

CANDIDATE'S GUIDE



TO LOCAL ELECTIONS IN B.C.



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Key Contacts

Ministry of Community, Sport and Cultural Development

Contact the Ministry of Community, Sport and Cultural Development (Ministry) for answers to questions about the material contained in this guide. Ministry staff can also provide additional information about local elections in British Columbia (B.C.).

Ministry of Community, Sport and Cultural Development
Local Government Department
Advisory Services Branch
PO Box 9839 Stn. Prov. Govt.
Victoria, BC V8W 9T1
Phone: 250-387-4020
Website: www.cscd.gov.bc.ca/lgd/contacts/department.htm

Enquiry BC

Enquiry BC is a provincial referral service connecting British Columbians to public servants in Ministries throughout the BC Public Service:

In Victoria call: 250-387-6121
In Vancouver call: 604-660-2421
Elsewhere in B.C. call: 1-800-663-7867
Outside B.C.: 604-660-2421
E-mail address: EnquiryBC@gov.bc.ca
Hours of Operation: 7:30 a.m. to 5:00 p.m., Monday to Friday

Municipal and Regional District Information

Local government mailing addresses, telephone numbers, e-mail addresses and websites are available online through CivicInfoBC at: www.civicinfo.bc.ca/11.asp

Other Resources

Election Legislation

Printed versions of local government election legislation including the *Local Government Act*, the *Vancouver Charter*, the *Community Charter* and the *School Act* are available at public libraries in communities throughout B.C. Printed versions of the Acts are also available from Crown Publications, Queens Printer for British Columbia at:

Crown Publications Inc.
106 Ontario Street
Victoria, BC V8V 1M9
Phone: 250-386-4636
Fax: 250-386-0221
Toll Free: 1-877-747-4636
Website: www.crownpub.bc.ca/default.aspx

This guide may be photocopied.

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

Candidates in elections conducted by the City of Vancouver should refer to the *Vancouver Charter* and its regulations.

BC Laws

BC Laws provides free public online access to the current laws of British Columbia. This unofficial current consolidation of B.C. Statutes and Regulations is updated continually as new and amended laws come into force. Electronic versions of the *Local Government Act*, the *Vancouver Charter*, the *Community Charter* and the *School Act* are available online at: www.bclaws.ca/

NOTE: The Province of British Columbia does not warrant the accuracy or the completeness of the electronic version of the Statutes and Regulations available online at BC Laws.

Educational Materials

The Ministry of Community, Sport and Cultural Development, the Union of B.C. Municipalities and the Local Government Management Association collaborated to produce educational guides for the 2011 general local election. The following materials are available online at: www.gov.bc.ca/cscd/lgd/elections_home.htm

- Campaign Organizer and Elector Organization Guide to Local Elections in B.C.
- Campaign Financing Standard Forms Booklet for Local Elections in B.C.
- Election Choices Guide for Local Governments in B.C.
- Guide to Supporting a Candidate for Local Elections in B.C.
- Other Voting (Referendum) Guide
- Voter's Guide to Local Elections in B.C. (available in English, French, Chinese, Punjabi)

Disclaimer

The information contained in this guide is provided as general reference and while all attempts have been made to ensure the accuracy of the material – the guide is not a substitute for provincial legislation.

Please refer directly to the latest consolidation of provincial statutes at BC Laws (www.bclaws.ca) for specific election-related provisions and requirements within the *Local Government Act*, the *Vancouver Charter*, the *Community Charter*, and the *School Act*.

Terms in **boldface font** are further explained in the Glossary.

Introduction

General local elections are the foundation of democratic local governments in British Columbia.

Locally elected officials are charged with making decisions that affect the daily lives of citizens, families, and the business community – **municipal councils, regional district boards, school boards, Islands Trust, local community commissions**, and other local bodies influence jobs, create safe communities for British Columbians and shape the long-term vision for the community as a whole.

The general local election process enables residents and property owners to determine the body of individuals who then make decisions and govern on their behalf for three years following **general voting day**.

Local governments have two primary roles: acting first as a political forum through which citizens, families and business owners within the local community express their collective vision; and, secondly as a means of providing desired services and programs to the community.

Since 1990, general local elections for **mayors, councillors, electoral area directors**, school board trustees, local community commissioners and Islands Trust local trustees in British Columbia have been held every three years on the third Saturday in November. **The next general local election is November 19, 2011.**

Local governments and school boards hold **by-elections** to fill municipal council and board vacancies that occur between general local elections. Local governments also conduct referenda to obtain elector assent in order to carry out certain council and board decisions (e.g. borrowing to construct a new library or recreation centre).

The *Candidate's Guide to Local Elections in B.C.* was created to provide those considering running for elected office, **candidates**, election officials, financial agents and the general public with comprehensive, detailed information about the local election process. The guide is a companion to the *Campaign Organizer and Elector Organization Guide to Local Elections in B.C.* and the *Campaign Financing Standard Forms Booklet for Local Elections in B.C.* (Note: a separate guide for school board trustee elections is published by the Ministry of Education and is available online at: www.bced.gov.bc.ca/legislation/trustee_election/).

The *Candidate's Guide to Local Elections in B.C.* begins by providing general information about local elections in British Columbia – background; the opportunities electors have to vote during a local election; the key participants in a local election (e.g. elector, candidate, **campaign organizer, elector organization** and election officials); the responsibilities of elected officials; and, who is qualified to run for office. The guide then describes the major elements of the election process – the call for nominations; election campaigns; candidate representatives; what happens on general voting day; and, how successful candidates take office. The guide ends with a section that provides a detailed look at **campaign contributions** and **election expenses**, record-keeping and campaign financing disclosure.

There are a series of examples and scenarios used throughout the guide intended to reinforce several of the more complex aspects of local elections – campaign financing disclosure, for example. The guide also contains a completed set of sample record-keeping and campaign finance disclosure forms that build on the examples provided throughout the guide – these sample forms can be used in conjunction with the *Campaign Financing Standard Forms Booklet for Local Elections in B.C.*, (available online at: www.cscd.gov.bc.ca/lgd/elections_home.htm) to record, disclose and file the **campaign financing disclosure statements** required under the *Local Government Act* or *Vancouver Charter*.

The next general local election is November 19, 2011.

Local Government Elections Generally

Each local government is responsible for running its own local elections. Local governments may also run school trustee elections on behalf of school boards. **Councils** and **boards** appoint a **Chief Election Officer** to ensure the process is run in accordance with the local government or school board election bylaw, the *Local Government Act* or, in the case of the City of Vancouver – the *Vancouver Charter*.

The election legislation contains provisions that must be consistently applied to all **general local elections** and **by-elections**; however, the legislation is also flexible enough that local governments and school districts are able to make choices about how they conduct their elections in a manner that suits local circumstances.

Voting Opportunities

Local governments have the authority to increase elector access to the voting process by holding additional voting opportunities for their citizens. Increasing the number of voting opportunities may impact voter turnout and increase overall access to, and the transparency of, the election process.

General voting day is generally the most publicized or widely-known voting opportunity resident and non-resident property owners have to cast their ballot in a local election. There are however, three additional opportunities that may also be available to eligible electors: advance voting; special voting; and, mail ballot voting.

General Voting Day

General voting day is held every three years on the third Saturday in November – in 2011, general voting day is November 19. General voting day is the primary opportunity for **candidates** seeking office as a **mayor, councillor, electoral area director** or school board trustee to be elected to office by eligible electors. Voting places are open from 8 a.m. to 8 p.m. on general voting day.

Advance Voting

An **advance voting opportunity** must be held ten days prior to general voting day. This required advance voting day allows eligible electors who may not otherwise be able to vote on general voting day to cast their ballots. November 9, 2011, is the required advance voting opportunity for the 2011 general local election. Local government jurisdictions with populations of 5,000 or greater are required to hold at least two advance voting opportunities.

Special Voting

Special voting opportunities may be held in any location – inside or outside the local government jurisdiction – to provide eligible electors who may not otherwise be able to attend a voting place an opportunity to cast their ballots in a general local election.

Special voting opportunities are generally held in hospitals, long-term care facilities, or other locations where electors' mobility may be impaired. Only designated electors are eligible to vote at special voting opportunities – for example a local government may decide only hospital patients and staff may be entitled to vote during a special voting opportunity held at a hospital.

November 9, 2011 is the required advance voting opportunity for the 2011 general local election.

Mail Ballot Voting

Mail ballot voting provides those electors unable to attend a special, advance or general voting opportunity the ability to vote in a general local election. Generally, mail ballot voting is intended to allow **non-resident property electors**, seasonal residents, electors in geographically remote locations, and electors whose mobility or health is compromised, an opportunity to cast their ballot in the election. Local governments have the legislative authority to permit mail ballot voting – not all local governments offer mail ballot voting.

Key Participants

Electors (resident and non-resident property owners), candidates, **campaign organizers, elector organizations** and election officials are collectively the primary participants in the local election process.

Electors

The right to vote in local elections is conferred on two types of individuals – **resident electors** and **non-resident property electors**.

A resident elector must be: 18 years of age or older on general voting day; be a Canadian citizen; have lived in British Columbia for at least six months before registering to vote; have lived in the municipality, regional district electoral area, school district trustee electoral area, or Islands Trust area in which they intend to vote for at least 30 days before registering to vote; and, not be disqualified by the *Local Government Act*, any other Act, or the Courts from voting in a general local election.

A non-resident property elector must: be at least 18 years of age on general voting day; be a Canadian citizen; have lived in British Columbia for at least six months before registering to vote; and have owned property in the jurisdiction for at least 30 days before registering to vote.

Candidates

A candidate is an individual seeking election as a mayor, councillor, electoral area director, school board trustee, or Islands Trust trustee within a municipality, regional district electoral area, school board trustee electoral area, or Trust area who has been nominated by eligible electors and declared a candidate by the Chief Election Officer.

Campaign Organizers

Campaign organizers are individuals or organizations that promote or oppose a candidate (or a point of view), or otherwise undertake election **campaigns** (e.g. advertising, arranging meetings and speeches) that support candidates or elector organizations in one or more jurisdictions. Campaign organizers may be a few individuals in a single community, or organizations that run election campaigns in multiple jurisdictions. An individual who undertakes or intends to undertake such a campaign in an election *and* accepts contributions from others is considered a campaign organizer.

Campaign organizers operate independently from candidates and elector organizations and do not require the consent from a candidate or elector organization. Campaign organizers cannot endorse a candidate on the ballot – only elector organizations may endorse a candidate on the ballot.

See the *Campaign Organizer and Elector Organization Guide to Local Elections in B.C.*, available online at: www.cscd.gov.bc.ca/lgd/elections_home.htm for more information.

Elector Organizations

Elector organizations are formed to promote a candidate, “slate” of candidates or a point of view in a general local election. Elector organizations are occasionally referred to as “civic political parties”. Elector organizations can also endorse candidates on the ballot by allowing their name, abbreviation or acronym to appear on the ballot beside the candidate’s name.

Generally elector organizations promote candidates or otherwise undertake election campaigns to elect multiple candidates in one or more jurisdictions.

See the *Campaign Organizer and Elector Organization Guide to Local Elections in B.C.*, available online at: www.cscd.gov.bc.ca/lgd/elections_home.htm for more information.

Election Officials

Municipal councils and **regional district boards** appoint a **Chief Election Officer** to administer local elections. The Chief Election Officer may be a senior local government employee (e.g. Corporate Officer) or a private contractor hired to conduct the election on behalf of the local government.

The Chief Election Officer must conduct the election in accordance with the local government election bylaw, *Local Government Act* or, in the case of the City of Vancouver – the *Vancouver Charter*. The Chief Election Officer is also responsible for training the deputy chief election officer, presiding election officials, and any additional election officials required to conduct the election.

About Being an Elected Official

There are responsibilities and restrictions prospective **candidates** may wish to consider before deciding to run for elected office – they include the time commitment, remuneration, voting, financial disclosure, ethics and the respective roles of elected officials and local government staff.

Term of Office

Candidates who are elected in a **general local election** serve a three-year term. This term begins at the first **municipal council** or **regional district board** meeting following the November 2011 election – generally the first meeting takes place in December. The term ends immediately before the first council or board meeting following the 2014 general local election.

