership to the council, including by recommending bylaws, resolutions and other measures that, in the mayor's opinion, may assist the peace, order and good government of the municipality;
- communicate information to the council;
- preside at council meetings when in attendance;
- provide, on behalf of the council, general direction to municipal officers respecting implementation of municipal policies, programs and other directions of the council;
- establish standing committees in accordance with section 141;
- suspend municipal officers and employees in accordance with section 151;
- reflect the will of council and to carry out other duties on behalf of the council; and
- carry out other duties assigned by or under this or any other Act.

municipal council

The governing body of a municipality, composed of a mayor and several councillors. A municipal council has between five and eleven members – the number of councillors depends on the population of the municipality. All members of a municipal council are elected during a general local election. Some members may be elected at a by-election that was held to fill a vacancy on municipal council.

municipal director

A regional district board member who has been appointed to that position by the municipal council on which they serve. A municipal director may be a mayor or councillor and serves on the regional district board until the municipal council appoints a replacement or until they cease to be a member of the municipal council.

municipal trustee

A member of the Islands Trust Council who has been appointed to that position by a municipal council on which they serve within the area of the Islands Trust for a term of one year. A municipal trustee may be a municipal mayor or councillor. A municipal trustee may be appointed by the municipal council for more than one term.

Section 116 of the
Community Charter

Section 114-121 of the
Community Charter

Section 51 of the
Local Government Act

Section 24 of the
Vancouver Charter

Section 50 of the
Local Government Act

Section 23 of the
Vancouver Charter

non-resident property elector

An individual who does not live in a jurisdiction but is entitled to vote in an election there by virtue of owning property in that jurisdiction. On voting day, a non-resident property elector must:

- a Canadian citizen;
- at least 18 years of age;
- have lived in British Columbia for at least six months; and
- have owned the property for at least 30 days.

For more information on voter qualifications, please see the *Voter's Guide to Local Elections in BC*, available from your local government office or http://www.cd.gov.bc.ca/lgd/gov_structure/elections/voters_guide.htm

regional district board

The governing body of a regional district. A regional district board is composed of elected representatives of non-municipal areas (see entry on electoral area directors) and appointed representatives from the municipal councils (see municipal directors).

resident elector

An individual who is qualified to vote in a jurisdiction by virtue of living in the jurisdiction.

On voting day, a resident elector must:

- be a Canadian citizen;
- be at least 18 years of age;
- have lived in British Columbia for at least six months; and
- have lived in the jurisdiction for at least 30 days.

For more information on voter qualifications, please see the *Voter's Guide to Local Elections in BC*, available from your local government office or http://www.cd.gov.bc.ca/lgd/gov_structure/elections/voters_guide.htm

school board

The governing body of a school district. A school board, or board of education, is composed of three, five, seven or nine elected trustees, as determined by order of the minister responsible for the *School Act*.

solemn declaration

A written oath or solemn affirmation of a signed statement witnessed by the appropriate local government officer, the Chief Election Officer, a lawyer or a notary. Solemn declarations attest to:

- a candidate's qualification to be nominated for office;
- the endorsement of a candidate by an elector organization; or
- the accuracy and completeness of a campaign financing disclosure statement.

volunteer

An individual who provides services for no remuneration or material benefit.

