

BILL 9 – 2021

**LOCAL ELECTIONS STATUTES
AMENDMENT ACT, 2021**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

**PART 1 – *LOCAL ELECTIONS CAMPAIGN
FINANCING ACT* AMENDMENTS**

1 Section 7 (1) of the Local Elections Campaign Financing Act, S.B.C. 2014, c. 18, is repealed and the following substituted:

- (1) Subject to subsection (2) and any applicable regulations, election advertising is the transmission to the public by any means,
 - (a) during the campaign period, of any of the following:
 - (i) a communication that promotes or opposes, directly or indirectly, the election of a candidate or an elector organization that is endorsing a candidate, including a communication that takes a position on an issue with which the candidate or elector organization is associated;
 - (ii) assent voting advertising that is election advertising under section 8 (3) [*assent voting advertising that is election advertising*];
 - (iii) any other communications prescribed by regulation, and
 - (b) during the pre-campaign period for a general local election, of any of the following:
 - (i) a communication that promotes or opposes, directly or indirectly, the election of a candidate or an elector organization that is endorsing a candidate;
 - (ii) assent voting advertising that is election advertising under section 8 (3);
 - (iii) any other communications prescribed by regulation.

2 Section 7 is amended by adding the following subsection:

- (3) For certainty, election advertising includes the following activities, if the activities are conducted on a commercial basis:
 - (a) canvassing voters, in person, by telephone or over the internet, to attempt to influence how voters vote;
 - (b) mailing material that contains a communication referred to in subsection (1).

3 Section 8 (1) is amended

(a) by striking out “during the following applicable period” and substituting “during the following applicable periods”, and

(b) by repealing paragraphs (a) and (b) and substituting the following:

- (a) in the case of assent voting that is relevant to a general local election, the pre-campaign period and campaign period for the general local election;
- (b) in the case of assent voting that is relevant to an election other than a general local election, the campaign period for the election;
- (c) in the case of other assent voting, the assent voting proceedings period.

4 Section 8 is amended by adding the following subsection:

- (6) For certainty, assent voting advertising includes the following activities, if the activities are conducted on a commercial basis:
 - (a) canvassing voters, in person, by telephone or over the internet, to attempt to influence how voters vote;
 - (b) mailing material that contains a communication referred to in subsection (1).

5 Section 10 is amended

(a) by adding the following subsection:

- (1.1) The pre-campaign period in relation to a general local election is the period that
 - (a) begins on the eighty-ninth day before general voting day for the election, and
 - (b) ends on the twenty-ninth day before general voting day for the election. ,
and

(b) in subsections (2) (a) and (3) (a) by striking out “on the 28th day” and substituting “on the twenty-eighth day”.

6 Section 13 is amended

(a) in subsection (1) by repealing paragraph (a) and substituting the following:

- (a) the amount of any money, or the value of any non-monetary property or services, provided without compensation to
 - (i) a candidate for campaign use, or
 - (ii) an elector organization for any use; ,

(b) in subsection (1) (b) by striking out “to a candidate or elector organization for campaign use” and substituting “to a candidate for campaign use or to an elector organization for any use”,

(c) by repealing subsection (1) (c) and substituting the following:

- (c) if property or services are acquired for greater than market value from a candidate for the purpose of obtaining funds for campaign use or from an elector organization for the purpose of obtaining funds for any use, the difference between
 - (i) the market value of the property or services at the time acquired, and
 - (ii) the amount charged; ,

(d) in subsection (1) (g) by striking out “established”,

(e) by repealing subsection (4) and substituting the following:

- (4) For purposes of this Act, property or services are considered to be provided for campaign use if they are provided to a candidate for use in the election campaign of the candidate or towards the election expenses of such a campaign. , **and**

(f) in subsection (5) (b.2) by striking out “provided by an elector organization for use in the organization’s own campaign” and substituting “provided by an elector organization for use by the elector organization for any purpose”.

7 Section 14 (6) is amended by striking out everything before paragraph (a) and substituting “Subject to any applicable regulations, the value of each of the following is an election expense, but is not to be included as an election expense for the purpose of determining whether a candidate or an elector organization has exceeded an expense limit under Part 5.1 [Expense Limits]:”.

8 Section 19 (4), (6) and (7) is repealed.

9 Section 20 (5) (d) is amended by striking out “section 25 [what happens if an elector organization has surplus campaign funds]” and substituting “section 30.17 [transfer of elector organization’s surplus campaign funds]”.

10 Section 21 is amended

(a) **in subsection (1) by striking out** “the time of filing endorsement documents for a candidate until all obligations applicable under this Act to the elector organization have been fulfilled” **and substituting** “the time of submitting an application for registration until the elector organization has been deregistered in accordance with this Act”,

(b) **by repealing subsections (2) and (3), and**

(c) **in subsection (4) by striking out** “under subsection (2) or (3), as applicable” **and substituting** “under section 30.07 (2) [information to be included in application for registration] or 30.11 (1) [notice of change in registration information], as applicable”.

11 Section 22 (4) (b) is repealed and the following substituted:

(b) records and material for an elector organization must be retained in British Columbia

(i) by the financial agent until the following disclosure requirements have been fulfilled:

(A) all disclosure requirements under this Act in relation to the applicable elections;

(B) the requirements to file an annual financial report or supplementary report, and

(ii) after those disclosure requirements have been fulfilled, by the authorized principal official of the elector organization until 5 years after the following, as applicable:

(A) general voting day for the election or elections to which the records and material relate;

(B) the compliance deadline for filing the annual financial report or supplementary report to which the records and material relate.

12 Section 25 is repealed.

13 Section 27.01 is repealed and the following substituted:

Restrictions on making loans to candidates and elector organizations

27.01 (1) Subject to subsection (2), an individual or organization must not make a loan

(a) to a candidate for campaign use, or

(b) to an elector organization for any use.

- (2) An eligible individual or a savings institution may make a permissible loan
 - (a) to a candidate for campaign use, or
 - (b) to an elector organization for any use.
- (3) As an exception to subsection (2), an eligible individual must not make a permissible loan to a candidate for campaign use or to an elector organization for any use in an amount that would bring the total value of campaign contributions and permissible loans made by the eligible individual to an amount greater than an applicable campaign contribution limit.
- (4) For certainty, this section applies whether the permissible loan is made or accepted before or after the start of a campaign period.
- (5) An individual or organization that contravenes this section commits an offence.

14 Section 27.02 is amended

(a) by repealing subsection (1) and substituting the following:

- (1) A candidate must not accept a loan, other than a permissible loan, for campaign use.
 - (1.1) An elector organization must not accept a loan, other than a permissible loan, for any use. ,

(b) in subsection (2) by striking out “A candidate or elector organization must not accept a permissible loan for campaign use from an eligible individual if” and substituting “A candidate must not accept a permissible loan from an eligible individual for campaign use and an elector organization must not accept a permissible loan from an eligible individual for any use if”, and

(c) in subsection (3) by striking out “in contravention of subsection (1) or (2)” and substituting “in contravention of subsection (1), (1.1) or (2)”.

15 Section 28 (3) is amended by striking out “from a campaign account of the applicable candidate or elector organization” and substituting “from a campaign account of the applicable candidate or elector organization, unless all campaign accounts of the candidate or elector organization have been closed”.

16 The following Division is added to Part 2:

Division 6 – Registration of Elector Organizations

Requirement to register

- 30.06** (1) An elector organization must be registered in order to do any of the following:
- (a) endorse a candidate;
 - (b) accept a campaign contribution;
 - (c) enter into a campaign financing arrangement;
 - (d) incur an election expense.
- (2) If the registration of an elector organization is suspended under this Act, during the period of the suspension, the elector organization must not do anything referred to in subsection (1) (a) to (d).
- (3) Subject to sections 64 (4.1), 65 (1.1), 68.01 (6) and 68.03 (4) [*contributions accepted for purpose of paying debts*], an elector organization that is not registered, or an individual acting on behalf of an organization that is not registered, must not do anything that a registered elector organization may do under subsection (1) of this section.
- (4) An elector organization that contravenes this section commits an offence.