Time Commitment

Holding local office can represent a significant time commitment. Councils usually hold one meeting every week or two, and regional district boards generally hold one meeting each month. **Councillors** and board members may also sit on special committees, boards or commissions that may require additional meetings and time.

Council members may also be appointed to the regional district board – generally it is the **mayor** who is appointed to the board. Candidates elected as **electoral area directors** and municipal council members who are appointed as **municipal directors** serve together on the regional district board. Council and board members may also serve on a number of committees or commissions that require an additional time commitment.

A council or board member absent from meetings for a period of 60 consecutive days or four consecutive regularly scheduled council or board meetings (whichever is longer) may be disqualified from office. This does not apply if the council or board member is absent because of illness or injury, or if the council or board has given the member permission to be absent.

Remuneration

Elected officials generally receive honouraria or other financial compensation while in elected office. Remuneration varies from community to community – prospective candidates may wish to contact the local government to determine the remuneration elected officials receive in a given community.

Obligation to Vote

Every elected official present at council and board meetings must vote “for” or “against” a motion. The official meeting record will show that those council or board members that did not expressly vote “yes” or “no” voted in favour of the motion. The only exception would be if a council or board member declared a conflict of interest related to the matter being voted upon – the member would then be prohibited from voting and must leave the meeting until after the vote had been taken.

Council members may also be appointed to the regional district board.

CONFLICT OF INTEREST

Community Charter,
sections 100-109

Vancouver Charter,
sections 145.2-145.9

Ongoing Financial Disclosure

Elected officials are required under the *Financial Disclosure Act* to file a **financial disclosure statement** at the time they submit nomination papers, each year while holding office, and when leaving office. The *Financial Disclosure Act* disclosure statement details the corporate and personal holdings of the elected official and must be available for public inspection. Candidates are required to file a financial disclosure statement at the time they submit nomination papers.

The *Financial Disclosure Act* disclosure statement is not the same as the **campaign financing disclosure statement** required under the *Local Government Act* or *Vancouver Charter* which each candidate, campaign organizer and elector organization is required to file after the general local election.

Both the financial disclosure statement and the campaign financing disclosure statement must be filed with the local government corporate officer. Failure to file a financial disclosure statement carries a penalty of up to \$10,000. Failure to file a campaign financing disclosure **statement** can result in disqualification from office or from being a candidate until after the next general local election.

The Ethics of Elected Office

Local government officials are entrusted by the electorate with significant decision-making authority. Mayors, councillors and board members have a great deal of influence on, and responsibility for, the services that citizens receive.

Elected officials must conduct themselves in an open, transparent and accountable manner and avoid situations that may bring their integrity or the integrity of the council or the board into question.

Conflict of Interest

Elected officials must not vote on, or participate in discussions about, any matters where they have a direct or indirect financial interest that is not shared with the broader community.

Council or board members who have a financial interest in a matter under discussion, must:

- declare their interest in the matter;
- withdraw from the meeting;
- not participate in the discussion or vote; and
- not attempt to influence, in any way, the voting of other elected officials on the matter.

A council or board member, who has a direct or indirect financial interest in a given matter and participates in discussions, attempts to influence the vote or votes on the matter, may be disqualified from office.

The *Local Government Act*, *Community Charter* and *Vancouver Charter* set out additional requirements related to elected officials:

- accepting gifts;
- using insider information;
- using elected office to influence a local government decision or an outside person or organization;
- using elected office to pressure local government staff; and
- disclosing contracts with the local government.

CONTRACTUAL CONFLICT?

Lara Harrison owns Harrison Landscaping Services, a local gardening and landscaping company – she is also a municipal council member.

Harrison Landscaping holds a contract with a nearby municipality, but does not currently have a contract with the municipality where Lara is a councillor – although the company did submit a bid the last time there was a request for tenders.

The current municipal landscaping contract is about to expire and council is considering whether to extend the current contract or put the contract out to tender.

Councillor Harrison has a *direct and/or indirect financial interest* in this matter, and is likely to be in a conflict of interest if she participated in any discussions or votes related to the landscaping contract.

Councillor Harrison would have a *direct financial interest* if Harrison Landscaping submitted a bid for the municipal landscaping contract. However, because only a small number of landscaping companies operate in the region, Councillor Harrison also has an *indirect financial interest* in decisions that affect the companies that compete with Harrison Landscaping for business – even if Harrison Landscaping does not submit a bid to provide services to the municipality.

Councillor Harrison must inform council about her connection to the contract and excuse herself from further debate and discussion by leaving the room until the council moves on to another topic, to avoid any perception of influencing or affecting council's decision.

Influence

Council and board members have decision-making authority on matters that may affect the economic or social well-being of the entire community. Council and board members who have a direct or indirect financial interest are prohibited from using their office to influence council decisions, council committees, other bodies established by council, or local government staff.

Council and board members are also prohibited from using their position to influence decisions made by any other person or organization where the council member has a direct or indirect financial interest. Penalties for using inside or outside influence, if convicted, can include fines, imprisonment and disqualification from office.

Gifts

Council and board members must not accept a fee, gift or other personal benefit that is directly connected to the performance of their duties as a council or board member.

Councillors and board members may accept gifts or other personal benefits received as a matter of social obligations or protocol related to their position (such as a gift from a visiting delegation from another government), compensation authorized by law, or **campaign contributions**.

A council or board member who received such a gift must file a disclosure statement with the local government Corporate Officer. The statement must include: the nature of the gift; its source; when it was received; and, the circumstances under which it was given and received. This statement must be filed as soon as possible after the gift was received.

Confidentiality

Past and present council and board members are required to keep confidential information private until such time as that information is made publicly available by the council or board.

Information contained in records that have not been released to the public, and information discussed in closed meetings must be kept confidential until that information is released in an open meeting. A local government may recover any damages that result from a council or board member, or former council or board member, who intentionally disclosed confidential information.

Elected Officials and Local Government Staff

Locally elected officials perform a role that is distinct from the role of the Chief Administrative Officer (CAO), or Corporate Officer, and other local government staff. Elected officials are decision-makers, and set strategic policies and priorities for the local government – they do not implement policies and decisions.

Local government staff (CAO and Corporate Officer) are responsible for implementing municipal council or regional district board decisions and providing advice to the elected officials. The CAO or Corporate Officer is the primary point of contact between elected officials and local government staff (e.g. land use planners, bylaw enforcement officers, public works staff) employed by the municipality or regional district.

Elected officials do not have regular contact with other local government staff, nor do elected officials perform, or supervise, the roles or duties assigned to local government staff. An elected official must not interfere with, hinder or obstruct the work of municipal officer or employee.

A local government officer's employment may be terminated by a council or board subject to the terms of their employment contract and providing the officer had an opportunity to respond to the decision. A mayor may suspend an officer or employee at their discretion – however that decision must subsequently be considered by the council or board – the council or board may vote to uphold or overturn the decision.

Who May Run For Office

An individual, who has not been disqualified from seeking or holding elected office, may become a local government **candidate** in a local election.

A candidate for **mayor, councillor, or electoral area director** must:

- be 18 years of age or older on **general voting day**;
- be a Canadian citizen;
- have lived in British Columbia for at least six months before filing nomination documents (or, since April 12, 2011); and
- not be disqualified by the *Local Government Act*, any other Act, or the Courts from voting in a **general local election**.

Candidates for local government office must be nominated by at least two eligible electors in the jurisdiction where the candidate is seeking election. Some jurisdictions require more than two nominators.

Local Government Employees

Local government employees or salaried officers who are paid for their services are eligible to run for elected office if they take a leave of absence and resign their employment if successfully elected.

The requirement to take a leave of absence and resign if successfully elected applies in the following circumstances:

- an employee running for elected office in the municipality in which they are employed;
- a municipal employee seeking to be elected as an electoral area director for the regional district of which their municipal employer is a member;
- a regional district employee seeking to be elected as the mayor or councillor of a municipality that is a member of the regional district;
- an employee of a municipality within the Islands Trust seeking to be elected as a **local trustee**; and
- an employee of the Islands Trust seeking to be elected as the mayor or councillor of any municipality in the Trust area.

Local Government Contractors

Individuals who provide services to local governments on a contracted basis may be eligible to be candidates in local elections. Eligibility is contingent on whether a contracted person is considered to be an “employee”. Local government employees or salaried officers who are paid for their services, are not eligible to run for elected office unless they take a leave of absence and resign their employment if successfully elected.

Local government employees must take a leave of absence to run for election, and must resign from their position if elected.

Federal Employees

Federal public service employees may seek nomination as, or be, candidates in a local election if they first request and obtain permission from the Public Service Commission of Canada (PSC).

Federal employees must not be declared a candidate or undertake any candidacy-related activities unless they have first obtained permission from the PSC. The PSC may grant permission, with or without conditions, if it is satisfied that seeking nomination as, or being, a candidate will not impair or be perceived as impairing an employee's ability to perform their job-related duties in a politically impartial manner.

Visit: www.psc-cfp.gc.ca/index-eng.htm under the "Political Activity" section, or contact the PSC at 1-866-707-7152, or by e-mail at: pa-ap@psc-cfp.gc.ca, for further information.

Volunteers

Volunteers who receive no monetary compensation for services provided to a local government are eligible to run for and hold elected office without taking a leave of absence or relinquishing their volunteer duties if elected.

Volunteers who receive monetary compensation (e.g. an hourly wage) for services provided to a local government are eligible to run for elected office if they take a leave of absence and resign if elected.

A paid municipal volunteer must take a leave of absence and resign in order to run for and hold office in the regional district where the municipality is a member.

A paid regional district volunteer must take a leave of absence and resign in order to run for and hold office in a member municipality.

Who May Not Run For Office

An individual is not eligible to run as a candidate for any local government office if they:

- have been convicted of an indictable offence and are in custody;
- are involuntarily committed to a psychiatric or other institution;
- are judges of the Provincial Court, Supreme Court or Court of Appeal;
- are employees or salaried officers of the local government, including volunteers who are paid for their services – unless they have taken a leave of absence to run for office and agree to resign if elected;
- are federal employees – unless they have requested and obtained prior permission from Public Service Commission of Canada (PSC) to run for office;
- have been found guilty of an elections offence, such as intimidation or buying votes, and are prohibited from holding office; or
- have been disqualified from the election for failing to:
 - file a **campaign financing disclosure statement** in a previous election;
 - make an oath of office; or
 - attend meetings, without being granted permission by the council or board unless the absence is due to illness or injury.

A municipal employee may not seek election as an electoral area director for a regional district of which their employer is a member – nor may a regional district employee be the mayor or councillor of any of the regional district's member municipalities.

An employee of a municipality within the Islands Trust may not serve as a local trustee, nor may an employee of the Islands Trust serve as the mayor or councillor of any municipality in the Trust area.

Nomination Period and Declaration of Candidates

The nomination period is the only time during which the **Chief Election Officer** is permitted to accept nomination documents and deposits (where applicable) from nominees for office. The nomination period begins at 9 a.m. on October 4, and ends ten days later at 4 p.m. on October 14 for the 2011 **general local election**. The Chief Election Officer is required to publish notices of the nomination period.

It is the nominee's responsibility to ensure all of the nomination documents and deposits are submitted to the Chief Election Officer (or designate) on time and that the documents are accurate and complete. A nominee does not officially become a **candidate** until they submit nomination papers during the nomination period (October 4 to October 14) and are subsequently declared a candidate by the Chief Election Officer.

The Chief Election Officer officially declares the nominees who have met the candidacy requirements and become candidates for the general local election after the end of the nomination period – 4 p.m. on October 14, 2011.

The Chief Election Officer may extend the nomination period until 4 p.m. on October 17, 2011, if there are fewer candidates than positions to be elected. Any subsequent nominees would be declared candidates at that time.

Who May Nominate

Candidates for local government office must be nominated by at least two eligible electors of the jurisdiction where the candidate is seeking election. Local governments have the ability to require two, 10, or, in jurisdictions with populations greater than 5,000, 25 nominators for each candidate. Contact the Chief Election Officer to determine the minimum number of nominators for the jurisdiction.

A nominator must be eligible to vote in the local government jurisdiction as a **resident elector** or as a **non-resident property elector**.

Nomination Packages

Nomination documents and other related information is generally available from local government offices during regular business hours two to four weeks before the nomination period begins on October 4 and remain available until the nomination period ends on October 14.