Sample Record Keeping Forms

RECORD OF MONETARY CONTRIBUTIONS

DATE	NAME	ADDRESS	CONTRIBUTOR CLASS	AMOUNT
29-Oct-07	Judy Carr	12 Rosemount	1	\$ 200.00
15-Nov-07	Marjorie Simpson	581 First St.	1	\$ 100.00
02-Apr-08	Candidate	123 Olive Road	1	\$ 500.00
01-Jun-08	Dave Smith	604 Hillmont Ave	1	\$ 250.00
05-Jul-08	Bill Santucci	103 Hampshire Lane	1	\$ 10.00
10-Jul-08	Joe Hammond	104 - 1038 Harriet St.	1	\$ 99.00
10-Aug-08	Michelle Gifford	9130 Arc Place	1	\$ 70.00
15-Aug-08	Aaron Marson	40 Tree Top Lane	1	\$ 200.00
20-Aug-08	Smythe's Building Supplies Ltd.	800 High St	2	\$ 1,000.00
08-Sep-08	Anonymous	Found in mailbox	6	\$ 150.00
11-Sep-08	Allen Hardy	200 Tess Lane	1	\$ 25.00
16-Sep-08	Anonymous	Found at campaign office	6	\$ 50.17
21-Sep-08	Jessica Barrett	5432 Browning St	1	\$ 100.00
21-Sep-08	Kelly Homer	67 Cabbage Towne Lane	1	\$ 20.00
28-Sep-08	George Lamont	321 - 789 Rosewood Pl	1	\$ 300.00
05-Oct-08	Metro Performing Arts Society	579 Main St.	5	\$ 120.00
05-Oct-08	Anonymous	Found at campaign office	6	\$ 25.00
07-Oct-08	Theresa Babcock	82 Young Avenue	1	\$ 20.00
08-Oct-08	Estella Cameron	879 Clifton Terr.	1	\$ 20.00
09-Oct-08	Sheena Hiles	193 Wishart Ave	1	\$ 60.00
10-Oct-08	Michelle Gifford	9130 Arc Place	1	\$ 100.00
15-Oct-08	Betty Average	400 University Heights	1	\$ 500.00
15-Oct-08	Nancy Avery	203-45 Avebury St.	1	\$ 20.00
15-Oct-08	Karen MacMillan	203-45 Montreal St.	1	\$ 30.00
15-Oct-08	Sandeep Johal	276 Alymer St.	1	\$ 20.00
17-Oct-08	Amped Communications	1039 Queen St.	1	\$ 80.00
17-Oct-08	Brenda Mather	6387 Begbie Rd.	2	\$ 60.00
17-Oct-08	Anthony Charles	275 Manifold St.	1	\$ 20.00
		Page 1 of 2	Page Total	\$ 4,149.17
Total Monetary Campaign Contributions				\$ 5,224.17

CONTRIBUTOR CLASSES:

1. individual	2. corporation or business	3. unincorporated organization
4. trade union	5. non-profit organization	6. other contributor

Sample Record Keeping Forms

RECORD OF IN-KIND (DISCOUNTED AND DONATED) CONTRIBUTIONS

DATE	NAME	ADDRESS	CONTRIBUTOR CLASS	GOOD OR SERVICE	MARKET VALUE	PRICE PAID	CONTRIBUTION VALUE
10-Aug-08	Jeff Watson	13-755 Clarke Rd.	1	graphic design services	\$ 290.00	\$ 50.00	\$ 240.00
10-Aug-08	Local 1620	106-8159 Industrial Dr.	4	pamphlet design	\$ 90.00	\$ -	\$ 90.00
10-Aug-08	Local 1620	106-8159 Industrial Dr.	4	pamphlet printing	\$ 50.00	\$ -	\$ 50.00
1-Sep-08	Local 581	13-902 Main St.	4	phone bank services	\$ 375.00	\$ -	\$ 375.00
01-Oct-08	Brock Carr Office Supplies Ltd	405 Alberta Way	2	office supplies	\$ 50.00	\$ 25.00	\$ 25.00
01-Oct-08	Linda Halbert	123 Scott St	1	discount on rent	\$ 1,500.00	\$ 1,000.00	\$ 500.00
10-Oct-08	Jenny Norton	1827 Norman Way	1	decorations	\$ 35.00	\$ -	\$ 35.00
15-Oct-08	Joan Hardy	4 - 1448 Bee St	1	gas	\$ 5.00	\$ -	\$ 5.00
18-Oct-08	Michelle Gifford	9130 Arc Place	1	photographs	\$ 200.00	\$ -	\$ 200.00
20-Oct-08	Harbourview Hotel and Conference Centre	1360 Marine Dr.	2	venue	\$ 300.00	\$ 150.00	\$ 150.00
20-Oct-08	Jenny Norton	1827 Norman Way	1	catering services	\$ 600.00	\$ 250.00	\$ 350.00
20-Oct-08	Jenny Norton	1827 Norman Way	1	tableware	\$ 50.00	\$ -	\$ 50.00
25-Oct-08	James Simpson	640 Victor Ave	1	gas	\$ 35.00	\$ -	\$ 35.00
30-Oct-08	Martin LeBlanc	207 Thom St	1	speech writing	\$ 100.00	\$ -	\$ 100.00
06-Nov-08	Anonymous	unknown	6	paper	\$ 70.00	\$ -	\$ 70.00
				Page 1 of 1		Page Total	\$ 2,275.00
Total In-Kind Campaign Contributions							\$ 2,275.00