Application for registration – elector organization

- 30.07** (1) In order to be registered, an elector organization must
- (a) submit to the BC chief electoral officer an application for registration in accordance with this section,
 - (b) have a membership that, at the time the signed declaration referred to in subsection (4) is made, includes at least 50 electors of a jurisdiction for which an election is to be held,
 - (c) have a financial agent appointed in accordance with section 19 [*each elector organization must have a financial agent*],
 - (d) have a campaign account established in accordance with section 20, and
 - (e) have at least 2 principal officials who have consented to be responsible principal officials in accordance with section 21.
- (2) An application for registration must be signed by the authorized principal official of the elector organization and must include the following:
- (a) the legal name of the elector organization, if applicable;
 - (b) the usual name of the elector organization, if the usual name is different from the legal name, or if the elector organization has no legal name;
 - (c) any abbreviations, acronyms or other names used by the elector organization to refer to itself;

- (d) the name, abbreviation or acronym by which the elector organization proposes to be identified on the ballot;
 - (e) the name of each jurisdiction for which the elector organization intends to endorse a candidate in an election;
 - (f) the address of the place or places where records of the elector organization are maintained;
 - (g) the name, required contact information and address for service of the authorized principal official of the elector organization;
 - (h) the name, mailing address and address for service of each of the other responsible principal officials of the elector organization;
 - (i) signed consents of the responsible principal officials to act as responsible principal officials and, as applicable, as the authorized principal official of the elector organization;
 - (j) a copy of the appointment and consent of the financial agent referred to in section 19;
 - (k) the names and addresses of the savings institutions at which the elector organization maintains a campaign account;
 - (l) the names and addresses of the savings institutions at which the elector organization maintains an account other than a campaign account;
 - (m) a statement of the assets and liabilities of the elector organization as of a date not earlier than 90 days before the date the application is submitted to the BC chief electoral officer;
 - (n) a signed statement of the financial agent of the elector organization, verifying the accuracy of the statement submitted under paragraph (m);
 - (o) any other information required by regulation.
- (3) An application for registration must be in a form approved by the BC chief electoral officer and, as applicable, must be filed in accordance with and comply with any other requirements established by regulation.
- (4) An application for registration must be accompanied by a signed declaration of the authorized principal official of the elector organization that, to the best of the knowledge and belief of the authorized principal official, the following are true:
- (a) the applicant has a membership of at least 50 electors of the jurisdiction for which it seeks to endorse a candidate;
 - (b) the applicant is not prohibited from reregistering as a result of having been deregistered under Division 1 [*Penalties for Failure to Comply with Disclosure Requirements*] of Part 6;
 - (c) the information provided in the application is complete and accurate;
 - (d) the individual making the declaration is the authorized principal official of the applicant;

- (e) the applicant
 - (i) understands the requirements and restrictions that apply to the applicant under this Act, and
 - (ii) intends to fully comply with all of those requirements and restrictions;
- (f) the applicant intends to endorse a candidate in an election;
- (g) the applicant has authorized the official to make the signed declaration;
- (h) any other matter prescribed by regulation.

Prohibitions regarding elector organization names and other identification

30.08 (1) An elector organization must not be registered if any of the forms of identification referred to in section 30.07 (2) (a) to (d)

- (a) is likely, in the opinion of the BC chief electoral officer, to be confused with that of another elector organization
 - (i) that is currently registered in relation to the same jurisdiction,
 - (ii) that has an earlier application for registration, in relation to the same jurisdiction, pending before the BC chief electoral officer, or
 - (iii) that was registered in relation to the same jurisdiction at any time during the previous 10 years, or
- (b) includes any information that is prohibited by section 115 (3) of the *Local Government Act* from being included on a ballot.

(2) Despite subsection (1), the BC chief electoral officer may register an elector organization in a circumstance where any of the forms of identification referred to in section 30.07 (2) (a) to (d) is the same as or similar to that of another elector organization if both of the following apply:

- (a) the other elector organization has been deregistered for at least the previous 4 years;
- (b) the name of the other elector organization has not appeared on a ballot at any time in the past 10 years.

(3) For the purposes of this section, an elector organization is registered in relation to a jurisdiction if

- (a) in its application for registration under section 30.07, the elector organization names the jurisdiction as a jurisdiction for which the elector organization intends to endorse a candidate in an election, and
- (b) the elector organization is registered under section 30.09.

Processing of applications for registration

- 30.09** (1) The BC chief electoral officer must consider each application for registration that is received and determine whether the applicant elector organization meets the requirements for registration.
- (2) Subject to subsection (3), a determination under subsection (1) must be completed within 30 days after the application is received.
- (3) If an election is called and an application for registration is received within 30 days of the date on which the nomination period begins, a determination under subsection (1) must be made within 30 days after the general voting day for the election.
- (4) If the applicant elector organization meets the requirements for registration, the BC chief electoral officer must
- (a) register the elector organization in the register of elector organizations, and
 - (b) notify the elector organization of the date on which it was registered.
- (5) The BC chief electoral officer
- (a) may require the authorized principal official to provide any additional information or evidence the BC chief electoral officer considers necessary to make a determination under subsection (1), and
 - (b) has the discretion to determine whether an elector organization applying for registration is the same as one that was previously registered or a new applicant for registration.
- (6) If an applicant elector organization does not meet the requirements for registration, the BC chief electoral officer must notify the elector organization in writing and provide written reasons for rejecting the application.
- (7) Subject to subsection (8), an elector organization whose application does not meet the requirements set out in section 30.07 may submit an amended application.
- (8) If the requirements set out in section 30.07 are not met within 30 days of the receipt by an applicant of a notification under subsection (6), the BC chief electoral officer must discontinue the consideration of the application under this section.

Register to be open to public

- 30.10** (1) The BC chief electoral officer must maintain a register of the elector organizations that are registered, suspended or deregistered under this Act.
- (2) The register of elector organizations must
- (a) be made publicly available on an Elections BC authorized internet site,
 - (b) be available for public inspection at the office of the BC chief electoral officer during its regular office hours, and
 - (c) include the name of the financial agent of each elector organization, the required contact information for the financial agent and the information referred to in section 30.07 (2) (a) to (e) and (g).

Change in registration information

- 30.11** (1) If there is any change to the information referred to in section 30.07 (2) [*information included in application for registration*], the elector organization must file with the BC chief electoral officer a notice of the change as soon as practicable.
- (2) A notice filed under subsection (1) must be in a form approved by the BC chief electoral officer and must be signed by the authorized principal official of the elector organization.
- (3) If satisfied that a notice under subsection (2) is authorized by the elector organization for which it is made, the BC chief electoral officer must amend the register of elector organizations to reflect the change.
- (4) On request by the BC chief electoral officer, an elector organization must provide any information or evidence that the BC chief electoral officer considers necessary to confirm that any of the following information is correct:
- (a) the information in the notice referred to in subsection (1);
 - (b) the information referred to in section 30.07 (2) currently filed with the BC chief electoral officer.
- (5) If the elector organization does not file a notice of a change in accordance with subsection (1) within 60 days after the date of the change, the BC chief electoral officer may suspend the registration of an elector organization, and the suspension continues until the notice is filed in accordance with subsection (1).
- (6) An elector organization that contravenes subsection (1) or (4) commits an offence.

Change in elector organization name or form of identification

- 30.12** (1) A registered elector organization must not make a change to a form of identification referred to in section 30.07 (2) (a) to (d) [*forms of identification included in application for registration*], unless the change has been approved in advance by the BC chief electoral officer.
- (2) For the purposes of subsection (1), the elector organization must apply to the BC chief electoral officer as provided in section 30.11 (2), and sections 30.08 [*prohibitions regarding elector organization names and other identification*] and 30.09 [*processing of applications for registration*] apply.
- (3) An elector organization that contravenes subsection (1) commits an offence.

How elector organization may be deregistered

- 30.13** An elector organization may be deregistered as follows:
- (a) by voluntary deregistration in accordance with section 30.14;
 - (b) by deregistration in accordance with Division 1 [*Penalties for Failure to Comply with Disclosure Requirements*] or Division 3 [*Expense Limit Penalties*] of Part 6.

Voluntary deregistration

- 30.14** (1) A registered elector organization may apply to the BC chief electoral officer for deregistration in accordance with this section.
- (2) An elector organization may not apply for deregistration under this section if the elector organization is subject to deregistration or suspension because
- (a) it has not filed disclosure statements, annual financial reports or supplementary reports in accordance with Part 5 [*Transparency Requirements for Local Elections and Assent Voting*],
 - (b) a candidate endorsed by the elector organization has not filed disclosure statements or supplementary reports in accordance with Part 5, or
 - (c) it has election expenses greater than the amount permitted by Part 5.1 [*Expense Limits*] and has not yet paid an applicable penalty under section 68.02 [*monetary penalties for exceeding expense limits or amount available*].
- (3) An application for deregistration must be in a form approved by the BC chief electoral officer, must be signed by the authorized principal official of the elector organization and must include the following:
- (a) the legal name of the elector organization, if applicable;
 - (b) the name of each jurisdiction for which the elector organization endorsed or intended to endorse a candidate in an election;
 - (c) the name, required contact information and address for service of the authorized principal official of the elector organization.

- (4) If satisfied that an application for deregistration is authorized by the elector organization for which it is made, the BC chief electoral officer must deregister the elector organization.
- (5) If an elector organization applying to be deregistered has endorsed a candidate in an election in progress, the BC chief electoral officer must not deregister the elector organization until after general voting day for the election.

Notice of deregistration or suspension

- 30.15** (1) The BC chief electoral officer must specify and record in the register the effective date of the deregistration or suspension of an elector organization.
- (2) The BC chief electoral officer must give notice of a deregistration or suspension, including the effective date and the reasons for the deregistration or suspension, to the deregistered or suspended elector organization.