Nomination documents must be submitted to the Chief Election Officer – or a person designated by the Chief Election Officer – in writing, and must include the following:

- the candidate's full name;
- the candidate's usual name, if it is different from their full name and they would rather have that name appear on the ballot – e.g. Mike instead of Michael;

The nomination period is from 9 a.m. on October 4, 2011, to 4 p.m. on October 14, 2011.

Candidates may wish to consider having more nominators than are required by the local government in case one or more nominators is determined to be ineligible.

- the office for which the candidate is nominated (e.g. **mayor, councillor, or electoral area director**);
- the candidate's residential address;
- the candidate's mailing address, if different from their residential address;
- the names and residential addresses of nominators, and, if one or more of the nominators is a non-resident property elector, the address of the property owned by the nominator(s) in the jurisdiction; and
- the statement signed by each nominator that, to the best of their knowledge, the candidate is qualified to hold local government office in British Columbia.

The nomination documents must also be accompanied by supporting information that demonstrates the candidate's consent and preparedness to run in the general local election, including the:

- candidate's written consent to the nomination;
- candidate's **financial disclosure statement**, as required by section 2(1) of the *Financial Disclosure Act*;
- candidate's **solemn declaration** that, the;
 - candidate is qualified to be nominated for office;
 - information provided in the nomination documents is true; and
 - candidate fully intends to accept the office if elected.

Candidates can make the required solemn declaration in advance with a Commissioner for taking affidavits for B.C. or have one taken by the Chief Election Officer when the candidate delivers the nomination documents to the Chief Election Officer or other person designated for that purpose.

Those candidates endorsed by an **elector organization** are required to submit additional information with their nomination documents, including:

- a statement that the candidate has been endorsed by that organization and wishes to have the organization's name appear on the ballot;
- a solemn declaration from the elector organization that the organization fulfils the requirements for endorsing a candidate; and
- the candidate's written consent to the elector organization endorsement.

See the *Campaign Organizer and Elector Organization Guide to Local Elections in B.C.*, available online at: www.cscd.gov.bc.ca/lgd/elections_home.htm for more information on elector organization endorsements.

Nomination documents can be submitted to the Chief Election Officer, or other person designated for that purpose, in person, by mail or by facsimile. The Chief Election Officer must receive original copies of any documents submitted by facsimile by 4 p.m. on October 21, 2011 – the nomination is not valid if the original documents are not received by the October 21 deadline.

Part 4, Division 3 of the School Act sets out additional requirements for school board trustee candidates.

Nomination Deposits

Local governments may require candidates to pay a refundable nomination deposit of up to \$100 when they submit their nomination documents – the deposits are fully refunded if candidates file their **campaign financing disclosure statement** within 120 days (March 19, 2012) following the general local election. Nomination deposits are also refunded if candidates file campaign financing disclosure documents within the late filing period (April 19, 2012) – candidates are required to pay a \$500 late filing fee if they file after the March 19 deadline.

Candidates who fail to file a campaign financing disclosure statement, or do not obtain a Court order for relief from the obligation to file, forfeit their nomination deposit to the local government. Candidates who do not file campaign financing disclosure statements may also be subject to additional penalties.

The nomination deposit is refunded if the candidate withdraws before the end of the nomination period. The refund is paid at the end of the nomination period.

Contact the appropriate local government election official to determine if a nomination deposit is required.

School boards may also require trustee candidates to pay a refundable nomination deposit. Contact the local school board to determine if a nomination deposit is required.

Challenge of Nomination

Anyone may view a candidate's nomination documents once the package has been submitted by the candidate to the Chief Election Officer or their designate. Local governments are required to provide access to nomination documents at the local government office during regular office hours. Local governments may, by bylaw, provide additional means of access to nomination documents (e.g. on the Internet).

An eligible elector, another nominee for office or the Chief Election Officer can challenge a candidate's nomination if they believe the nomination documents are incorrect or the candidate is not otherwise eligible to be nominated for office. Challenges of nomination must be made through an application to the Provincial Court.

The Provincial Court accepts challenge to nomination applications from the time the nomination documents were submitted to the Chief Election Officer (or their designate) by the candidate, until 4 p.m. on October 18, 2011. The application must briefly set out the facts upon which the challenge is based and be supported by an affidavit signed by the applicant. The Court is required to hear the challenge and make a ruling by 4 p.m. on October 21, 2011.

A candidate whose nomination has been challenged by an eligible elector, nominee for office or the Chief Election Officer is entitled to immediate notification of the challenge, a copy of the challenge of nomination application and of the date and time of the Provincial Court hearing within 24 hours of the application being submitted to the Provincial Court. The candidate is entitled to an opportunity to prove their eligibility to be nominated for elected office. The Provincial Court decision on the challenge of nomination is final and may not be appealed.

Withdrawing a Nomination

Candidates may reconsider and withdraw their candidacy during the nomination period (October 4 – October 14) and for seven days following the close of nominations (4 p.m. on October 21). The candidate must provide written notice of their withdrawal to the Chief Election Officer – the Chief Election Officer must remove the candidate's name from the ballot.

A candidate may still withdraw their candidacy after 4 p.m. on October 21, by giving written notice to the Chief Election Officer. The Minister responsible for local government must approve the withdrawal before the Chief Election Officer can remove the candidate's name from the ballot. The Minister is not obligated to approve the candidate's withdrawal.

Any candidates that withdrew from the general local election after the declaration of candidates (at the close of nominations on October 14) are required to file campaign financing disclosure documents – even if they received no contributions and incurred no expenses. Candidates who fail to file a campaign financing disclosure statement, or do not obtain a Court order for relief from the obligation to file, forfeit their nomination deposit to the local government, become ineligible to run in the next election and potentially face additional penalties.

Campaign financing requirements do not apply if a candidate withdraws before the declaration of candidates on October 14 – and any nomination deposit paid by the candidate will be returned at the end of the nomination period.

The Minister responsible for education is required to approve the withdrawal of school board candidates from the 2011 school board elections after October 21.

Election Campaigns

What are Election Campaigns?

An election **campaign** is a connected series of actions (e.g. advertising, meetings, and speeches) designed to elect a **candidate** or a slate of candidates to a **municipal council, regional district board, local community commission** or a local trust committee of the Islands Trust.

Typically, an election campaign involves candidates, **campaign organizers** and/or **elector organizations** communicating with the electorate, through:

- public appearances and speeches;
- advertisements on television, radio, the Internet, in newspapers and magazines;
- brochures, signs, posters, billboards;
- mail inserts and newsletters; and
- displays and/or exhibitions.

An election campaign may be undertaken by a candidate, campaign organizer or elector organization during a local election.

Candidate Campaigns

In many cases, candidates direct their own election campaign during **general local elections**.

Candidates may enlist the expertise of designated representatives, such as a financial agent or official agent. They may also retain an election campaign manager and campaign **volunteers** to raise funds, prepare and distribute advertisements, call eligible voters, handle logistics and take on other election campaign-related activities. Candidates have considerable flexibility in organizing their campaigns, provided they avoid committing campaign offences and meet the campaign financing disclosure requirements.

Campaign Organizer Campaigns

Campaign organizers are individuals or organizations that promote or oppose a candidate (or a point of view), or otherwise undertake election campaigns (e.g. advertising, arranging meetings and speeches) that support candidates or elector organizations in one or more jurisdictions. Campaign organizers may be a few individuals in a single community, or organizations that run election campaigns in multiple jurisdictions. If an individual undertakes or intends to undertake such a campaign in an election *and* accepts or intends to accept contributions from others, that person is considered a campaign organizer.

Campaign organizers operate independently from candidates and elector organizations and do not require the consent from a candidate or elector organization. Campaign organizers cannot endorse a candidate on the ballot – only elector organizations may endorse a candidate on the ballot.

Campaign organizers are not required to register as a company or society – however, they are required to provide contact information to the **Chief Election Officer** as soon as reasonably possible after they have received or spent more than \$500 in a general local election.

Campaign organizers cannot endorse a candidate on the ballot – only elector organizations may endorse a candidate on the ballot.

Campaign organizers are required to have a financial agent to ensure the financial aspects of the election campaign are run in accordance with the campaign financing requirements contained in the *Local Government Act* or *Vancouver Charter*. Campaign organizers are required to submit **campaign financing disclosure statements** to the local government when they spend over \$500 in **election expenses** or receive over \$500 in **campaign contributions** in a **general local election**.

Elector Organization Campaigns

Generally, elector organizations are formal organizations that promote a “slate” of candidates or otherwise undertake election campaigns to elect multiple candidates in one or more jurisdictions.

Candidates and elector organizations may form mutually beneficial partnerships in order to realize a similar intended outcome – the election of the candidates supported by the elector organization. A candidate may agree to allow an elector organization to manage their campaign, along with the campaigns of any other candidates the elector organization endorses and in turn the elector organization permits its name, abbreviation or acronym to appear on the ballot beside the candidate’s name. Alternatively, a candidate and elector organization may agree to run separate complementary campaigns designed to elect that candidate within a specific jurisdiction – the elector organization may also allow its mark to be used on the ballot next to the name of the candidate.

Elector organizations are not required to be incorporated as a company or society – however, they are required to provide contact information to the Chief Election Officer as soon as reasonably possible after they meet membership requirements to become an elector organization.

Campaign financing rules apply to elector organizations. Every elector organization must appoint a financial agent to ensure the financial aspect of the election campaign are run in accordance with the campaign financing requirements contained in the *Local Government Act* or *Vancouver Charter*. Elector organizations are required to submit campaign financing disclosure statements to the designated local government officer for each election campaign they ran in a general local election.

See the *Campaign Organizer and Elector Organization Guide to Local Elections in B.C.*, available online at: www.cscd.gov.bc.ca/lgd/elections_home.htm for further information about elector organizations, and endorsements by elector organizations.

Key Campaign Activities

Key campaign activities may include a planned set of actions, events or initiatives (e.g. canvassing, phone-banks, events and advertising) designed to promote a candidate or a slate of candidates and communicate their election platform to the electorate during an election campaign.

Canvassing

Candidates and campaign volunteers may canvass door-to-door throughout a community in order to raise awareness of the candidate, campaign organizer or elector organization and their election platform, identify issues of importance to electors and determine the level of elector support for a given candidate.

Phone “banks”

Candidates may establish phone “banks” as one aspect of their election campaign. Campaign volunteers may use the phone bank to contact eligible electors to: raise awareness of the candidate or elector organization; determine the level of support for their candidate; and, identify which issues are of importance to electors.

Private communication and marketing companies may be retained to provide this service for one or more candidates. Phone banks may also be used by candidates (or their representatives) during advance and general voting opportunities to contact and remind eligible electors to “get out and vote”.

Events

Local governments, community groups and local media often provide opportunities for candidates to communicate their platform or position on specific issues to the electorate at “all-candidate” forums. The local media may be aware of these public debates or all-candidates forums and publicize them to increase awareness within the community. Local governments are not obligated to organize, supervise, or to inform candidates of these events.

Advertising

Advertising is a key component of most local election campaigns. Candidates, campaign organizers, elector organizations, individuals – and businesses – may use print, radio, television or social media (e.g. Facebook, Twitter, Youtube) advertising to promote or oppose candidates or points of view during an election campaign.

There are certain legislated restrictions related to election advertising with which candidates, campaign organizers, elector organizations, and individuals must comply or be subject to election campaign and/or campaign financing penalties.

Citizens who conduct campaign advertising for or against a candidate or a point of view may be considered campaign organizers. See the *Campaign Organizer and Elector Organization Guide to Local Elections in B.C.* and the *Guide to Supporting a Candidate for Local Elections in B.C.*, available online at: www.cscd.gov.bc.ca/lgd/elections_home.htm, for information about how individuals can support candidates in a general local election.

Local governments have the authority to regulate the size, placement, maintenance and removal of signs and other forms of public advertising – the rules may be quite different between local governments.

The Ministry of Transportation and Infrastructure regulates sign placement along Provincial highways, medians, bridges and along major roadways. Contact the local government or local Ministry of Transportation and Infrastructure office before placing election campaign signs on medians, bridges or along major roads.

Candidates, campaign organizers, elector organizations and citizens must not advertise in print, or on radio or television media on **general voting day** – nor may they accept supportive advertising purchased or donated as a **campaign contribution** by another party to appear in those media on general voting day.