CONTRIBUTOR CLASSES:

1. individual	2. corporation or business	3. unincorporated organization
4. trade union	5. non-profit organization	6. other contributor

Sample Record Keeping Forms

RECORD OF ELECTION EXPENSES

DATE INCURRED	DATE PAID	GOODS, PROPERTY OR SERVICES RECEIVED	EXPENSE CLASS	FAIR MARKET VALUE
10-Aug-08	donated	design services	B1	\$ 90.00
10-Aug-08	donated	printing services	A2	\$ 50.00
10-Aug-08	donated	graphic design services	B1	\$ 290.00
1-Sep-08	donated	phone bank services	A3	\$ 375.00
01-Oct-08	01-Oct-08	office rental (Unit 6 - 590 Dallas Rd)	B2	\$ 1,500.00
01-Oct-08	01-Oct-08	office supplies	B5	\$ 50.00
01-Oct-08	20-Dec-08	telephone rental (Oct/Nov)	B4	\$ 52.81
05-Oct-08	25-Oct-08	fundraiser ticket printing	G	\$ 40.00
10-Oct-08	donated	fundraiser decorations	G	\$ 35.00
15-Oct-08	donated	transportation (gas)	F	\$ 5.00
20-Oct-08	25-Oct-08	audio equipment rental – fundraiser	G	\$ 110.00
20-Oct-08	01-Nov-08	food and catering services for fundraiser	G	\$ 600.00
20-Oct-08	donated	tableware – fundraiser	G	\$ 75.00
20-Oct-08	donated	venue – fundraiser	G	\$ 300.00
21-Oct-08	25-Oct-08	printing (posters)	A2	\$ 100.00
25-Oct-08	25-Oct-08	lunch for sign crew	G	\$ 50.00
25-Oct-08	donated	transportation (gas)	F	\$ 35.00
30-Oct-08	donated	speech writing services	B1	\$ 100.00
01-Nov-08	30-Nov-08	printing (posters)	A2	\$ 50.00
08-Nov-08	30-Nov-08	newspaper ads (ran Nov 8, 10, 14)	A1	\$ 800.00
10-Nov-08	10-Nov-08	van rental (mileage included)	F	\$ 275.00
10-Nov-08	donated	transportation (gas)	F	\$ 25.00
12-Nov-08	donated	transportation (gas)	F	\$ 15.00
15-Nov-08	15-Nov-08	van rental (mileage included)	F	\$ 350.00
15-Nov-08	donated	transportation (gas)	F	\$ 30.00
25-Nov-08	donated	food and catering services for thank-you lunch	G	\$ 450.00
		Page 1 of 1	Page Total	\$ 5,852.81
Total Election Expenses				\$ 5,852.81

ELECTION EXPENSE CLASSES:

A Election campaign advertising for: A1 Radio, television, newspaper, periodical or electronic advertising to the public A2 Signs, pamphlets, flyers and brochures A3 Other advertising & promotion	B Election campaign office expenses for: B1 Professional services B2 Rent, insurance, utilities B3 Courier services & postage B4 Furniture & equipment B5 office supplies & other office expenses	C Convention and other similar meeting expenses D Other campaign-related functions E Research & polling expenses F Campaign related transportation G Other
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Sample Campaign Financing Disclosure Statement

CAMPAIGN FINANCING DISCLOSURE STATEMENT FOR THE 2008 GENERAL LOCAL ELECTION

Local Government Act [section 90]

This disclosure statement is to be filed with the corporate officer of the [local government] within **120 days** after general voting day [insert deadline date].