Disclosure statements required on deregistration

- 30.16** (1) An elector organization that is deregistered must file the following with the BC chief electoral officer within 6 months of deregistration:
- (a) a financial report prepared in accordance with section 45.1 [*annual financial reports*] for the period from the date of the last annual financial report prepared in accordance with that section up to and including the last day the elector organization was registered;
 - (b) a report of the financial activity of the elector organization between the end of the period referred to in paragraph (a) and the date, as applicable,
 - (i) on which the funds of the organization are transferred under section 30.17, or
 - (ii) on which the organization reports to the BC chief electoral officer that there are no funds to be transferred;
 - (c) any other information required by regulation.
- (2) An elector organization that contravenes this section commits an offence.

Transfer of elector organization's surplus campaign funds

- 30.17** The financial agent of an elector organization that is deregistered may pay to the elector organization, or in accordance with the directions of the elector organization, the balance remaining in the campaign account of the elector organization after
- (a) the payment of the elector organization's election expenses and any other reasonable expenses incidental to the elector organization's election campaign, and
 - (b) the completion of any transfers in accordance with section 23 (2) [*campaign transfers from elector organization to endorsed candidates*].

Reregistration

- 30.18** (1) Unless it is deregistered under section 30.14, an elector organization that has been deregistered may not apply to be reregistered until after the general local election following the effective date of the deregistration.
- (2) An elector organization that is deregistered under section 30.14 may apply to be reregistered at any time.
- (3) In order to reregister, an elector organization must
- (a) submit to the BC chief electoral officer an application for reregistration that complies with the requirements set out under section 30.07 [*application for registration – elector organization*],
 - (b) satisfy the BC chief electoral officer that the elector organization is the same elector organization that was previously registered,
 - (c) fulfill the requirements established under this Act, including, without limitation, filing annual financial reports and disclosure statements and paying monetary penalties, unless the elector organization has been granted relief from the requirements in accordance with section 68, 68.07 or 68.18 [*court relief powers*], and
 - (d) file with the BC chief electoral officer a report on the elector organization’s financial activities since it was deregistered.

17 Section 32.01 (1) is repealed and the following substituted:

- (1) Subject to any applicable regulations, a permissible loan to a third party sponsor is not a sponsorship contribution, but
- (a) the loan must be disclosed in accordance with the requirements under Division 2 [*Disclosure Requirements for Candidates, Elector Organizations and Advertising Sponsors*] of Part 5 [*Transparency Requirements for Local Elections and Assent Voting*], and
 - (b) if the loan is made by an eligible individual, it must be treated as if it were a sponsorship contribution for the purpose of determining whether the eligible individual has complied with section 34 (1.01) [*prohibition against exceeding sponsorship contribution limit*].

18 Section 34 is amended by adding the following subsection:

- (1.01) An eligible individual must not make, in a calendar year, sponsorship contributions that, in total, exceed the applicable sponsorship contribution limit.

19 Section 34.01 is repealed and the following substituted:

Restrictions on making loans for sponsorship use

- 34.01** (1) Subject to subsection (2), an individual or organization must not make a loan to a third party sponsor for sponsorship use.
- (2) An eligible individual or a savings institution may make a permissible loan to a third party sponsor for sponsorship use.
- (3) As an exception to subsection (2), an eligible individual must not make a permissible loan to a third party sponsor for sponsorship use in an amount that would bring the total value of sponsorship contributions and permissible loans made by the eligible individual to an amount greater than the applicable sponsorship contribution limit.
- (4) For certainty, this section applies whether the permissible loan is made or accepted before or after the start of a campaign period.
- (5) An individual or organization that contravenes this section commits an offence.

20 Section 34.02 (1) is repealed and the following substituted:

- (1) A third party sponsor must not accept
- (a) a sponsorship contribution from an organization or an individual, other than an eligible individual, or
- (b) sponsorship contributions from an eligible individual that exceed the applicable sponsorship contribution limit.

21 Section 34.03 is amended

(a) by adding the following subsection:

- (1.1) A third party sponsor must not accept a permissible loan for sponsorship use from an eligible individual if the amount of the loan would bring the total value of sponsorship contributions and permissible loans made by the eligible individual to an amount greater than the applicable sponsorship contribution limit. , **and**

(b) in subsection (2) by striking out “subsection (1)” and substituting “subsection (1) or (1.1)”.

22 *The following Division is added to Part 3:*

Division 2.1 – Sponsorship Contribution Limit

Sponsorship contribution limit for 2021

36.01 Subject to any applicable regulations, the sponsorship contribution limit for 2021 is equal to the amount of the campaign contribution limit for that year.

**Sponsorship contribution limit
for 2022 and subsequent years**

- 36.02** (1) In this section, “**base year**” means 2022 or a subsequent calendar year for which a sponsorship contribution limit is established under subsection (2).
- (2) Subject to any applicable regulations, the sponsorship contribution limit for a base year is an amount prescribed by regulation or determined in accordance with the regulations.
- (3) Subject to any applicable regulations, for a calendar year other than a base year, the BC chief electoral officer must establish the sponsorship contribution limit for that year by
- (a) determining the ratio between the consumer price index at January 1 of the base year and January 1 of the year in which the limit applies, and
 - (b) applying the ratio to adjust the amount prescribed or determined under subsection (2).
- (4) For the purpose of establishing a sponsorship contribution limit under subsection (3), the BC chief electoral officer has the discretion to determine
- (a) whether to use a consumer price index prepared by the director under the *Statistics Act* (British Columbia) or a consumer price index published by Statistics Canada under the *Statistics Act* (Canada), and
 - (b) which consumer price index is applicable for a particular time.

23 *Section 44 is amended by adding the following subsections:*

- (6) Subsection (5) does not apply to an individual or organization in relation to election advertising referred to in section 7 (3) [*canvassing voters and mailing material if on commercial basis*] unless the individual or organization is the sponsor of the advertising.
- (7) The BC chief electoral officer, or a person acting on the direction of the BC chief electoral officer, may require an individual or organization to discontinue any activity referred to in section 7 (3) that does not meet the requirements set out in subsections (1) to (3) of this section.

24 The following sections are added to Division 2 of Part 5:

Annual financial reports by elector organizations

- 45.1** (1) The financial agent of a registered elector organization must file, and the responsible principal officials of the registered elector organization must ensure that the financial agent files, with the BC chief electoral officer a financial report of the elector organization respecting the previous calendar year.
- (2) Subject to any applicable regulations, an annual financial report under subsection (1) must include information respecting the following, provided in accordance with the regulations:
- (a) the election expenses the elector organization incurred during the year;
 - (b) the campaign contributions the elector organization accepted during the year, including information respecting identification of significant contributors and the residential address of each significant contributor but not the mailing address, if different;
 - (c) any campaign contributions received during the year by the elector organization but returned or otherwise dealt with in accordance with section 28 *[dealing with prohibited campaign contributions]*;
 - (d) the assets, liabilities and surplus or deficit of the elector organization at the end of the year;
 - (e) transfers of property and provision of services as referred to in section 13 (6) (a) *[campaign transfers between candidates and elector organizations]*;
 - (f) the fundraising functions held by or on behalf of the elector organization during the year;
 - (g) any income received and any expenditures made or incurred by the elector organization during the year, if these are not otherwise disclosed in the annual financial report;
 - (h) any loans or guarantees received by the elector organization during the year and any conditions attached to them, including
 - (i) the date the loan is due, and
 - (ii) for permissible loans, the information recorded in accordance with section 22 (1.1) *[recording requirements for loans]*;
 - (i) any permissible loans received before the year for which the annual financial report is made if there is an outstanding balance, indicating for each the information recorded in accordance with section 22 (1.1);
 - (j) property and services to which section 13 (6) (c) *[other exclusions from campaign contributions that must be disclosed]* applies;
 - (k) any other matters for which information is required by regulation.

- (3) The first annual financial report of a registered elector organization under this section must include the information referred to in subsection (2) for the period from the date of the statement of the assets and liabilities of the organization included in the application for registration to the end of the calendar year for which the report is made.

**Time limits for filing annual financial reports –
late filing on payment of penalty, compliance deadline**

- 45.2** (1) In order to avoid a late filing penalty fee, the financial agent must, by March 31 in each year, file an annual financial report respecting the previous calendar year.
- (2) If an annual financial report is not filed by March 31 in a year, it may be filed within 30 days after that date on payment to the BC chief electoral officer of a late filing penalty fee of \$500.
 - (3) The compliance deadline for filing an annual financial report is the later of
 - (a) the late filing deadline for the annual financial report, and
 - (b) if applicable, the last date for filing the annual financial report as established by a court order for relief under section 68 [*court relief powers respecting disclosure requirements*].