It is an election offense to advertise in print, or on radio or television on general voting day.

LIST OF REGISTERED ELECTORS (VOTER'S LIST)

Each candidate is entitled to one free copy of a list of registered electors (voter's list) if one is used by the local government to register electors and conduct the general local election (additional copies may be available to candidates at a cost determined by the local government). A list of registered electors is not available if the local government only permits registration on voting day (same day registration).

The list of registered electors must only be used by candidates for election campaign-related purposes – such as door-knocking, flyer distribution, and/or calling eligible voters to remind them to “get out and vote”.

A candidate must agree, in writing, that the information provided on the list of registered electors will only be used for the purposes of the election before receiving a copy of the list. Contact the local government for more information about how to obtain a copy of the list of registered electors

A candidate using the list must treat the personal information it contains carefully. The list must be returned to the local government or otherwise destroyed following the general local election.

Election Campaign Offences

Candidates and campaign workers convicted of vote-buying, intimidation, campaigning near a voting place, providing or distributing false information, or conducting other activities contrary to the *Local Government Act* or *Vancouver Charter* may be subject to a range of fines and penalties for committing campaign offences.

Campaign offences include:

- **Vote-buying** – It is an offence to offer inducements to vote or not to vote, or to vote for a particular candidate. Inducements can include offers of money, gifts, refreshments, entertainment, employment or any other benefit. It is also an offence to accept inducements to vote.

Examples of vote-buying include buying coffee for patrons of a coffee shop or volunteering to drive individuals to a voting place in exchange for votes. These activities are not prohibited; however, in order to be acceptable, such activities must not create an obligation on the elector, whether overt or implied, to vote for certain candidates.

- **Intimidation** – It is an offence to intimidate an elector, 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 for voting in support of a particular candidate.

Vote-buying and intimidation can result in penalties including fines of up to \$10,000, imprisonment for up to two years, prohibition from holding elected office in a local government for up to six years, and prohibition from voting in a local government election for up to six years.

- **Campaigning near a voting place** – It is an offence to engage in campaigning and other activities that show support for one candidate over another or for a campaign organizer or an elector organization a within 100 metres of a voting place.

- **Providing or distributing false information** – It is an offence to falsely withdraw a candidate from an election, distribute a false statement that a candidate has withdrawn, falsely withdraw the endorsement of an elector organization, consent to nomination when ineligible, provide false information or make false statements or declarations.
- **Contravening voting provisions** – It is an offence to vote when not entitled to, vote more than once in an election, obtain a ballot in the name of another person, interfere with the secrecy of the ballot, tamper with ballots or ballot boxes, or print, reproduce, give out or destroy ballots without authorization.

Individuals and organizations that campaign near a voting place, provide or distribute false information, and/or contravene voting provisions may be subject to penalties including fines of up to \$5,000, imprisonment for up to one year, be prohibited from holding elected office in a local government for up to six years, and be prohibited from voting in a local government election for up to six years.

Candidate representatives must carry copies of their appointment papers whenever they represent the candidate at an election proceeding.

A **candidate** may appoint an individual or individuals to assist running an election **campaign** and to otherwise represent the candidate when the candidate is unable to appear in person. Each candidate may choose to appoint an official agent, and/or scrutineers – they must appoint a financial agent.

All candidate representative appointments must be made in writing, and be accompanied with a signed statement containing the name and address of the individual and the role to which they have been appointed. The information must be submitted to the **Chief Election Officer** as soon as possible after the appointment has been made.

Each candidate representative who attends a voting place must make a **solemn declaration** to preserve the secrecy of the ballot and not interfere with an elector marking a ballot. Official agents and scrutineers may attend a voting place once they have made their solemn declaration – financial agents may only be present at a voting place with the permission of the presiding election official. Contact the local government Chief Election Officer for information about how candidate representatives make their solemn declaration.

Official Agent

A candidate may appoint an official agent to act on their behalf throughout the election process – for example, the official agent may be the campaign manager or the spokesperson for the candidate. The candidate may also appoint the official agent as their financial agent.

Financial Agent

A candidate must appoint a financial agent – the candidate may act as the financial agent for the election campaign. The financial agent is legally responsible for ensuring that the financial aspects of the election campaign comply with the *Local Government Act* or *Vancouver Charter* campaign financing requirements.

The financial agent must understand the scope of their responsibilities – failure to comply with campaign financing rules may result in a fine of up to \$5,000 for the candidate or financial agent, and the candidate may also be disqualified from holding elected office for up to six years.

Scrutineers

Scrutineers represent candidates at voting opportunities by observing voting procedures and scrutinizing the ballot-counting process. A candidate or their official agent may appoint scrutineers. The appointment must be made in writing and be delivered to the Chief Election Officer as soon as possible after the appointment has been made.

Each candidate is permitted under the *Local Government Act* or *Vancouver Charter* to appoint one scrutineer for each ballot box used at a voting place.

The local government may pass a bylaw to permit each candidate to have more than one scrutineer present for each ballot box used at a voting place. The local government may establish specific restrictions and conditions in the bylaw as deemed necessary.

A candidate is the financial agent if they do not appoint a financial agent.

Voting Days

Voting Times

Voting places must be open from 8 a.m. to 8 p.m. on **general voting day** (November 19, 2011) and the required **advance voting opportunities** (November 9, 2011, and another date determined by local governments with populations greater than 5,000). Local governments may set specific hours for any special voting opportunities or additional advance voting opportunities held during the **general local election**.

All voting places must close by 8 p.m. on general voting day to ensure ballots are counted at the same time.

Counting Ballots

Ballot counting begins after the polls close at 8 p.m. on November 19.

Candidates are entitled to be present during the count, and may assign one representative to each location where counting takes place. Candidates and candidate representatives (e.g. scrutineer or official agent) must not touch the ballots or ballot boxes or otherwise interfere with the counting process – except to object to the acceptance or rejection of a ballot.

Candidates or candidate representatives (e.g. scrutineer or financial agent) must raise their objection to the acceptance or rejection of a ballot with the presiding election official supervising the ballot counting process. Objections to the acceptance or rejection of a ballot must be raised while the ballot is being considered during the count. Objections to accept or reject a ballot and the presiding election official's decision relative to the ballot in question are recorded and submitted with the ballot account for the voting place to the **Chief Election Officer**.

The presiding election official's decision to reject or accept a ballot can only be overturned by the Chief Election Officer – or by the Courts following a judicial recount.

Ballot accounts, which outline the results from an individual voting place and reconcile the number of ballots distributed with the number of ballots cast, are prepared at each voting place. Ballots are then packaged and returned to the Chief Election Officer at the local government office, who determines the official election results.

Each candidate is notified by the Chief Election Officer as to the time and location for the final ballot count and the declaration of the official election results. The official election results may not necessarily be announced on general voting day – the Chief Election Officer may announce preliminary results on general voting day and announce the official results at a later date. The official election results must be declared by 4 p.m. on November 23, 2011.

Voting places must be open from 8 a.m. to 8 p.m. on general voting day (November 19, 2011) and the required advance voting opportunities.

Conduct at Voting Places

The Chief Election Officer has the authority to establish the process and standards of conduct that voters, candidates and candidate representatives must abide by at voting places – during advance, special and general voting day opportunities.

Candidate Conduct

Candidates must not be present at a voting place during an advance or special voting opportunity or on general voting day – except to cast their ballot. Candidates must not appear to be campaigning within 100 metres of a voting place on general voting day – it is an elections offence to do so. Candidates may wish to cast their ballot at an advance voting opportunity to avoid this situation.

Candidates are permitted to be present while votes are being counted following the close of general voting.

Candidates must not touch the ballots or ballot boxes or otherwise interfere with election officials during the counting process – except to object to the acceptance or rejection of a ballot.

Candidates must raise their objection to the acceptance or rejection of a ballot with the presiding election official supervising ballot counting process. Objections to the acceptance or rejection of a ballot must be raised while the ballot is being considered during the count. Objections to accept or reject a ballot, and the presiding election official's decision relative to the ballot in question are recorded and submitted with the ballot account for that voting place to the **Chief Election Officer**.

No one is permitted to enter or leave a voting place while the ballot count is in progress.

Scrutineer Conduct

Candidates (and/or their official agent) appoint scrutineers to observe the voting and counting process at voting places during advance, special and general voting opportunities. Scrutineers are not permitted to wear anything (e.g. shirt, cap, badge, button, pen, or pin) that shows support for a particular candidate. Scrutineers must not interfere with the routines of the voting place and the duties of election officials. Scrutineers are not permitted to handle election documents under any circumstances.

Local governments and Chief Election Officers have the authority to establish 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.

Scrutineers and election officials generally only communicate during times when no voters are present at the voting place – unless the scrutineer has challenged the eligibility of a voter to receive a ballot before the ballot was issued. A scrutineer may challenge a voter's right to receive a ballot based on their belief that the elector is not entitled to vote or has accepted an inducement to vote.

Scrutineers may also challenge the acceptance or rejection of a ballot during the ballot counting process – the objection must be made with the presiding election official supervising the ballot counting process. Objections to the acceptance or rejection of a ballot must be raised while the ballot is being considered during the count. Objections to the presiding election official's decision relative to the ballot in question are recorded and submitted with the ballot account for that voting place to the Chief Election Officer.

Authority of Election Officials

The Chief Election Officer and presiding election officials are responsible for maintaining the integrity and secrecy of the voting process. The Chief Election Officer and presiding election officials may restrict or regulate the number of people admitted to a voting place at any time, and remove election signs within 100 metres of a voting place.

The Chief Election Officer and presiding election officials may require a person to show identification if they believe the person is at a voting place when not permitted to be present, disturbing the peace and order of voting, interfering with voting proceedings, or contravening election legislation. The Chief Election Officer and presiding election officials may order anyone engaged in these activities, including scrutineers, to leave a voting place, and if the person does not leave, they may remove or have a peace officer remove the person.

Election officials also have authority to challenge an elector's ability to vote on the basis that they are not entitled to vote or that they have accepted inducement for voting.

In extreme cases the Chief Election Officer or presiding election official may adjourn voting proceedings if they believe the health or safety of people at the voting place or the integrity of the vote is at risk.

After General Voting Day

The declaration of official election results must be made by 4 p.m. on November 23, 2011.

The *Local Government Act*, and *Vancouver Charter* provide for a number of legislated procedures (e.g. breaking tie votes, taking the oath of office) that *may or must* be completed following **general voting day**. The opportunity to apply for a judicial recount or challenge the validity of a **general local election** is in place to ensure the election proceedings can be reviewed for fairness and transparency.

Announcing Results

The official election results may not necessarily be announced on general voting day – the **Chief Election Officer** may announce preliminary results after concluding the ballot count on general voting day and announce the official results at a later date.

The official election results must be declared within four days after the close of voting on general voting day – by 4 p.m. on November 23, 2011. The Chief Election Officer must state the number of ballots cast in favour of each **candidate** for each position – those candidates with the most votes are declared elected.

Judicial Recount

An eligible elector, candidate, candidate representative, or the Chief Election Officer, may apply to the Provincial Court for a judicial recount. An application for a judicial recount can only proceed on the basis that:

- the ballots were incorrectly accepted or rejected;
- the ballot account does not accurately record the number of valid votes for a candidate;
- the final determination of results did not correctly calculate the total number of valid votes for a candidate; or
- two or more candidates received the same number of votes.

The period to apply for a judicial recount begins as soon as the official results have been declared – the application period ends on November 28.

Candidates and the Chief Election Officer must receive notification of the application for the judicial recount – from the applicant. The applicant, the Chief Election Officer, candidates and their official agents and counsel are entitled to be present during a judicial recount – the Court has the authority to determine any other people permitted to attend the recount.

Judicial recounts are based on the ballots and ballot boxes used in the election. The Court declares the election results at the completion of the ballot recount. A tie between two or more candidates must be broken in accordance with the the *Local Government Act* or *Vancouver Charter* and the local government election bylaw (run off election or draw by lot). The judicial recount must be completed by December 2, 2011.

Breaking Ties

There are two methods for breaking ties in a general local election in which two or more candidates have an equal number of votes – drawing by lot (a random draw) or by runoff election. A local government must pass an election bylaw that specifies that drawing by lot will be used as the method for breaking a tie when there is a tie between candidates. Otherwise, a runoff election must be held.