NAME OF CAMPAIGN ORGANIZER/ELECTOR ORGANIZATION

NAME OF CANDIDATE(S) ENDORSED

SUMMARY OF CAMPAIGN CONTRIBUTIONS

Total amount of campaign contributions
(Total from Part 1, Schedule A) \$ 7,159.00

List of contributors who made contributions totalling \$100 or more
(See Part 2 of Schedule A)

Total amount of anonymous campaign contributions remitted to
the local government
(Total from Part 3 of Schedule A) \$ 370.17

SUMMARY OF ELECTION EXPENSES

Total amount of election expenses
(Total from Schedule B) \$ 5,852.81

SURPLUS FUNDS

Transfer from local government (surplus funds from previous election) Nil

Balance remaining in candidate's campaign account
(See Schedule C for disbursement of surplus funds) \$ 1,306.19

**NOTE: This is not a balance sheet; contributions are not
required to equal expenses.**

CAMPAIGN ACCOUNT INFORMATION

All monetary contributions were deposited in, and all election expenses paid from an
account opened for this purpose at _____ located at _____
[name of financial institution] [branch address]

SEE REVERSE FOR CAMPAIGN ORGANIZER/ELECTOR ORGANIZATION AND
FINANCIAL AGENT DECLARATIONS.

Sample Campaign Financing Disclosure Statement

DECLARATION OF CAMPAIGN ORGANIZER/ELECTOR ORGANIZATION

I, _____ [name of official], an authorized representative of _____ [name of campaign organizer/elector organization] in the _____ [name of local government] election, solemnly affirm that to the best of my knowledge, information and belief:

- (a) this campaign financing disclosure statement and supporting schedules completely and accurately disclose the information required by section 90 of the *Local Government Act* in relation to the election campaign in the 2008 general local election for the _____ [name of local government]; and
- (b) the requirements of Division 8 – Campaign Financing of the *Local Government Act* have been met in relation to the election campaign in the 2008 general local election for the _____ [name of local government];

Solemnly affirmed before me at _____, British Columbia this ____ day of _____, _____.

Signature of Chief Election Officer or a
Commissioner for taking affidavits for British Columbia

Signature of Chief Official

DECLARATION OF FINANCIAL AGENT

I, _____ [name of financial agent], have prepared this disclosure statement and supporting schedules for _____ [name of campaign organizer/elector organization] and solemnly affirm that to the best of my knowledge, information and belief:

- (a) this campaign financing disclosure statement and supporting schedules completely and accurately disclose the information required by section 90 of the *Local Government Act* in relation to the election campaign of _____ [name of campaign organizer] in the 2008 general local election for the _____ [name of local government]; and
- (b) the requirements of Division 8 – Campaign Financing of the *Local Government Act* have been met in relation to the election campaign of _____ [name of candidate] for _____ [name of office] in the _____ [year] General Local Election for the _____ [name of local government].

Solemnly affirmed before me at _____, British Columbia this ____ day of _____, _____.

Signature of Chief Election Officer or a
Commissioner for taking affidavits for British Columbia

Signature of Financial Agent

Sample Campaign Financing Disclosure Statement

Schedule A – Campaign Contributions

PART 1 – CONTRIBUTIONS

Contributions from known sources

Total value of contributions of \$100 or more from a single source **A** \$ 6,360.00
(unless nil, also complete Part II)

Total value of contributions of \$99.99 or less from a single source **B** \$ 624.00

Contributions from unknown (anonymous) sources

Total contributions from anonymous sources \$ 545.17

Less anonymous contributions remitted to local government - \$ 370.17

Total amount of anonymous contributions of \$50 or less **C** \$ 175.00

Total amount of contributions **A + B + C** \$ 7,159.00

Sample Campaign Financing Disclosure Statement

PART 2 – CONTRIBUTORS

Contributors who made contributions totalling less than \$100

16

Contributors who made contributions of \$100 or more:

NAME	ADDRESS (IF APPLICABLE)	DATE	AMOUNT	CLASS
37265 BC Ltd.	106 Almond Ave	07-Nov-08	\$ 500.00	Corporate
John Lee				
Maria Dickens				
Local 1620	106-8159 Industrial Dr.	10-Aug-08	\$ 140.00	Trade Union
Local 581	13-902 Main St.	01-Sep-08	\$ 375.00	Trade Union
Allen Hardy		11-Sep-08, 07-Nov-08	\$ 105.00	Individual
Marjorie Simpson		15-Nov-08	\$ 100.00	Individual
Betty Average		15-Oct-08	\$ 500.00	Individual
Candidate		02-Apr-08	\$ 500.00	Individual
Dave Smith		01-Jun-08	\$ 250.00	Individual
Gail and Bill Green		18-Oct-08	\$ 125.00	Individual
George Lamont		28-Sep-08	\$ 300.00	Individual
Jeff Watson		10-Aug-08	\$ 240.00	Individual
Harry Trent		30-Oct-08	\$ 100.00	Individual
Jenny Norton		10-Oct-08, 20-Oct-08	\$ 435.00	Individual
Jessica Barrett		21-Sep-08	\$ 100.00	Individual
Metro Performing Arts Society	579 Main St.	05-Oct-08	\$ 120.00	Non-Profit
Judy Carr		29-Oct-08	\$ 200.00	Individual
Harbourview Hotel and Conference Centre	1360 Marine Dr.	20-Oct-08	\$ 200.00	Corporate
Linda Halbert		01-Oct-08	\$ 500.00	Individual
Michelle Gifford		10-Aug-08, 10-Oct-08, 18-Oct-08	\$ 370.00	Individual
Aaron Marson		15-Aug-08	\$ 200.00	Individual
Smythe's Building Supplies Ltd.	800 High St	20-Aug-08	\$ 1,000.00	Corporate
Total			\$ 6,360.00	

PART 3 – ANONYMOUS CONTRIBUTIONS OVER \$50 REMITTED TO LOCAL GOVERNMENT

DATE REMITTED	VALUE
30-Sep-08	\$ 150.00
20-Oct-08	\$ 100.00
25-Nov-08	\$ 70.00
25-Nov-08	\$ 50.17
Total	\$ 370.17

Sample Campaign Financing Disclosure Statement

Schedule B – Election Expenses

A. Election campaign advertising for:

1) radio, television, newspaper, periodical or electronic advertising to the public	\$ 800.00
2) signs, pamphlets, flyers and brochures	\$ 200.00
3) advertising and promotion for the public not included in A-1 or A-2 above	\$ 375.00

B. Election campaign office expenses for:

1) compensation paid to persons for campaign work, other than for services described in section 89(2) of the <i>Local Government Act</i>	\$ 480.00
2) rent, insurance, utilities	\$ 1,500.00
3) courier services and postage	\$ 0
4) furniture and equipment	\$ 52.81
5) office supplies and other office expenses not covered by B-1 to B-4 above	\$ 50.00

C. Convention and other similar meeting expenses: \$ 0

D. Expenses for campaign related functions not described in C: \$ 0

E. Research and polling expenses: \$ 0

F. Campaign related transportation: \$ 735.00

G. Other (provide description):

audio equipment rental	\$ 110.00
fundraiser ticket printing	\$ 40.00
food and catering services	\$ 1,050.00
fundraiser decorations	\$ 35.00
tableware – fundraiser	\$ 75.00
food for volunteers	\$ 50.00
venue – fundraiser	\$ 300.00

Total amount of other expenses \$ 1,660.00

Total Amount of Election Expenses \$ **5,852.81**

Schedule C – Details of Surplus Funds Disbursement

A. Balance remaining in account \$ 1,306.19

B. Details of the disbursement of remaining surplus funds

\$200 donated to Sassafrass Society (Jan 14/09)
\$1,106.19 held in account for the next local election