25 *Section 46 (3) (b) is amended by striking out “in relation to each jurisdiction in which the organization endorsed a candidate” and substituting “in relation to each jurisdiction for which the organization endorsed a candidate in an election”.*

26 *Section 48 is amended*

- (a) *in subsection (1) by adding “or an annual financial report is not filed before the date referred to in section 45.2 (1) [time limit for filing annual financial reports without penalty fee]” after “section 47 (1)”*,
- (b) *in subsection (1) (b) by striking out “disclosure statement” and substituting “disclosure statement or annual financial report”*,
- (c) *in subsection (2) (a) by striking out “disclosure statement” and substituting “disclosure statement or annual financial report, as applicable,” and*
- (d) *in subsection (2) (c) by striking out “disclosure statement” and substituting “disclosure statement or annual financial report, as applicable”.*

27 *Section 49 (2) (c.1) is repealed and the following substituted:*

- (c.1) election expenses of the candidate referred to in section 14 (6) [*election expenses not included in expense limit*]; .

28 Section 50 (2) (d.1) is repealed and the following substituted:

- (d.1) election expenses of the elector organization referred to in section 14 (6) [election expenses not included in expense limit]; .

29 Section 53 is amended by striking out “disclosure statement” and substituting “disclosure statement or annual financial report”.

30 Section 54 is repealed and the following substituted:

Requirement for supplementary report

54 (1) A supplementary report in accordance with this Division must be filed with the BC chief electoral officer as follows:

- (a) in the case of a supplementary report in relation to a disclosure statement, if advice referred to in paragraph (c) has not been given, 30 days after an individual who is responsible for filing the disclosure statement, or for ensuring that the disclosure statement is filed, becomes aware
- (i) that any of the required information disclosed in the disclosure statement, or in a previous supplementary report in relation to that disclosure statement, has changed, or
- (ii) that the disclosure statement or a previous supplementary report did not completely and accurately disclose the information required to be included;
- (b) in the case of a supplementary report in relation to an annual financial report, if advice referred to in paragraph (c) has not been given, 30 days after an individual who is responsible for filing the annual financial report, or for ensuring that the annual financial report is filed, becomes aware
- (i) that any of the required information disclosed in the annual financial report, or in a previous supplementary report in relation to that annual financial report, has changed, or
- (ii) that the annual financial report did not completely and accurately disclose the information required to be included;
- (c) if the BC chief electoral officer advises an individual referred to in paragraph (a) or (b) of concerns that circumstances referred to in paragraph (a) or (b), as applicable, may apply and subsequently gives written notice to the individual or organization that a supplementary report is required, 30 days after that written notice is given.

- (2) Notice of the requirement for a supplementary report must be given as follows:
- (a) in the case of a requirement under subsection (1) (a) or (b), the individual who becomes aware of that requirement must notify the other individuals to whom that subsection applies;
 - (b) if written notice is given under subsection (1) (c), the BC chief electoral officer must also notify
 - (i) the other individuals to whom that subsection applies,
 - (ii) in the case of a supplementary report in relation to a candidate, the designated local authority officer, and
 - (iii) in the case of a supplementary report in relation to an elector organization, the designated local authority officer and the candidates endorsed by the elector organization.
- (3) A supplementary report must include the following:
- (a) a report of the changed, added or corrected information, as applicable;
 - (b) a statement of the circumstances that have led to the filing of the supplementary report;
 - (c) any other information or material required by regulation.
- (4) A supplementary report must be in a form approved by the BC chief electoral officer and, as applicable, must
- (a) be filed in accordance with the regulations,
 - (b) comply with any other requirements established by regulation, and
 - (c) be accompanied by any other information or material required by regulation.
- (5) Responsibilities in relation to filing a supplementary report under this section are the same as for the applicable disclosure statement or annual financial report and, for these purposes, the following apply:
- (a) section 45.1 (1) [*elector organization annual disclosure responsibilities*];
 - (b) section 49 (1) [*candidate disclosure responsibilities*];
 - (c) section 50 (1) [*elector organization disclosure statement*];
 - (d) section 51 (1) [*third party disclosure responsibilities*];
 - (e) section 52 (1) [*non-election assent voting advertising sponsor disclosure responsibilities*].

- (6) The compliance deadline for filing a supplementary report is the later of
 - (a) the end of the applicable 30-day period established under subsection (1) (a), (b) or (c), and
 - (b) if applicable, the last date for filing the supplementary report as established by a court order for relief under section 68 [*court relief powers respecting disclosure requirements*].
- (7) For certainty, if an elector organization, third party sponsor or assent voting advertising sponsor, as applicable, is subject to a prohibition under any of the following provisions, and accepts a campaign contribution or sponsorship contribution for the sole purpose of paying debts as described in those provisions, that acceptance is a change in required information for the purpose of subsection (1) of this section:
 - (a) section 64 (3) (b);
 - (b) section 64 (4) (b);
 - (c) section 65 (1) (c) (ii);
 - (d) section 65 (1) (d) (ii);
 - (e) section 68.01 (5) (b);
 - (f) section 68.03 (3) (b);
 - (g) section 68.09 (3) (b).

31 *Section 55 (1), (2) (b) and (3) is amended by striking out “disclosure statement or supplementary report” and substituting “disclosure statement, annual financial report or supplementary report”.*

32 *Section 56 is amended by striking out “disclosure statement or supplementary report” and substituting “disclosure statement, annual financial report or supplementary report”.*

33 *Section 57 (1) and (3) is amended by striking out “disclosure statement or supplementary report” and substituting “disclosure statement, annual financial report or supplementary report”.*

34 *Section 58 is amended*

(a) by adding the following subsection:

- (0.1) Subject to this Part and any applicable regulations, until at least 5 years after the compliance deadline for an annual financial report, the BC chief electoral officer must
 - (a) make the information in the annual financial report and in any supplementary report in relation to the annual financial report, other than a mailing address or residential address of a significant contributor, publicly available on an Elections BC authorized internet site, and

(b) have a copy of the annual financial report and any supplementary report, other than a mailing address or residential address of a significant contributor, available for public inspection at the Elections BC office during its regular office hours. ,

(b) in subsection (2) by striking out “subsection (1)” and substituting “subsections (0.1) and (1)”,

(c) in subsection (2) (a) by striking out “disclosure statement” and substituting “disclosure statement or annual financial report”,

(d) in subsection (3) by striking out “disclosure statement or supplementary report” and substituting “disclosure statement, annual financial report or supplementary report”,

(e) in subsection (4) (a) by striking out “subsection (1) (a)” and substituting “subsection (0.1) (a) or (1) (a)”, and

(f) in subsection (4) (b) by striking out “subsection (1) (b)” and substituting “subsection (0.1) (b) or (1) (b)”.

35 Section 60 (1) (b) is repealed.

36 Section 61 (1) (b) is repealed and the following substituted:

(b) any individuals who become subject to disqualification penalties referred to in section 60 (1) (a) [*disqualification lists – candidate disqualification*].

37 The following section is added:

Reports to local election officer respecting deregistration or suspension of elector organization

61.1 If an elector organization is deregistered or suspended under any of the following provisions, the BC chief electoral officer must, as soon as practicable, report the deregistration or suspension to the local election officer for each jurisdiction for which the elector organization has endorsed a candidate in an election or has proposed to endorse a candidate in an election:

(a) section 30.14 [*voluntary deregistration*];

(b) section 64 (3) (a) [*elector organization penalties for failure to file reports*];

(c) section 64 (5.2) (a) [*suspension of elector organization pending decision of court*];

(d) section 68.01 (5) (a) [*elector organization penalties for exceeding expense limits or amount available*];

(e) section 68.01 (7.1) (b) (i) [*suspension of elector organization pending decision of court*].

38 Section 62 (1) (b) is repealed.

39 Section 63.10 (3) (a) is amended by striking out “no later than 3 days before general voting day” and substituting “at any time on or before general voting day”.

40 Section 64 is amended

(a) in subsection (1) by striking out “disclosure statement or supplementary report” and substituting “disclosure statement, supplementary report or, if applicable, annual financial report”,

(b) in subsection (3) by striking out “disclosure statement or supplementary report” and substituting “disclosure statement, annual financial report or supplementary report”,

(c) by repealing subsection (3) (a) and substituting the following:

(a) the elector organization must be deregistered; ,

(d) in subsection (3) (b) by striking out “until after the next general local election” and substituting “until it is reregistered under section 30.18 [*reregistration*]”,

(e) in subsection (5) by striking out “elector organization,”,

(f) by adding the following subsections:

(5.1) Subject to any applicable regulations, if no application for relief under section 68 [*court relief powers respecting disclosure requirements*] is made by an elector organization in relation to a disclosure statement, annual financial report or supplementary report, the elector organization becomes subject to the penalties under subsection (3) of this section on the day after the compliance deadline for the disclosure statement, annual financial report or supplementary report.