A local government election bylaw that states ties will be broken by lot means that the names of the *tied candidates* are written on pieces of paper, placed into a container, and one name is drawn by a Court-appointed person. The Court then declares the candidate whose name was drawn to be elected to office.

A runoff election means that *all unsuccessful candidates* from the original election may run in a second election. The runoff election can only occur after completion of a judicial recount in which no winner was declared.

The Chief Election Officer is required to notify candidates that a runoff election is needed to break the tie – candidates then have three days to notify the Chief Election Officer if they do not intend to run in the runoff election. The Chief Election Officer must set a date for the runoff election for a Saturday no later than 50 days after the completion of the judicial recount. Generally runoff elections are conducted under the same rules as the original election.

Invalid Election

A candidate, the Chief Election Officer or at least four eligible electors of the jurisdiction, may petition the Supreme Court to invalidate a local election.

A petition may only be made on the basis that:

- an elected candidate was not qualified to hold office;
- the election was not conducted in accordance with election legislation; or
- a candidate committed an election offence such as vote-buying or intimidation during the election.

A petition to invalidate the election must be made within 30 days after the declaration of official election results. The Court registry must set a date for the petition to be heard between 10 and 21 days after the petition was filed. The local government must be served notification of the petition to declare the election invalid – by the petitioner(s).

Oath of Office

Every elected candidate must make an oath of office or solemn affirmation before they can assume their position on **municipal council**. Every regional district director must also make an oath of office or solemn affirmation before they can assume their position on the board.

Municipal **councillors** appointed to the **regional district board** must make a second oath or affirmation in addition to the oath or affirmation they made before they assumed their position on the municipal council.

An acclaimed candidate must take an oath or affirmation of office within 50 days of the date set for general voting – had voting been required – or before January 9, 2012. Candidates elected in a general local election must make their oath or solemn affirmation within 45 days after the declaration of official election results.

The oath or solemn affirmation may be made before a judge, justice of the peace, Commissioner for taking affidavits for B.C., or the local government Corporate Officer. Candidates that fail to make an oath or affirmation of office are disqualified from holding office until after the next general election.

Taking Office

A candidate may take the oath or affirmation of office as soon as they are declared elected by the Chief Election Officer – however, elected candidates do not take office immediately.

Municipal council members formally take office at the first regularly scheduled council meeting in December following the November 19, 2011, general local election. This inaugural meeting must be held by December 10, 2011, to ensure members are appointed to the regional district board in a timely manner.

The term of office for a municipal council member appointed to a regional district board begins when the person has made an oath or solemn affirmation as a regional district director.

The term of office for regional district **electoral area directors** begins on the first Monday after December 1 following the general local election – or when the director has made their oath of office or solemn affirmation – whichever is later.

Campaign financing disclosure rules were established to create transparency around **campaign contributions** and **election expenses**. The disclosure rules require **candidates** to provide detailed information about the costs associated with running a local election **campaign** – as well as the amount of money spent in the pursuit of elected office. The rules also ensure ready-access to detailed information about the individuals and organizations that contributed to local election campaigns.

Candidates are required to file a **campaign financing disclosure statement** with the designated local government officer – the statement must include a detailed account of the campaign contributions they received and election expenses they incurred in the course of the election campaign. The campaign financing disclosure statement must be filed with the designated local government officer within 120 days following **general voting day** – by March 19, 2012.

Every nominee declared a candidate at the end of the nomination period in a local election must file a campaign financing disclosure statement. There are no exceptions to this requirement.

Candidates that were unsuccessful, withdrew before voting began, were elected by acclamation, or spent nothing on campaign activities, are required to file a campaign financing disclosure statement. A nominee is not required to file a campaign financing disclosure statement if their candidacy was withdrawn before the end of the nomination period.

Recording and Disclosing Contributions and Expenses

Fulfilling the campaign financing disclosure requirements in the *Local Government Act* or *Vancouver Charter* is a two-stage process. Candidates or their financial agents are first required to *record* **campaign contributions** and **election expenses**; and second, to *disclose* campaign contributions and election expenses.

A nominee for elected office or their financial agent must open a **campaign account** and record campaign contributions and election expenses as soon as possible after the first campaign contribution was received and before the first election expense was incurred or commissioned. Contributions received and expenses incurred prior to a nominee being officially declared a candidate in the local election must also be included.

Nominees or candidates that received contributions or incurred expenses related to activities that resulted in their endorsement by an elector organization must record and disclose that information in their campaign financing disclosure statement.

Candidates must continue to keep records of all campaign-related contributions received or expenses incurred after general voting day. The campaign financing disclosure statement must be filed with the designated local government officer.

Detailed campaign financing records aid in the preparation of, and support the campaign financing disclosure statement.

OFF AND RUNNING

Last September – more than a year before the general local election – Adam Clement took you aside after a council meeting and convinced you to run for council. He wanted to be “the first one in your corner”, and insisted that you accept a cheque for \$300 toward your election campaign.

If you accepted Adam’s contribution – even though you did not publicly announce your intention to run until June – the contribution must be recorded. You (or your financial agent) must also open a campaign account and the contribution must be disclosed in your campaign financing disclosure statement.

Appointing a Financial Agent

Every candidate, campaign organizer and elector organization must appoint a financial agent. A candidate may act as financial agent for their election campaign.

The financial agent appointment must be made in writing, and be accompanied with a signed statement containing the name and address of the individual appointed as the financial agent. The information must be submitted to the **Chief Election Officer** (or their designate) as soon as possible after the appointment has been made.

A candidate, campaign organizer and elector organization may only have one financial agent at any one time – however, a financial agent may provide services to more than one candidate, campaign organizer or elector organization during the same **general local election**. The campaign organizer or elector organization financial agent may also in turn be the financial agent for the candidate(s) supported by the campaign organizer or elector organization.

A candidate who chooses to appoint a financial agent may wish to select an individual with accounting or book-keeping experience. The candidate may also wish to take steps to ensure the financial agent appointed is viewed as appropriate and does not otherwise create a conflict between their campaign role and their professional or personal activities.

The financial agent is legally responsible for ensuring that the financial aspects of the election campaign comply with the *Local Government Act* or *Vancouver Charter* campaign financing requirements.

The financial agent must understand the scope of their responsibilities – failure to comply with campaign financing rules may result in a fine of up to \$5,000 for the candidate or financial agent, and the candidate may also be disqualified from holding elected office for up to six years.

Financial Agent Responsibilities Generally

Financial agents must:

- open a campaign account;
- receive campaign contributions and pay election expenses on behalf of the 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 expenses;

- assign a value and record contributions of property and services; and
- file a campaign financing disclosure statement with the designated local government officer.

Only the financial agent, or individuals authorized by the financial agent, may accept campaign contributions or pay election expenses. Candidates must not accept campaign contribution unless authorized to do so by the financial agent.

The financial agent (or the candidate, if they are their own financial agent) must keep the required **campaign financing records** for seven years after general voting day in the election to which they relate.

Campaign Accounts

A financial agent must open a campaign account at a bank, credit union, trust company, or other savings institution – separate campaign accounts must be opened for each campaign the financial agent manages. A separate account must be opened even if a candidate only uses their own funds – that includes contributions from or expenses paid using personal funds.

A “sub-account” may be opened with an institution that requires a “primary” or “membership” account – as long as the account has a distinct account number and records are maintained separately from any other account(s).

The campaign account must be opened as soon as possible after the first campaign contribution is received and before the first election expense is incurred or commissioned. The campaign account must be used exclusively for the election campaign.

It is an election offence not to open a campaign account – failure to open a campaign account may result in penalties including fines of up to \$5,000 and/or imprisonment for up to one year.

Campaign Contributions

A campaign contribution is the value of any money, property or services used in an election campaign.

There are no campaign contribution limits – nor time constraints on when contributions may be accepted. A campaign contribution may be received before or after a candidate has been officially declared and contributions may also be accepted after general voting day. The financial agent must record and disclose all election campaign-related contributions – regardless of the amount or when the contributions were made.

Monetary Contributions

Monetary contributions are those that could be deposited into the campaign account.

Monetary contributions may be the candidate’s own money that they contributed toward their campaign, or from a donor. Cash contributions must be deposited into the candidate’s campaign account, recorded and disclosed in the candidate’s campaign financing disclosure statement.

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

Contributions made to a candidate in a local election do not qualify as income tax deductions.

A local store that gave your campaign manager a discount on office supplies would have made an in-kind contribution of property.

A speechwriter that donated time to help you prepare for a speech would have made an in-kind contribution of services.

In-kind Contributions

In-kind contributions are “donated” property or services. In-kind contributions must be recorded as contributions because they have been *given* to be used in an election campaign. The value of the donated property or services must also be recorded as an election expense because they were *used* in an election campaign.

In-kind contributions must be assigned a fair market value, recorded and disclosed in the campaign financing disclosure statement in the same manner as monetary contributions.

The value of an election expense is the fair market value of the property or services. The campaign contribution is the difference between the price paid by the financial agent and the market value of the property or service.

MARKET VALUE (ELECTION EXPENSE)	-	PRICE PAID	=	CAMPAIGN CONTRIBUTION
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CONTRIBUTION KINDNESS

You made a stop at Wayne McKellar Office Supply when setting up your campaign office and one of the owners applied a discount to the supplies you purchased. The office supplies would typically have cost \$50 – and the business gave you a 50% discount – therefore you must record the discounted expense as an in-kind contribution. The campaign contribution calculation would be:

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

Harry Trent is a professional communications consultant – your campaign manager asked Harry to help you prepare for a newspaper interview as a favour. Because Harry would typically charge \$100 for the three hours he spent with you – the “favour” must be recorded and disclosed as an in-kind contribution. The campaign contribution calculation would be:

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

Campaign Contribution Restrictions

Contributions may only be accepted by the financial agent or a person authorized by the financial agent. A candidate must direct potential contributors to the financial agent – unless the candidate is acting as their own financial agent or has been explicitly authorized by the financial agent to accept contributions.

There are a number of restrictions related to campaign contributions – violating these restrictions may result in disqualification from office, prohibition from holding local elected office or voting in a local election for up to six years, fines of up to \$5,000, and/or imprisonment.

Anonymous contributions up to \$50 may be accepted and used for the election campaign. The value of the contribution and date it was received must be recorded and disclosed.

An anonymous contribution of more than \$50 received by a candidate must be remitted to the local government – the date and value must also be recorded and disclosed.

Indirect contributions – contributions given through another person or organization – are not permitted.

It is an election offence to contribute money to an individual or organization knowing that the funds would be redistributed (or “funnelled”) as campaign contributions to one or more candidates, campaign organizers, or elector organizations – even if the individual or organization that made the contribution does not know which candidate, campaign organizer, or elector organization received the money.

An individual, organization or financial agent who knowingly gave, or accepted funnelled contributions has committed an election offence and may face fines and/or penalties upon conviction.

Recording and Disclosing Contributions

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

- date of the campaign contribution;
- value of the campaign contribution;
- contributor’s full name and address (unless it is an anonymous contribution);
- class of the contributor (individual, corporation, unincorporated organization engaged in business or community activity, trade union, non-profit organization, or other); and
- 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 if the contributor is a numbered corporation or an unincorporated organization.

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,
 - address of the contributor and names of two directors or principal officers of the contributor, if the contributor is an unincorporated organization, and
 - date(s) and total value of the contribution;
- the total value of the campaign contributions received, and the total number of contributors from whom they were received, for all campaign contributions from a known individual, or organization, that made contributions totalling less than \$100; and

PENNIES FROM HEAVEN

The office manager at your campaign office arrived one morning to find a jar of coins on the doorstep with an unsigned note that said “GO GET ‘EM, TIGER!”. The coins added up to \$50.17.

A local columnist wrote a story about the unknown person who gave you “pennies from heaven”, and you received a boost of publicity around the unusual donation. Two weeks passed and no one came forward to acknowledge the jar of coins as a contribution to your election campaign.

The entire contents of the jar must be remitted to the local government because the anonymous contribution was over \$50.00.

- the value and date of each anonymous contribution, specifying those remitted to the local government.

Multiple contributions from the same person or organization must be totalled and included in the campaign financing disclosure statement.

KEEPING UP WITH THE JONES'

Mary Jones supported your campaign through three separate campaign contributions: a cash donation of \$50 in August; another cash donation of \$500 in October; and an in-kind contribution worth \$120 in October.

Your campaign financing disclosure statement would show that Mary Jones made a total contribution of \$670 on three distinct dates.

NAME	ADDRESS (IF APPLICABLE)	DATE	AMOUNT	CLASS
Mary Jones		10-Aug-11 10-Oct-11 18-Oct-11	\$670.00	Individual

Valuation Exempt Services

Valuation exempt services include services provided by **volunteers** – or goods produced using the property of a candidate or volunteer (e.g. baked goods). Candidates are not required to record or disclose the value of valuation exempt services.

The services provided by the financial agent or professional services provided to comply with the campaign financing rules, free advertising space provided equally to all candidates, and volunteer services are also valuation exempt services.

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. Candidates must also value, record and disclose services provided by a self-employed individual who would otherwise charge a fee for those services. The services of an employee made available at the employer's expense must also be valued, recorded and disclosed.

Recording Debts as Contributions

A candidate may wish to seek additional contributions – or contribute their own funds – to cover an election campaign deficit or any debts that exist following the local election. These contributions must be recorded and disclosed in the campaign financing disclosure statement.

Certain industries give customers 30, 60 or 90 days, or longer, to pay for property or services. Debt owed for six months past the agreed upon payment date must be recorded as a campaign contribution. The contribution must be recorded in the same manner as a contribution unless the creditor has commenced legal proceedings in an attempt to recover the past-due debt.

A loan or line of credit may take longer to become “due”. The source of the funds used to pay the loan or line of credit must also be recorded as a campaign contribution and disclosed in the campaign financing disclosure statement. A loan or line of credit unpaid for six months past the agreed upon payment date must be recorded and disclosed as a contribution – unless the creditor has commenced legal proceedings in an attempt to recover the past-due debt.

Election Expenses

Election expenses are the value of property or services used in the course of an election campaign during the calendar year (or after the date of the vacancy for which a **by-election** is being held) in which the election was held.

Election expenses include both expressly authorized purchases – such as office supplies – as well as any private property used in a campaign (e.g. the gas used by volunteers in their cars to install signs throughout the community).

Election expenses include, but are not limited to, the following:

- campaign advertising or other communications (such as signs);
- operating a campaign office;
- holding or attending conventions and similar meetings, or other campaign-related functions or events;
- research and opinion polling (such as operating a phone bank); and
- campaign-related transportation.

The expense is the actual price paid or to be paid, if the amount is equal or greater than the fair market value of the property or service. The value of the election expense is the fair market value if no price was paid, or if the price paid was less than the fair market value. Valuation exempt services do not require valuation.

Only the financial agent, or a person authorized by the financial agent, may incur election expenses on a candidate's behalf. The financial agent must record all election expenses and any monies required to pay for campaign-related expenses must come from the campaign account.

Recording and Disclosing Expenses

Election expenses must be recorded and disclosed in accordance with the seven expense classes established by B.C. Regulation 380/93 of the *Local Government Act*. The financial agent must provide a detailed account of the election expenses incurred during the election campaign in the campaign financing disclosure statement filed with the designated local government officer.

Campaign financing records must be as complete as reasonably possible and at a minimum include the following details, the:

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

The campaign financing disclosure statement must also disclose the following election expense information, the:

- total value of election expenses incurred, including the value of all full-price, discounted, or donated property or services; and
- total amount of election expenses in each class.

The financial agent must also provide details in the campaign financing disclosure statement as to how any surplus funds were allocated if more contributions were received than the total election expenses incurred over the course of the election campaign.

The financial agent must file a campaign financing disclosure statement with the designated local government officer by March 19, 2012.

PHOTO OP

A photographer donated her time for a two-hour photo shoot for your media advertising campaign – she only charged you for the supplies she used.

As a professional photographer she would normally charge \$60 per hour for her time and \$50 in materials to produce the set of prints you selected. In this case, the value of the election expense would be the normal rate for her time (\$120) plus the cost for the prints (\$50) – \$170 in total.

Your financial agent would pay the photographer \$50 for the materials from the campaign account and record the remaining \$120 as a campaign contribution for her donated time.

PHOTOGRAPHS				
MARKET VALUE (ELECTION EXPENSE)	-	PRICE PAID	=	CAMPAIGN CONTRIBUTION
\$170	-	\$50	=	\$120

A high school newspaper photographer – who develops and prints photos in a dark room at home – donated his time for a two-hour photo shoot for your media advertising campaign. He only charged you for the cost of the film and other supplies – estimated at \$20.

Since the high school student is not generally paid by the school newspaper, he is considered a volunteer and an equivalent monetary value does not have to be assigned to his time.

In this case the value of the election expense would be limited to the cost of the film and other supplies – \$20 in total.

Your financial agent would pay the student \$20 for the film and supplies from the campaign account or record the \$20 as a campaign contribution if the student waived the \$20 cost of materials.

PHOTOGRAPHS				
MARKET VALUE (ELECTION EXPENSE)	-	PRICE PAID	=	CAMPAIGN CONTRIBUTION
\$20	-	\$20	=	\$0

THE SIGN SQUAD

Your friend Aidan rounds up three co-workers who support your campaign to help put up your campaign signs. They spend an hour assembling the signs, then another hour driving around town in Aidan's truck putting the signs in place.

When they arrived back at your campaign office, Aidan estimated that the quarter tank of gas the truck used would normally cost him \$20 – but he says not to worry about reimbursing him for the gas. Your financial agent ordered pizza for the “sign squad” in appreciation for their work.

Three different types of election expenses were incurred to make and put up your campaign signs: the signs (\$250 for sign printing and lumber); transportation to put up the signs (\$20 for gas); and, food for Aidan and his three friends (\$20 for pizza).

If your financial agent paid full price for the sign materials and food – the campaign contribution would be limited to \$20 for the gas.

SIGN PRINTING AND LUMBER				
MARKET VALUE (ELECTION EXPENSE)	-	PRICE PAID	=	CAMPAIGN CONTRIBUTION
\$250	-	\$250	=	\$0
LABOUR (SIGN PLACEMENT)				
MARKET VALUE (ELECTION EXPENSE)	-	PRICE PAID	=	CAMPAIGN CONTRIBUTION
NO VALUE ASSIGNED	-	\$0	=	\$0
TRANSPORTATION (GAS)				
MARKET VALUE (ELECTION EXPENSE)	-	PRICE PAID	=	CAMPAIGN CONTRIBUTION
\$20	-	\$0	=	\$20
FOOD				
MARKET VALUE (ELECTION EXPENSE)	-	PRICE PAID	=	CAMPAIGN CONTRIBUTION
\$20	-	\$20	=	\$0

If Aidan owned the business where the four men work and the three men who helped put up the signs were his employees the calculation would be different.

If Aidan paid his three employees for the two hours they spent working on your campaign – their wages for those two hours must be recorded as an election expense (related to the signs) and as a campaign contribution from Aidan’s company.

Similarly, if the truck Aidan used was owned by his company and the gas in the truck was purchased using a company credit card – then the \$20 of gas must be recorded and shown as a campaign contribution from Aidan’s company.

SIGN PRINTING AND LUMBER				
MARKET VALUE (ELECTION EXPENSE)	-	PRICE PAID	=	CAMPAIGN CONTRIBUTION
\$250	-	\$250	=	\$0
LABOUR (SIGN PLACEMENT)				
MARKET VALUE (ELECTION EXPENSE)	-	PRICE PAID	=	CAMPAIGN CONTRIBUTION
\$120	-	\$0	=	\$120
TRANSPORTATION (GAS)				
MARKET VALUE (ELECTION EXPENSE)	-	PRICE PAID	=	CAMPAIGN CONTRIBUTION
\$20	-	\$0	=	\$20
FOOD				
MARKET VALUE (ELECTION EXPENSE)	-	PRICE PAID	=	CAMPAIGN CONTRIBUTION
\$20	-	\$20	=	\$0

WISHING YOU WELL DINNER

You decided to throw a “Dinner and Dance” fundraiser as the formal kick-off to your election campaign.

A campaign supporter offered her garden as the venue, and provided you with dishes, glassware and decorations. Your son, who has a great MP3 collection but no actual paid experience, volunteered to act as a DJ, and a local catering company prepared dinner for 20 and only charged for food costs.

The event sold out – at \$30 a plate – and you raised another \$150 in contributions from the “wishing well” set up beside the buffet. The event raised \$750 for your campaign.

The campaign financing rules apply to all aspects of fund-raising events – so your campaign financing records must show the date, nature and market value of all the election expenses incurred to put on the event (venue rental, ticket printing, DJ equipment rental, catering).

RECORD OF ELECTION EXPENSES				
DATE INCURRED	DATE PAID	PROPERTY OR SERVICES RECEIVED	EXPENSE CLASS	FAIR MARKET VALUE
05-Oct-11	25-Oct-11	fundraiser ticket printing	Other	\$40.00
10-Oct-11	donated	fundraiser decorations	Other	\$35.00
20-Oct-11	25-Oct-11	audio equipment rental – fundraiser	Other	\$78.00
20-Oct-11	01-Nov-11	food and catering services for fundraiser	Other	\$600.00
20-Oct-11	donated	tableware – fundraiser	Other	\$75.00
20-Oct-11	donated	venue – fundraiser	Other	\$125.00

The record of contributions must include the following, for:

- each \$30 ticket, the date, name and address of the purchaser (not the attendee);
- \$150 in anonymous donations received, the date and location of the contributions;

RECORD OF MONETARY CONTRIBUTIONS				
DATE	NAME	ADDRESS	CLASS	AMOUNT
05-Oct-11	Living Landscape Society	579 South Fraser Way	Non-Profit	\$120.00
	Maureen Aavik	93 St. Ann Rd.		
	Tanner Zabarás	731 Columbia St.		
07-Oct-11	Theresa Babcock	82 Young Ave.	Individual	\$30.00
08-Oct-11	Della Xie	879 Cliff Cres.	Individual	\$30.00
09-Oct-11	James Cabrita	193 Wishart Ave.	Individual	\$60.00
15-Oct-11	Karen MacMillan	203-45 Montreal St.	Individual	\$30.00
15-Oct-11	Sandeep Johal	276 Alymer St.	Individual	\$30.00
17-Oct-11	Broadbent Communications	1039 Queen St.	Corporate	\$90.00
	Angus Roberts	402 Bushby Rd.		
	Theodore Broadbent	13 Treetop Cres.		

RECORD OF MONETARY CONTRIBUTIONS

DATE	NAME	ADDRESS	CLASS	AMOUNT
17-Oct-11	Jim Snell	6387 Omenica Rd.	Individual	\$60.00
17-Oct-11	Anthony Charles	275 Manifold St.	Individual	\$30.00
20-Oct-11	Misaki Yakura	8736 Spokane Plc.	Individual	\$60.00
20-Oct-11	Victor Dolby	83 Douglas Cres.	Individual	\$60.00
20-Oct-11	Anonymous	at fundraiser	Other	\$20.00
20-Oct-11	Anonymous	at fundraiser	Other	\$40.00
20-Oct-11	Anonymous	at fundraiser	Other	\$10.00
20-Oct-11	Anonymous	at fundraiser	Other	\$50.01
20-Oct-11	Anonymous	at fundraiser	Other	\$5.00
20-Oct-11	Anonymous	at fundraiser	Other	\$5.00
20-Oct-11	Anonymous	at fundraiser	Other	\$20.00

- use of the garden, dishes and decorations, the date of the event, name and address of the hostess, and the market value of renting a similar facility and renting or purchasing similar dishes, glassware and decorations; and
- catering company, the date of the event, the names and addresses of the company and two of its directors, and the difference between the market value of the meal and the food costs you were charged.