(5.2) If an application for relief under section 68 is commenced by the compliance deadline,

(a) the BC chief electoral officer must suspend the registration of the elector organization pending the decision of the court, and

(b) the elector organization becomes subject to the penalties under subsection (3) of this section on the later of

(i) 42 days after the compliance deadline, and

(ii) if applicable, the date set by the court under section 68. , **and**

(g) in subsection (7) (a) by striking out “disclosure statement or supplementary report” **and substituting** “disclosure statement, annual financial report or supplementary report”.

41 Section 65 (1) is amended

(a) by striking out “in relation to a disclosure statement or supplementary report” **and substituting** “in relation to a disclosure statement, supplementary report or, if applicable, annual financial report”,

(b) by repealing paragraph (c) (i) and substituting the following:

(i) must be deregistered, and , **and**

(c) in paragraph (c) (ii) by striking out “until after the next general local election” **and substituting** “until it is reregistered under section 30.18 [reregistration]”.

42 Section 66 (2) (b) and (3) is amended by striking out “disclosure statement or supplementary report” **and substituting** “disclosure statement, annual financial report or supplementary report”.

43 Section 68 is amended

(a) in subsection (1) by striking out “disclosure statement or supplementary report” **wherever it appears and substituting** “disclosure statement, annual financial report or supplementary report”,

(b) in subsection (2) (a) by striking out “disclosure statement” **wherever it appears and substituting** “disclosure statement or annual financial report”,

(c) in subsection (2) by adding the following paragraph:

(b.2) in relation to an order under subsection (1) respecting an elector organization that is suspended under section 64 (5.2) [penalties for failure to disclose – suspension of registration pending decision of court], make an additional order that the suspension be cancelled, immediately or at a time or on conditions specified by the court; ,

(d) in subsection (4) (a) by striking out “disclosure statement” **wherever it appears and substituting** “disclosure statement or annual financial report”, **and**

(e) in subsection (4) (a) (i) and (b) (i) by striking out “the day on which the organization filed endorsement documents” **and substituting** “the day on which the BC chief electoral officer registered the organization”.

44 Section 68.01 is amended

(a) by repealing subsection (5) (a) and substituting the following:

(a) must be deregistered, and ,

(b) in subsection (5) (b) by striking out “until after the next general local election” and substituting “until it is reregistered under section 30.18 [reregistration]”,

(c) in subsection (7) by striking out “of a candidate or an elector organization, as applicable, the candidate or elector organization” and substituting “of a candidate, the candidate”,

(d) in subsection (7) (a) (ii) by striking out “or of an elector organization”, and

(e) by adding the following subsection:

(7.1) Subject to any applicable regulations, if the fact that an expense limit or the amount available was exceeded is disclosed in the disclosure statement or supplementary report of an elector organization, the elector organization becomes subject to the penalties under this section as follows:

(a) if no application for relief under section 68.04 [*application for relief in relation to exceeding expense limits or amount available*] is made by an elector organization in accordance with that section, the elector organization becomes subject to the penalties under subsection (5) of this section on the day after the later of the following:

- (i) the compliance deadline for the candidate endorsed by the elector organization;
- (ii) the elector organization’s compliance deadline;

(b) if an application for relief under section 68.04 is made,

- (i) the registration of the elector organization must be suspended pending the decision of the court, and
- (ii) the elector organization becomes subject to the penalties under subsection (5) of this section on the later of the following:

(A) 42 days after the time limit for making an application under section 68.04;

(B) if applicable, the date set by the court under section 69 [*extension of time before penalties apply*].

45 Section 68.02 is amended

(a) by repealing subsection (2) (b) and substituting the following:

(b) a candidate endorsed by an elector organization if both of the following apply:

- (i) the total of the following exceeded the expense limit for the candidate:
 - (A) the campaign period expenses of the candidate;
 - (B) the campaign period expenses of the endorsing elector organization that are attributable to the expense limit for the candidate;
 - (ii) the campaign period expenses of the candidate exceeded the amount available to the candidate under the final campaign financing arrangement with the elector organization that endorsed the candidate. ,
- (b) in subsection (3) (a) by striking out “a monetary penalty equal to 2 times the amount by which the expense limit was exceeded” and substituting “a monetary penalty in an amount of up to 2 times the amount by which the expense limit was exceeded, as determined by the BC chief electoral officer”,**
- (c) in subsection (3) (b) by striking out “a monetary penalty equal to 2 times the amount by which the amount available to the candidate was exceeded” and substituting “a monetary penalty in an amount of up to 2 times the amount by which the amount available to the candidate was exceeded, as determined by the BC chief electoral officer”,**
- (d) by repealing subsection (4) and substituting the following:**
- (4) The monetary penalty set out in subsection (5) applies to an elector organization if both of the following apply:
 - (a) the total of the following exceeded the expense limit for a candidate endorsed by the elector organization:
 - (i) the campaign period expenses of the candidate;
 - (ii) the campaign period expenses of the endorsing elector organization that are attributable to the expense limit for the candidate;
 - (b) the campaign period expenses of the endorsing elector organization that are attributable to the expense limit for the candidate exceeded the amount available to the elector organization under the final campaign financing arrangement with the candidate. , **and**
- (e) in subsection (5) by striking out “a monetary penalty equal to 5 times the amount by which the amount available to the elector organization was exceeded” and substituting “a monetary penalty in an amount of up to 5 times the amount by which the amount available to the elector organization was exceeded, as determined by the BC chief electoral officer”.**

46 Section 68.03 is amended

(a) by repealing subsection (3) (a) and substituting the following:

(a) the elector organization must be deregistered, and , **and**

(b) in subsection (3) (b) by striking out “until after the next general local election” and substituting “until it is reregistered under section 30.18 [reregistration]”.

47 Section 68.06 (2) is repealed and the following substituted:

(2) The authority to provide relief under subsection (1) includes the authority to do the following:

(a) in relation to an order under subsection (1) respecting an elector organization that is suspended under section 68.01 (7.1) [*penalties for exceeding expense limits or amount available – suspension of registration pending decision of court*], make an additional order that the suspension be cancelled, immediately or at a time or on conditions specified by the court;

(b) in any case, make any additional order the court considers appropriate to secure compliance with Part 5.1 [*Expense Limits*] to the extent the court considers reasonable in the circumstances.

48 Section 68.09 (5) is amended

(a) in paragraph (a) by striking out “a monetary penalty equal to 2 times the amount by which the third party advertising limit was exceeded” and substituting “a monetary penalty in an amount of up to 2 times the amount by which the third party advertising limit was exceeded, as determined by the BC chief electoral officer”, and

(b) in paragraph (b) by striking out “a monetary penalty equal to 5 times the amount by which the third party advertising limit was exceeded” and substituting “a monetary penalty in an amount of up to 5 times the amount by which the third party advertising limit was exceeded, as determined by the BC chief electoral officer”.

49 *The following Division is added to Part 6:*

**Division 5.1 – Campaign Contributions –
Penalties and Court Orders for Relief**

**Monetary penalties in relation to
prohibited campaign contributions**

- 68.13** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 26 (0.1) *[prohibition against organization or individual making campaign contributions]* or (2.01) *[prohibition against making campaign contributions indirectly]* by an individual or organization, the BC chief electoral officer must notify the individual or organization of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 68.18 *[court relief powers in relation to campaign contributions]*, if the BC chief electoral officer gives notice under subsection (1) of this section, the individual or organization must pay to the BC chief electoral officer a penalty in an amount of up to 2 times the amount of the campaign contribution, as determined by the BC chief electoral officer.
- (3) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 26 (1) *[restrictions in relation to campaign contributions by eligible individual]* or (1.1) *[prohibition against exceeding campaign contribution limit]* by an eligible individual or non-compliance with section 26 (2) *[prohibition against campaign contributions by elector organization to own campaign or campaign of endorsed candidate]* by an elector organization, the BC chief electoral officer must notify the individual or organization of the non-compliance and the related penalty.
- (4) Subject to a court order for relief under section 68.18, if the BC chief electoral officer gives notice under subsection (3) of this section, the individual or organization must pay to the BC chief electoral officer,
- (a) in the case of non-compliance with section 26 (1) (a), (e) or (f) or (2), a penalty in an amount of up to 2 times the amount of the campaign contribution, as determined by the BC chief electoral officer,
 - (b) in the case of non-compliance with section 26 (1) (b), (c) or (d), a penalty in an amount of up to 2 times the amount by which the campaign contribution exceeds \$50, as determined by the BC chief electoral officer, or
 - (c) in the case of non-compliance with section 26 (1.1), a penalty in an amount of up to 2 times the amount by which the campaign contribution exceeds the applicable contribution limit, as determined by the BC chief electoral officer.