RECORD OF IN-KIND (DISCOUNTED AND DONATED) CONTRIBUTIONS

DATE	NAME & ADDRESS	CONTRIBUTOR CLASS	PROPERTY OR SERVICE	MARKET VALUE	PRICE PAID	CONTRIBUTION VALUE
10-Oct-11	Ruth Toothill 1827 Norman Way	Individual	decorations	\$35.00	\$0	\$35.00
20-Oct-11	Edible Arts 1-903 St. Lawrence St.	Corporate	catering	\$600.00	\$250.00	\$350.00
	Jean-Yves Leclerc 3-903 St. Lawrence St.					
	Marc Giroud 3-903 St. Lawrence St.					
20-Oct-11	Ruth Toothill 1827 Norman Way	Individual	tableware	\$75.00	\$0	\$75.00
20-Oct-11	Ruth Toothill 1828 Norman Way	Individual	venue	\$125.00	\$0	\$125.00

Surplus Funds

Any funds that remain in the campaign account after all election-related expenses – and any other reasonable expenses incidental to the campaign (e.g. thank-you cards sent to campaign workers, or reimbursement of cash contributions made by the candidate to the campaign) are paid, constitute “surplus funds”.

A balance of less than \$500 in the campaign account – after campaign-related expenses were paid and the candidate was reimbursed for any personal expenses – may then be disbursed by the financial agent under direction from the candidate (e.g. the remaining funds may be paid to the candidate or donated to a charity of the candidate’s choosing).

Candidates are obligated to remit to the local government (where the candidate ran for office) any remaining funds in the campaign account – after campaign-related expenses were paid and the candidate reimbursed – that exceed \$500.

The local government must hold the surplus campaign funds in trust for the candidate, should they choose to run in a by-election or the next general local election. The monies held in trust by the local government are transferred, with interest, back to the candidate, after they have been officially declared as a candidate in the next election.

The surplus funds are treated as a donation to the local government if the candidate does not run again in a by-election or the next general local election.

The campaign financing disclosure statement must disclose the following information regarding the receipt and disposition of surplus funds:

- the amount of surplus funds from a previous campaign received from a local government;
- the total amount of any surplus or deficit after the payment of election expenses and other reasonable incidental expenses; and
- how surplus funds remaining in the campaign account were dealt with (e.g. used to reimburse the candidate for their own contributions, donated to a charity, or given to the local government in trust).

See the *Campaign Financing Standard Forms Booklet for Local Elections in B.C.*, available online at: www.cscd.gov.bc.ca/lgd/elections_home.htm for detailed information about how to complete a campaign financing disclosure statement.

Filing Requirements

The financial agent for every declared candidate must file a campaign financing disclosure statement with the designated local government officer by March 19, 2012 – whether the candidate was successfully elected or not. A campaign financing disclosure statement is required even if the candidate received no contributions, incurred no expenses, was acclaimed, or withdrew from the local election.

Late Filing

There is a 30-day grace period for candidates who did not file a campaign financing disclosure statement within 120 days after general voting day. This period ends on April 18, 2012. Candidates are required to pay a \$500 late filing fee – payable to the local government – to file a campaign financing disclosure statement during the 30-day grace period. Local governments are not authorized to reduce or waive the late filing fee.

Court Relief from Filing Obligations

In certain circumstances a candidate may apply for and be granted a Supreme Court Order that extends the filing deadline or relieves the candidate of the obligation to file a campaign financing disclosure statement or supplementary report – or from specific obligations related to those reports. The Supreme Court application to be relieved from filing a campaign financing disclosure statement must be made before the end of the late filing period (April 18, 2012). An application in relation to a supplementary report may be made at any time.

Campaign financing disclosure statements must be filed by March 19, 2012 or by April 18, 2012 with a \$500 late filing fee.

Supplementary Reports

A candidate must file an updated campaign financing disclosure statement to reflect any changes to the original submission (e.g. additional campaign contributions were received) within 30 days of filing the original disclosure statement. A candidate must file a supplementary report to correct any errors in the original campaign financing disclosure statement within 30-days of the error having been discovered.

Filing a supplementary report to correct or complete missing information does not automatically prevent a candidate from being disqualified for filing a false campaign financing disclosure statement.

A candidate must demonstrate that the necessary steps were taken to file a complete, accurate and timely disclosure statement prior to filing the original campaign financing disclosure statement to avoid being disqualified for filing a false disclosure statement. A candidate who filed a false or incomplete supplementary report has committed an election offence and may be disqualified until after the next general local election and be subject to other fines and/or penalties.

Public Report

The local government Corporate Officer is required – at an open meeting – to present to the municipal council or regional district board a report that identifies any candidates, campaign organizers or elector organizations that failed to file a campaign financing disclosure statement within 120 days of the general local election.

The Corporate Officer is also required – at an open meeting – to present to the municipal council or regional district board a report that identifies any candidates, campaign organizers or elector organizations that failed to file a campaign financing disclosure statement before the end of the 30-day grace period. A copy of the report and the candidates' nomination documents must be sent to the Inspector of Municipalities.

Public Inspection

Every local government is required to retain candidate campaign financing disclosure statements and supplementary reports for seven years after general voting day in the election to which they relate. The local government is also required to make the documents available during regular local government office hours to any member of the public who wishes to inspect them. A local government may – by bylaw – make copies or summaries of campaign financing disclosure statements available on the Internet or at other locations as appropriate for part or all of the seven year period.

The information contained in the campaign financing disclosure statements may only be used for purposes related to the conduct of the election, or to matters such as conflict of interest.

Campaign Financing Offences

It is an election offence to contravene any of the campaign financing provisions in the *Local Government Act* or *Vancouver Charter*.

A candidate or financial agent who was determined by the Courts to have: failed to open and use a campaign account; made or accepted prohibited contributions; incurred unauthorized expenses; or, filed false or incomplete campaign financing disclosure statements has committed a campaign financing offence.

Specific campaign financing offences include:

- **Accepting anonymous contributions** – It is an offence to accept anonymous contributions of more than \$50. Any anonymous contributions more than \$50 must be remitted to the local government.
- **Filing false or incomplete campaign financing disclosure statements** – It is an offence to file false or incomplete campaign financing disclosure statements or supplementary statements. The information included in disclosure statements must be as accurate and as complete as possible. Supplementary statements can be used to update and correct disclosure statements as necessary; however, they cannot be used as a defence against purposefully filing false or incomplete disclosure statements.
- **Failing to file campaign financing disclosure statements** – It is an election offence to fail to file campaign financing disclosure statements between March 19, 2012 and April 18, 2012, without paying the \$500 late filing fee. Failure to file supplementary statements when financial information changes or errors were discovered is also an offence.

Campaign Financing Offence Penalties

Penalties including fines of up to \$5,000, imprisonment for up to one year, prohibition from holding elected office in a local government for up to six years, and prohibition from voting in a local government election for up to six years may be imposed on a candidate and/or their financial agent for contravening campaign finance provisions, accepting anonymous contributions over \$50, filing false or incomplete disclosure statements, and failing to file disclosure statements.

Penalties for Failure to File

The financial agent must file a campaign financing disclosure statement with the designated local government officer within 120 day after general voting day – by March 19, 2012 – whether the candidate was successfully elected or not.

There is a 30-day grace period for candidates, that ends on April 18, 2012. Failure to file a campaign financing disclosure statement may result in a range of fines and/or penalties for either the financial agent and/or the candidate.

Automatic Disqualification

A candidate who failed to file a campaign financing disclosure statement by April 18, 2012, and did not receive Court relief from the requirement to do so, is disqualified from being nominated, elected to, or holding a local government office anywhere in British Columbia until after the next general local election. An elected candidate disqualified from holding office for this reason must vacate their seat on the council or board.

Additional Penalties

Failure to file a campaign financing disclosure statement is an election offence and may result in additional penalties. These penalties are determined and assigned by the Supreme Court and may include:

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

Inspector's List of Disqualified Candidates

Candidates who failed to file a campaign financing disclosure statement are named to the Inspector's List of Disqualified Candidates. The Chief Election Officer for a jurisdiction where a candidate whose name appears on the list attempts to run for office in the next election is obliged to challenge the candidate's nomination. The Inspector's List of Disqualified Candidates is available online at:

www.cscd.gov.bc.ca/lgd/elections_home.htm.

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

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 of a council or board member 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 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 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 account must be in the name of the candidate, campaign organizer or elector organization. The campaign account must be distinct from any personal or business accounts.

campaign contribution

The value of any money, property or services provided to a candidate, campaign organizer or elector organization for use in their election campaign. A campaign contribution may be provided by donation, advance, deposit or discount. Any money provided by a candidate in relation to their own campaign is considered a campaign contribution. This is also true for a campaign organizer who is an individual; the amount of any money provided by the individual for the election campaign is considered a campaign contribution.

Campaign contributions in the form of donated property or services are “contributions in-kind”, and must be assigned a fair market value, and recorded and disclosed in the same manner as monetary contributions.

Campaign contributors are categorized into six classes:

- Individuals, defined as individual donors representing only themselves or their families;
- Corporations, including numbered corporations, defined as incorporated organizations engaged in business or commercial activities whose contributions may represent chief officials, owners or directors;
- Unincorporated organizations engaged in business or commercial activity, defined as unincorporated businesses whose contributions may represent chief officials, owners or directors;
- Trade unions, defined as organized labour groups whose contributions represent directors;
- Non-profit organizations, defined as incorporated or unincorporated groups or societies whose purpose is to advocate an issue or opinion rather than to collect a profit, whose contributions may represent the organization’s beliefs or those of directors; and
- Other contributors, defined as individuals and organizations that do not fall into another category.

campaign financing disclosure statement

The document that outlines the total amount of all campaign contributions received, the sources of campaign contributions of \$100 or more, the amount and purpose of the election expenses and the use of surplus contributions, in relation to an election campaign.

The campaign financing disclosure statement must be filed within 120 days following general voting day. Every candidate and elector organization is required to file a campaign financing disclosure statement. Campaign organizers are required to file a campaign financing disclosure statement when their election expenses exceed \$500, or they receive campaign contributions greater than \$500.

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 55 of the
Vancouver Charter

section 83 of the
Local Government Act

section 55 of the
Vancouver Charter

section 33 of the
Local Government Act

sections 14-16 of the
Vancouver Charter

sections 41-43 of the
Local Government Act

sections 14-16 of the
Vancouver Charter

section 115 of the
Community Charter

campaign financing records

The records used to complete a campaign financing disclosure statement. Campaign financing records must include specific information about each campaign contribution made to the candidate, campaign organizer or elector organization, and information about the election expenses reported in the campaign financing disclosure statement.

campaign organizer

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

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

Campaign financing rules 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 in the *Local Government Act* or *Vancouver Charter*.

candidate

An individual who has filed nomination papers before the close of the nomination period and has been declared a candidate by the Chief Election Officer at the end of that period. For the purposes of the campaign financing rules, a candidate includes a person who accepts campaign contributions or incurs election expenses with the intention of becoming a declared candidate in an election, or seeking the endorsement of an elector organization for an election.

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 election 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 by or on behalf of a candidate, campaign organizer or elector organization during the calendar year in which the general election is held. In a by-election, an election expense is the value of property 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 or communication expenses for
 - (i) radio, television, newspaper, magazine or electronic advertising for the public,
 - (ii) signs, pamphlets, flyers and brochures,
 - (iii) advertising and promotion for the public not described in subparagraph (i) or (ii), and
 - (iv) newsletters for members of the elector organization,
- (b) election campaign office expenses for
 - (i) compensation paid to persons for work done relating to the election campaign other than for services described in section 89 (2) of the *Local Government Act* or section 61 (2) of the *Vancouver Charter*,
 - (ii) rent, insurance and utilities,
 - (iii) courier services and postage,
 - (iv) furniture, telecommunication equipment and other equipment, and
 - (v) office supplies and other office expenses not covered by subparagraphs (i) to (iv),
- (c) convention and similar meeting expenses,
- (d) expenses for campaign related functions not described by paragraph (c),
- (e) research and polling expenses,
- (f) campaign-related transportation, and
- (g) other.

elector organization

An organization that endorses or intends to endorse a candidate in an election. Endorsing means having the elector organization's name appear on the ballot beside the candidate's name. An elector organization may endorse more than one candidate – a candidate may only be endorsed by one elector organization.

There are eligibility and process requirements that must be followed in order for endorsement to apply. For example, the organization must have a membership of 50 or more eligible electors for 60 or more days before the endorsement of a candidate.

Campaign financing rules apply to elector organization campaigns. All elector organizations must appoint a financial agent who is responsible for ensuring compliance with the campaign financing rules in the *Local Government Act* or *Vancouver 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

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 nominated, 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 officer at the time of nomination, annually while holding elected office, and shortly after leaving elected office.