Monetary penalties in relation to accepting campaign contributions

- 68.14** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 27 [*restrictions in relation to campaign contributions*] by a candidate, an elector organization, a financial agent or an individual authorized by the financial agent under section 27 (1) (b), the BC chief electoral officer must notify the candidate, elector organization, financial agent or individual authorized by the financial agent under section 27 (1) (b) of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 68.18 [*court relief powers in relation to campaign contributions*], if the BC chief electoral officer gives notice under subsection (1) of this section, the candidate, elector organization, financial agent or individual authorized by the financial agent under section 27 (1) (b) must pay to the BC chief electoral officer,
- (a) in the case of non-compliance with section 27 (1), (1.01) (a), (2) or (3), a penalty in an amount of up to 2 times the amount of the campaign contribution, as determined by the BC chief electoral officer, or
 - (b) in the case of non-compliance with section 27 (1.01) (b), a penalty in an amount of up to 2 times the amount by which the campaign contribution exceeds the applicable contribution limit, as determined by the BC chief electoral officer.

Monetary penalties for making prohibited loans

- 68.15** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 27.01 [*restrictions in relation to making loans to candidates and elector organizations*] by an individual or organization, the BC chief electoral officer must notify the individual or organization of the non-compliance and, if applicable, the related penalty.
- (2) Subject to a court order for relief under section 68.18 [*court relief powers in relation to prohibited loans*], if the BC chief electoral officer gives notice under subsection (1) of this section to an individual or organization other than a savings institution, the individual or organization must pay to the BC chief electoral officer,
- (a) in the case of non-compliance with section 27.01 (1) by an individual or organization other than a savings institution, a penalty of up to 100% of the amount of the loan, as determined by the BC chief electoral officer, or
 - (b) in the case of non-compliance with section 27.01 (3), a penalty in an amount of up to 2 times the amount by which the permissible loan exceeds the applicable contribution limit, as determined by the BC chief electoral officer.

Monetary penalties for accepting prohibited loans

- 68.16** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 27.02 [*restrictions in relation to accepting loans for campaign use*] by a candidate or an elector organization, the BC chief electoral officer must notify the candidate or elector organization of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 68.18 [*court relief powers in relation to prohibited loans*], if the BC chief electoral officer gives notice under subsection (1) of this section, the candidate or elector organization must pay to the BC chief electoral officer,
- (a) in the case of non-compliance with section 27.02 (1), (1.1) or (3), a penalty of up to 100% of the amount of the loan, as determined by the BC chief electoral officer, or
 - (b) in the case of non-compliance with section 27.02 (2), a penalty in an amount of up to 2 times the amount by which the loan exceeds the applicable contribution limit, as determined by the BC chief electoral officer.

Monetary penalties for failure to return campaign contributions

- 68.17** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 28 [*dealing with prohibited campaign contributions*] by a financial agent, the BC chief electoral officer must notify the financial agent of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 68.18 [*court relief powers in relation to campaign contributions*], if the BC chief electoral officer gives notice under subsection (1) of this section, the financial agent must pay to the BC chief electoral officer a penalty in an amount of up to 2 times the amount of the campaign contribution, as determined by the BC chief electoral officer.

Court relief powers in relation to campaign contributions and prohibited loans

- 68.18** (1) An individual or organization that is subject to a monetary penalty under any of sections 68.13 to 68.17 may apply to the Supreme Court in accordance with this section for relief from the monetary penalty for non-compliance.
- (2) An application may be made only within 30 days after the BC chief electoral officer, under the applicable section referred to in subsection (1), notifies the individual or organization of the non-compliance and related penalty.
- (3) The petition commencing an application must be served on the BC chief electoral officer within 7 days after the petition is filed, and the BC chief electoral officer is a party to the application.

- (4) On hearing an application, the court may do any of the following:
 - (a) grant relief from a penalty if the court considers that, in relation to the non-compliance, the individual or organization has acted in good faith;
 - (b) make any order the court considers appropriate to secure compliance with the applicable section to the extent the court considers reasonable in the circumstances;
 - (c) refuse to grant relief.

50 *The following Division is added to Part 6:*

**Division 5.2 – Sponsorship Contributions –
Penalties and Court Orders for Relief**

**Monetary penalties in relation to
making sponsorship contributions**

- 68.19** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 34 (0.1) [*prohibition against organization or individual making sponsorship contributions*] or (1.1) [*prohibition against making sponsorship contributions indirectly*] by an individual or organization, the BC chief electoral officer must notify the individual or organization of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 68.22 [*court relief powers in relation to sponsorship contributions*], if the BC chief electoral officer gives notice under subsection (1) of this section, the individual or organization must pay to the BC chief electoral officer a penalty in an amount of up to 2 times the sponsorship contribution, as determined by the BC chief electoral officer.
 - (3) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 34 (1) [*restrictions in relation to sponsorship contributions by eligible individual*] or (1.01) [*prohibition against exceeding sponsorship contribution limit*] by an eligible individual, the BC chief electoral officer must notify the eligible individual of the non-compliance and the related penalty.
 - (4) Subject to a court order for relief under section 68.22, if the BC chief electoral officer gives notice under subsection (3) of this section, the eligible individual must pay to the BC chief electoral officer,
 - (a) in the case of non-compliance with section 34 (1) (a) or (b), a penalty in an amount of up to 2 times the amount by which the sponsorship contribution exceeds \$50, as determined by the BC chief electoral officer,
 - (b) in the case of non-compliance with section 34 (1) (c) or (d), a penalty in an amount of up to 2 times the sponsorship contribution, as determined by the BC chief electoral officer, or

- (c) in the case of non-compliance with section 34 (1.01), a penalty in an amount of up to 2 times the amount by which the sponsorship contribution limit was exceeded, as determined by the BC chief electoral officer.

Monetary penalties in relation to accepting sponsorship contributions

- 68.20** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 34.02 [*restrictions in relation to accepting sponsorship contributions*] by a third party sponsor, the BC chief electoral officer must notify the third party sponsor of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 68.22, if the BC chief electoral officer gives notice under subsection (1) of this section, the third party sponsor must pay to the BC chief electoral officer a penalty in an amount of up to 2 times the sponsorship contribution, as determined by the BC chief electoral officer.

Monetary penalties for failure to return sponsorship contributions

- 68.21** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 35 [*dealing with prohibited sponsorship contributions*] by a third party sponsor, the BC chief electoral officer must notify the third party sponsor of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 68.22, if the BC chief electoral officer gives notice under subsection (1) of this section, the third party sponsor must pay to the BC chief electoral officer a penalty in an amount of up to 2 times the sponsorship contribution, as determined by the BC chief electoral officer.

Court relief powers in relation to sponsorship contributions

- 68.22** (1) An individual or organization that is subject to a monetary penalty under any of sections 68.19 to 68.21 may apply to the Supreme Court in accordance with this section for relief from the monetary penalty for non-compliance.
- (2) An application may be made only within 30 days after the BC chief electoral officer, under the applicable section referred to in subsection (1), notifies the individual or organization of the non-compliance and related penalty.
- (3) The petition commencing an application must be served on the BC chief electoral officer within 7 days after the petition is filed, and the BC chief electoral officer is a party to the application.

- (4) On hearing an application, the court may do any of the following:
 - (a) grant relief from a penalty if the court considers that, in relation to the non-compliance, the individual or organization has acted in good faith;
 - (b) make any order the court considers appropriate to secure compliance with the applicable section to the extent the court considers reasonable in the circumstances;
 - (c) refuse to grant relief.

51 *The following Division is added to Part 6:*

**Division 5.3 – Third Party Sponsors –
Penalties and Court Orders for Relief**

**Monetary penalties for failure to comply
with independence requirements**

- 68.23** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 31 (1) [*independence requirements for third party sponsors*] by an individual or organization, the BC chief electoral officer must notify the individual or organization of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 68.26 [*court relief powers in relation to sponsorship requirements*], if the BC chief electoral officer gives notice under subsection (1) of this section,
- (a) in the case of non-compliance by an individual, the individual must pay to the BC chief electoral officer a penalty in an amount of up to \$5 000, as determined by the BC chief electoral officer, or
 - (b) in the case of non-compliance by an organization, the organization must pay to the BC chief electoral officer a penalty in an amount of up to \$10 000, as determined by the BC chief electoral officer.

**Monetary penalties for failing to
register as a third party sponsor**

- 68.24** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 37 [*prohibition against sponsoring third party advertising if not registered*] by an individual or organization, the BC chief electoral officer must notify the individual or organization of the non-compliance and the related penalty.

- (2) Subject to a court order for relief under section 68.26 [*court relief powers in relation to sponsorship requirements*], if the BC chief electoral officer gives notice under subsection (1) of this section,
 - (a) in the case of non-compliance by an individual, the individual must pay to the BC chief electoral officer a penalty in an amount of up to \$5 000, as determined by the BC chief electoral officer, or
 - (b) in the case of non-compliance by an organization, the organization must pay to the BC chief electoral officer a penalty in an amount of up to \$10 000, as determined by the BC chief electoral officer.