The financial disclosure statement is different from the campaign financing disclosure statement.

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 person elected to serve on a Local Trust Committee for each local trust area in the Islands Trust. Two candidates are elected from each local trust area. The local trustees are also members of the Islands Trust Council.

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 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.

section 116 of the
Community Charter

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 unless elected at a by-election held to fill a vacancy on municipal council.

sections 114-121 of the
Community Charter

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.

non-resident property elector

An individual who does not live in a jurisdiction and 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:

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

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

regional district board

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

resident elector

An individual 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 before registering to vote; and
- have lived in the jurisdiction for at least 30 days before registering to vote.

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 designated local government officer, the Chief Election Officer, or Commissioner for taking affidavits for B.C. (e.g. lawyer or notary public). 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 and/or supplementary report.

volunteer

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

Sample Record-Keeping Forms

RECORD OF MONETARY CONTRIBUTIONS

DATE (DD - MM - YY)	NAME	ADDRESS	CONTRIBUTOR CLASS	AMOUNT
13-Sep-10	Adam Clement	154 Treeline Ave.	1	\$ 300.00
29-Oct-11	Aaron Marson	12 Rosemount Ave.	1	\$ 200.00
02-Apr-11	Candidate	123 Olive Rd.	1	\$ 500.00
01-Jun-11	Dave Smith	604 Hillmont Ave.	1	\$ 250.00
05-Jul-11	Bill Santucci	103 Hampshire Lane	1	\$ 10.00
10-Jul-11	Joe Hammond	104 - 1038 Harriet St.	1	\$ 99.00
10-Aug-11	Mary Jones	301 - 1025 John St.	1	\$ 50.00
15-Aug-11	Moe Beeson	40 Tree Top Lane	1	\$ 200.00
20-Aug-11	Smythe's Building Supplies Ltd.	800 High St.	2	\$ 1,000.00
	Alan MacKay	4 - 1025 Wilson St.		
	Diane Smythe	4 - 1025 Wilson St.		
08-Sep-11	Anonymous	Found in mailbox	6	\$ 150.00
11-Sep-11	Allen Hardy	200 Tess Lane	1	\$ 25.00
21-Sep-11	Jessica Barrett	5432 Browning St.	1	\$ 100.00
21-Sep-11	Kelly Homer	67 Cabbage Towne Lane	1	\$ 20.00
28-Sep-11	George Lamont	321 - 789 Rosewood Plc.	1	\$ 300.00
05-Oct-11	Living Landscape Society	579 South Fraser Way	5	\$ 120.00
	Maureen Aavik	93 St. Ann Rd.		
	Tanner Zabaraz	731 Columbia St.		
07-Oct-11	Theresa Babcock	82 Young Ave.	1	\$ 30.00
08-Oct-11	Della Xie	879 Cliff Cres.	1	\$ 30.00
09-Oct-11	James Cabrita	193 Wishart Ave.	1	\$ 60.00
10-Oct-11	Mary Jones	301-1025 John St.	1	\$ 500.00
15-Oct-11	Betty Average	400 University Heights	1	\$ 500.00
15-Oct-11	Karen MacMillan	203-45 Montreal St.	1	\$ 30.00
15-Oct-11	Sandeep Johal	276 Alymer St.	1	\$ 30.00
17-Oct-11	Broadbent Communications	1039 Queen St.	2	\$ 90.00
	Angus Roberts	402 Bushby Rd.		
	Theodore Broadbent	13 Treetop Cres.		
17-Oct-11	Jim Snell	6387 Omenica Rd.	1	\$ 60.00
17-Oct-11	Aidan Marson	275 Manifold St.	1	\$ 30.00
			Page 1 of 2	Page Total
				\$ 4,684.00

CONTRIBUTOR CLASSES:

1. Individual	2. Corporation or business	3. Unincorporated organization
4. Trade union	5. Non-profit organization	6. Other contributor

Cover Sheet and Check List SAMPLE

Election Campaign Financing Report

CANDIDATE

PLEASE PRINT IN BLOCK LETTERS

CANDIDATE'S LAST NAME	FIRST NAME	MIDDLE NAME(S)	
SMITH	JOSEPH	ANDREW	
NAME OF OFFICE FOR WHICH CANDIDATE SOUGHT ELECTION			
COUNCILLOR, CITY OF MERRITT			
NAME OF ENDORSING ELECTOR ORGANIZATION (IF APPLICABLE)			
N/A			
GENERAL VOTING DAY			
NOVEMBER 19, 2011			
FINANCIAL AGENT'S LAST NAME	FIRST NAME	MIDDLE NAME(S)	
SMITH	ANGELA	MARIE	
FINANCIAL AGENT'S MAILING ADDRESS		CITY/TOWN	
1234 UPSTREAM PLACE		MERRITT	
POSTAL CODE	PHONE NUMBER	FAX NUMBER	EMAIL ADDRESS
V1V 2R3	250-123-4567	N/A	ASMITH@EMAIL.COM

This campaign financing report includes the following completed forms and schedules:

- Cover Sheet and Check List
- Declaration for Candidate and Financial Agent
- Campaign Financing Disclosure Summary

Schedules

- Summary of Campaign Contributions
- Campaign Contributors
- Election Expenses
- Surplus Funds Disbursement
- \$500 late filing fee (if filed between March 20, 2012, and April 18, 2012)

NOTE: **Do not include record-keeping forms in the financial disclosure pages submitted to the designated local government officer.** Record-keeping forms are for candidate, campaign organizer, elector organization and financial agent use only. **Do not disclose additional information on disclosure forms** (e.g. personal information not required by legislation) – even if it has been captured through the record-keeping process.

Sample Campaign Financing Disclosure Statement

Declaration for Candidate and Financial Agent

DECLARATION OF CANDIDATE

I, _____ [name of candidate], a candidate 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* (or section 62 of the *Vancouver Charter*) in relation to my election campaign for the office of _____ [name of office] in the _____ [year] general local election for the _____ [name of local government]; and
- (b) the requirements of Part 3, Division 8 of the *Local Government Act* (or Part 1, Division 8 of the *Vancouver Charter*) have been met in relation to my election campaign for the office of _____ [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 designated local government officer or
Commissioner for taking affidavits for B.C.

Signature of Candidate

DECLARATION OF FINANCIAL AGENT

I, _____ [name of financial agent], have prepared this disclosure statement and supporting schedules for _____ [name of candidate] 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* (or section 62 of the *Vancouver Charter*) 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]; and
- (b) the requirements of Part 3, Division 8 of the *Local Government Act* (or Part 1, Division 8 of the *Vancouver Charter*) 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 designated local government officer or
Commissioner for taking affidavits for B.C.

Signature of Financial Agent

Sample Campaign Financing Disclosure Statement

CAMPAIGN FINANCING DISCLOSURE STATEMENT FOR THE 2011 GENERAL LOCAL ELECTION

Local Government Act [section 90] or *Vancouver Charter* [section 62]

This campaign financing disclosure statement is to be filed with the designated officer of the _____ [local government] within **120 days** after general voting day on November 19, 2011. This deadline is **March 19, 2012**.

NAME OF CANDIDATE

NAME OF OFFICE for which the candidate sought election

NAME OF ENDORSING ELECTOR ORGANIZATION (if applicable)

SUMMARY OF CAMPAIGN CONTRIBUTIONS

Total amount of campaign contributions \$ 6,749.00

List of contributors who made contributions totalling \$100 or more

Total amount of anonymous campaign contributions remitted to the local government \$ 320.18

SUMMARY OF ELECTION EXPENSES

Total amount of election expenses \$ 6,565.81

List of election expenses by expense class

SURPLUS FUNDS

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

Balance remaining in candidate's campaign account \$ 183.19

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]

Sample Campaign Financing Disclosure Statement

Summary of Campaign Contributions SAMPLE

Contributions from known sources:

Total value of contributions of \$100 or more from a single source (unless nil, also complete Campaign Contributors table)	A	<u>\$ 5,875.00</u>
Total value of contributions of \$99.99 or less from a single source	B	<u>\$ 744.00</u>
Total number of contributions of \$99.99 or less from a single source		<u>17</u>

Contributions from unknown (anonymous) sources:

Total contributions from anonymous sources		<u>\$ 420.18</u>
Less anonymous contributions remitted to local government	-	<u>\$ 320.18</u>
Total amount of anonymous contributions of \$50 or less	C	<u>\$ 100.00</u>

Total amount of contributions: **A + B + C** **\$ 6,749.00**

Sample Campaign Financing Disclosure Statement

Campaign Contributors SAMPLE

1. Individuals (class 1) contributing \$100 or more:

NAME	DATE(S) (DD – MM – YY)	AMOUNT
Candidate	02 – Apr – 11	\$ 500.00
Dave Smith	01 – Jun – 11	\$ 250.00
Mary Jones	10 – Aug – 11 10 – Oct – 11 18 – Oct – 11	\$ 670.00
Moe Beeson	15 – Aug – 11	\$ 200.00
Adam Clement	13 – Sep – 11	\$ 300.00
Jessica Barrett	21 – Sep – 11	\$ 100.00
George Lamont	28 – Sep – 11	\$ 300.00
Linda Halbert	01 – Oct – 11	\$ 500.00
Ruth Toothill	10 – Oct – 11 20 – Oct – 11	\$ 235.00
Betty Average	15 – Oct – 11	\$ 500.00
Aaron Marson	29 – Oct – 10	\$ 200.00
Harry Trent	30 – Oct – 11	\$ 100.00
Tess Wilson	01 – Nov – 11	\$ 450.00
Total		\$ 4,305.00

2. Organizations (classes 2, 3, 4, 5, 6) contributing \$100 or more:

NAME	ADDRESS	DATE(S) (DD – MM – YY)	CLASS	AMOUNT
Smythe's Building Supplies Ltd. (Alan MacKay, Diane Smythe)	800 High St.	20 – Aug – 11	2	\$ 1,000.00
Living Landscape Society (Maureen Aavik, Tanner Zabaraz)	579 South Fraser Way	05 – Oct – 11	5	\$ 120.00
Edible Arts (Jean-Yves Leclerc, Marc Giroud)	1-903 St. Lawrence St.	20 – Oct – 11	2	\$ 350.00
Harry Trent Communications (Harry Trent, Lisa Trent)	62 Haliburton Way	30 – Oct – 11	2	\$ 100.00
Total				\$ 1,570.00

Class of Contributors:

CONTRIBUTOR CLASSES:		
1. Individual	2. Corporation/Business	3. Unincorporated Organization
4. Trade Union	5. Non-Profit Organization	6. Other Contributor

3. Anonymous contributions remitted to local government:

DATE RECEIVED (DD-MM-YY)	CONTRIBUTION (CASH OR PROPERTY)	VALUE	DATE REMITTED (DD-MM-YY)
08 – Sep – 11	Money	\$ 150.00	30 – Sep – 11
20 – Oct – 11	Money	\$ 50.01	25 – Oct – 11
06 – Nov – 11	Paper	\$ 70.00	25 – Nov – 11
06 – Nov – 11	Money	\$ 50.17	25 – Nov – 11
Total		\$ 320.18	

Sample Campaign Financing Disclosure Statement

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	\$ 2,020.00
3) advertising and promotion for the public not included in A-1 or A-2 above	\$ 0

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> or section 61 of the <i>Vancouver Charter</i>	\$ 0
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: \$ 720.00

G. Other (provide description):

audio equipment rental	\$ 78.00
fundraiser ticket printing	\$ 40.00
food and catering services	\$ 1,070.00
fundraiser decorations	\$ 35.00
tableware – fundraiser	\$ 75.00
venue – fundraiser	\$ 125.00

Total amount of other expenses \$ 1,423.00

Total Amount of Election Expenses: \$ 6,565.81

Sample Campaign Financing Disclosure Statement

Surplus Funds Disbursement

A. Balance remaining in account	\$ 183.19
B. Amount reimbursed to candidate from campaign account for the candidate's contribution to their campaign	\$ 100.00
C. Amount of remaining surplus funds (after any reimbursement under B)	\$ 83.19
D. Details of the disbursement of remaining surplus funds under C:	
	<u>\$83.19 donated to the G. Vanderveen Benevolent Society (Feb 14/12)</u>