Monetary penalties for failing to include sponsorship information

- 68.25** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 44 [*advertising must include sponsorship information*] by an individual or organization, the BC chief electoral officer must notify the individual or organization of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 68.26 [*court relief powers in relation to sponsorship requirements*], if the BC chief electoral officer gives notice under subsection (1) of this section,
 - (a) in the case of non-compliance by an individual, the individual must pay to the BC chief electoral officer a penalty in an amount of up to \$5 000, as determined by the BC chief electoral officer, or
 - (b) in the case of non-compliance by an organization, the organization must pay to the BC chief electoral officer a penalty in an amount of up to \$10 000, as determined by the BC chief electoral officer.

Court relief powers in relation to sponsorship requirements

- 68.26** (1) An individual or organization that is subject to a monetary penalty under any of sections 68.23 to 68.25 may apply to the Supreme Court in accordance with this section for relief from the monetary penalty for non-compliance.
- (2) An application may be made only within 30 days after the BC chief electoral officer, under the applicable section referred to in subsection (1), notifies the individual or organization of the non-compliance and related penalty.
 - (3) The petition commencing an application must be served on the BC chief electoral officer within 7 days after the petition is filed, and the BC chief electoral officer is a party to the application.
 - (4) On hearing an application, the court may do any of the following:
 - (a) grant relief from a penalty if the court considers that, in relation to the non-compliance, the individual or organization has acted in good faith;

- (b) make any order the court considers appropriate to secure compliance with the applicable section to the extent the court considers reasonable in the circumstances;
- (c) refuse to grant relief.

52 *The following Division is added to Part 6:*

**Division 5.4 – Registration of Elector Organizations –
Penalties and Court Orders for Relief**

**Monetary penalties in relation to
elector organization registration requirement**

- 68.27** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 30.06 [*requirement to register*] by an elector organization or individual, the BC chief electoral officer must notify the elector organization or individual of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 68.28, if the BC chief electoral officer gives notice under subsection (1) of this section,
- (a) in the case of an elector organization, or an individual on behalf of an elector organization, accepting a campaign contribution while the elector organization is not registered or while registration is suspended, the elector organization or individual must pay to the BC chief electoral officer a penalty in an amount of up to 2 times the campaign contribution, as determined by the BC chief electoral officer,
 - (b) in the case of an elector organization entering into a campaign financing arrangement while the elector organization is not registered or while registration is suspended, the elector organization must pay to the BC chief electoral officer a penalty in an amount of up to \$5 000, as determined by the BC chief electoral officer, or
 - (c) in the case of an elector organization, or an individual on behalf of an elector organization, incurring an election expense while the elector organization is not registered or while registration is suspended, the elector organization or individual must pay to the BC chief electoral officer a penalty in an amount of up to 2 times the election expense, as determined by the BC chief electoral officer.

**Court relief powers in relation to
elector organization registration requirement**

- 68.28** (1) An elector organization or individual that is subject to a monetary penalty under section 68.27 may apply to the Supreme Court in accordance with this section for relief from the monetary penalty for non-compliance.

- (2) An application may be made only within 30 days after the BC chief electoral officer, under the applicable section referred to in subsection (1), notifies the elector organization or individual of the non-compliance and related penalty.
- (3) The petition commencing an application must be served on the BC chief electoral officer within 7 days after the petition is filed, and the BC chief electoral officer is a party to the application.
- (4) On hearing an application, the court may do any of the following:
 - (a) grant relief from a penalty if the court considers that, in relation to the non-compliance, the applicant has acted in good faith;
 - (b) make any order the court considers appropriate to secure compliance with the applicable section to the extent the court considers reasonable in the circumstances;
 - (c) refuse to grant relief.

53 *Sections 69, 70, 71 and 72 are amended by striking out “under this Division” wherever it appears and substituting “under this Part”.*

54 *Section 72 is amended*

(a) by adding the following subsection:

- (1.1) Despite subsection (1), if the BC chief electoral officer suspends the registration of an elector organization under section 64 or 68.01,
 - (a) the registration of the elector organization must be suspended pending the determination of an appeal of an order under section 68 or 68.06, and
 - (b) the elector organization must not be deregistered until the final determination of the appeal. ,

(b) in subsection (2) by striking out “elector organization,” wherever it appears,

(c) by adding the following subsection:

- (2.01) For certainty, an elector organization that is subject to penalties under section 64 (3) [*penalties for failure to file elector organization disclosure statement, annual financial report or supplementary report*] and suspension under section 64 (5.2) [*penalties for failure to disclose – suspension of registration pending decision of court*] ceases to be prohibited under section 64 (3) and suspended under section 64 (5.2) if, on the final determination of an application under section 68 [*court relief powers respecting disclosure requirements*],
 - (a) the court provides relief, and
 - (b) there is compliance with the court order. , **and**

(d) in subsection (5) by striking out “subject to penalties under section 68.01 (5) ceases to be disqualified or prohibited under that section” and substituting “subject to penalties under section 68.01 (5) and suspension under section 68.01 (7.1) ceases to be prohibited under section 68.01 (5) and suspended under section 68.01 (7.1)”.

55 *The following Division is added to Part 6:*

Division 7 – Publication of Names

Publication of names following imposition of monetary penalty

- 72.1** (1) The BC chief electoral officer must publish on an Elections BC authorized internet site
- (a) the names of individuals or organizations on which the BC chief electoral officer has imposed a monetary penalty under any of the following:
 - (i) Division 3 [*Expense Limit Penalties*] of Part 6;
 - (ii) Division 5.1 [*Campaign Contributions – Penalties and Court Orders for Relief*] of Part 6;
 - (iii) Division 5.2 [*Sponsorship Contributions – Penalties and Court Orders for Relief*] of Part 6;
 - (iv) Division 5.3 [*Third Party Sponsors – Penalties and Court Orders for Relief*] of Part 6;
 - (v) section 76.1 [*penalty for failure to comply with requirements to provide information*],
 - (b) the section under which the BC chief electoral officer has imposed each monetary penalty, and
 - (c) the amount of each monetary penalty.
- (2) The information published in accordance with subsection (1) must continue to be published on an Elections BC authorized internet site until one year after general voting day for the next general local election.
- (3) Publication in accordance with subsection (1) must take place as soon as practicable after the BC chief electoral officer imposes the monetary penalty.

56 *Section 72.1 (1) (a) is repealed and the following substituted:*

- (a) the names of individuals or organizations on which the BC chief electoral officer has imposed a monetary penalty under any of the following:
 - (i) Division 3 [*Expense Limit Penalties*] of Part 6;

- (ii) Division 5.1 [*Campaign Contributions – Penalties and Court Orders for Relief*] of Part 6;
- (iii) Division 5.2 [*Sponsorship Contributions – Penalties and Court Orders for Relief*] of Part 6;
- (iv) Division 5.3 [*Third Party Sponsors – Penalties and Court Orders for Relief*] of Part 6;
- (v) Division 5.4 [*Registration of Elector Organizations – Penalties and Court Orders for Relief*] of Part 6;
- (vi) section 76.1 [*penalty for failure to comply with requirements to provide information*], .

57 *The following sections are added:*

Monetary penalty for failure to comply with requirements to provide information

- 76.1** (1) Within 7 days of the BC chief electoral officer making a determination of non-compliance with section 76 (a) or (b) by an individual or organization, the BC chief electoral officer must notify the individual or organization of the non-compliance and the related penalty.
- (2) Subject to a court order for relief under section 76.2, if the BC chief electoral officer gives notice under subsection (1) of this section,
- (a) in the case of non-compliance by an individual, the individual must pay to the BC chief electoral officer a penalty in an amount of up to \$5 000, as determined by the BC chief electoral officer, or
 - (b) in the case of non-compliance by an organization, the organization must pay to the BC chief electoral officer a penalty in an amount of up to \$10 000, as determined by the BC chief electoral officer.

Court relief powers in relation to requirement to provide information

- 76.2** (1) An individual or organization that is subject to a monetary penalty under section 76.1 may apply to the Supreme Court in accordance with this section for relief from the monetary penalty for non-compliance.
- (2) An application under subsection (1) may be made only within 30 days after the BC chief electoral officer notifies the individual or organization, under section 76.1, of the non-compliance and related penalty.
- (3) The petition commencing an application must be served on the BC chief electoral officer within 7 days after the petition is filed, and the BC chief electoral officer is a party to the application.

- (4) On hearing an application, the court may do any of the following:
 - (a) grant relief from a penalty if the court considers that, in relation to the non-compliance, the individual or organization has acted in good faith;
 - (b) make any order the court considers appropriate to secure compliance with section 76 to the extent the court considers reasonable in the circumstances;
 - (c) refuse to grant relief.

Notice to produce information from advertiser

- 76.3** (1) In this section, “**advertiser**” means the following:
- (a) an individual or organization that has, during the past 5 years, transmitted an election advertising communication to the public by any means;
 - (b) an individual or organization that has, during the past 5 years, arranged for another individual or organization to transmit an election advertising communication to the public by any means;
 - (c) an individual or organization in a class of individuals or organizations prescribed by regulation.
- (2) For the purpose of administering compliance with this Act and the regulations under this Act, the BC chief electoral officer may collect from an advertiser the following information in relation to an election advertising communication that has been transmitted to the public:
- (a) if known by the advertiser, the name of the individual or organization that sponsored the election advertising communication;
 - (b) the name of the individual or organization with which the advertiser agreed to
 - (i) transmit the election advertising communication, or
 - (ii) arrange for another individual or organization to transmit the election advertising communication;
 - (c) the date the election advertising was ordered or requested;
 - (d) if there were payments under the agreement referred to in paragraph (b), the amounts and dates of the payments;
 - (e) the dates on which the election advertising communication was transmitted;
 - (f) the actual or intended geographic distribution or geographic availability of the advertising communication;
 - (g) any other information prescribed by regulation.

- (3) The BC chief electoral officer may, by written notice, require an advertiser to produce information described in subsection (2), as specified in the notice, if both of the following apply:
- (a) the BC chief electoral officer has reason to believe that any of the following sections has been contravened:
 - (i) section 37 [*prohibition against sponsoring third party advertising if not registered*];
 - (ii) section 41.5 [*prohibition against exceeding third party advertising limit*];
 - (iii) section 41.6 [*prohibition against attempting to circumvent third party advertising limits*];
 - (iv) section 44 [*advertising must include sponsorship information*];
 - (v) section 45 [*restrictions on general voting day advertising*];
 - (b) the information is reasonably required by the BC chief electoral officer to carry out the BC chief electoral officer's responsibilities set out in section 87 (1) [*BC chief electoral officer responsible for administering compliance with Act and regulations*].
- (4) Subject to subsection (5), an advertiser that has custody or control of information required under subsection (3) must disclose the information to the BC chief electoral officer
- (a) within 24 hours after receiving the notice if the notice is given during a campaign period, and
 - (b) within 7 days after receiving the notice if the notice is given outside of a campaign period.
- (5) The BC chief electoral officer may extend the time period in subsection (4) if an advertiser that receives a notice under this section makes a written request
- (a) within 24 hours after receiving the notice if the notice is given during a campaign period, and
 - (b) within 7 days after receiving the notice if the notice is given outside of a campaign period.
- (6) An advertiser that contravenes this section commits an offence.

**Order to produce information or records
required by BC chief electoral officer**

- 76.4** (1) On application of the BC chief electoral officer, the Supreme Court may make an order requiring a person to disclose to the BC chief electoral officer information or records in the custody or control of the person if the court is satisfied that the information or records are reasonably required by the BC chief electoral officer in order to carry out the BC chief electoral officer's responsibilities under section 87 (1).

- (2) The BC chief electoral officer may apply for an order under subsection (1) before, at the time of or subsequent to the following:
 - (a) making a determination that an individual or organization has failed to comply with a provision of this Act for which a monetary penalty may be imposed;
 - (b) referring a matter to the Criminal Justice Branch of the Ministry of Attorney General under section 81 [*authority to refer contravention to Criminal Justice Branch*].
- (3) A court may make an order under this section without notice to any person.
- (4) Unless the court orders otherwise, an application for an order under this section must be heard in private.

58 Section 78.1 (1) is repealed and the following substituted:

- (1) In relation to a monetary penalty under section 68.02 (3) or (5), 68.09 (5), 68.13 (2) or (4), 68.14 (2), 68.15 (2), 68.16 (2), 68.17 (2), 68.19 (2) or (4), 68.20 (2), 68.21 (2), 68.23 (2), 68.24 (2), 68.25 (2) or 76.1 (2), the BC chief electoral officer may issue and file with the Supreme Court a certificate specifying the name of the individual or organization, as applicable, and the amount owed under the applicable section by the individual or organization.

59 Section 78.1 (1) is amended by striking out “68.25 (2) or 76.1 (2)” and substituting “68.25 (2), 68.27 (2) or 76.1 (2)”.

60 Section 84 is amended by adding the following subsection:

- (3) In the case of false or misleading information in an annual financial report, the elector organization for which the annual financial report is filed commits an offence.

61 Section 89 is amended

(a) by repealing subsection (1) and substituting the following:

- (1) Subject to this section and any applicable regulations, the BC chief electoral officer may correct an error or omission if, when reviewing any of the following documents, the BC chief electoral officer becomes aware of the error or omission and considers that the error or omission does not materially affect the substance of the document:
 - (a) an application for registration under Division 6 [*Registration of Elector Organizations*] of Part 2 [*Candidate and Elector Organization Campaign Financing*];
 - (b) a disclosure statement;
 - (c) an annual financial report;
 - (d) a supplementary report. ,

(b) in subsection (2) by striking out “A correction under this section” and substituting “A correction under this section to a disclosure statement or to a supplementary report in relation to a disclosure statement”, and

(c) by adding the following subsection:

- (3) A correction under this section to an application for registration, annual financial report or supplementary report in relation to an annual financial report may be made only with
 - (a) the consent of the elector organization in relation to which the application for registration, annual financial report or supplementary report was filed, or
 - (b) in the case of an annual financial report or supplementary report, with the consent of the financial agent of the elector organization.

62 Section 90 is amended

(a) in subsection (1) by striking out “extending the time period for filing a disclosure statement” and substituting “extending the time period for filing a disclosure statement, annual financial report or supplementary report”, and

(b) in subsection (3) (b) by striking out “the disclosure statement cannot be filed within the time period” and substituting “the disclosure statement, annual financial report or supplementary report cannot be filed within the time period”.

63 Section 91 is amended

(a) by repealing subsection (1) and substituting the following:

- (1) The BC chief electoral officer must retain each disclosure statement under this Act and any supplementary reports in relation to the disclosure statement until at least 5 years after general voting day for the election or assent voting to which the disclosure statement relates. , **and**

(b) by adding the following subsection:

- (1.1) The BC chief electoral officer must retain each annual financial report under this Act and any supplementary reports in relation to the annual financial report until at least 5 years after the compliance deadline for the annual financial report.

64 Section 92 is amended

(a) by repealing subsection (2), and

(b) by adding the following subsection:

- (4.1) As soon as practicable before each election, but no later than the end of the nomination period, the BC chief electoral officer must provide the following information to the local election officer for each jurisdiction for which an elector organization is registered to endorse a candidate in an election:
- (a) the legal name of the elector organization, if applicable;
 - (b) the usual name of the elector organization, if the usual name is different from the legal name, or if the elector organization has no legal name;
 - (c) any abbreviations, acronyms or other names used by the elector organization to refer to itself;
 - (d) the name, abbreviation or acronym by which the elector organization is to be identified on the ballot;
 - (e) the name, required contact information and address for service of the authorized principal official of the elector organization;
 - (f) the name, mailing address and address for service of each of the other responsible principal officials of the elector organization;
 - (g) the name and required contact information of the financial agent of the elector organization;
 - (h) any other information required by regulation.

65 Section 96 is amended

- (a) in subsection (4) (a) by striking out “on the 5th day” and substituting “on the fifth day”, and***
- (b) in subsection (4) (b) and (c) by striking out “on the 3rd day” and substituting “on the third day”.***

66 The following section is added:

Power to make regulations – sponsorship contribution limits

- 100.02** (1) Without limiting any other provision of this Act but subject to subsection (3), the Lieutenant Governor in Council may make regulations respecting sponsorship contribution limits, including, without limitation,
- (a) prescribing the amount of the sponsorship contribution limit, or
 - (b) respecting how the amount of a sponsorship contribution limit is determined.

- (2) In making a regulation under subsection (1), the Lieutenant Governor in Council may do one or more of the following:
- (a) establish rules respecting
 - (i) how sponsorship contribution limits apply or are determined in the calendar year in which an applicable sponsorship limit is prescribed,
 - (ii) how to deal with sponsorship contributions that are made in the calendar year in which an applicable sponsorship contribution limit is prescribed but before the date the applicable sponsorship contribution limit is prescribed, including if those sponsorship contributions are included for the purpose of determining whether the sponsorship contributions of an eligible individual exceed the applicable sponsorship contribution limit for that calendar year,
 - (iii) how to deal with permissible loans, including if and how they are included for the purpose of determining whether the sponsorship contributions of an eligible individual exceed the applicable sponsorship contribution limit for that calendar year, and
 - (iv) how to deal with loans made or accepted and debts arising before the date an applicable sponsorship contribution limit is prescribed;
 - (b) make provisions that the Lieutenant Governor in Council considers necessary or advisable for the purpose of more effectively determining and applying a sponsorship contribution limit;
 - (c) make provisions that the Lieutenant Governor in Council considers necessary or advisable for the purpose of preventing, minimizing or otherwise addressing any transitional difficulties encountered in determining or applying a sponsorship contribution limit.
- (3) A regulation in relation to section 36.01 may be made only on the recommendation of the minister responsible.

67 The Schedule is amended

(a) by adding the following definition:

“annual financial report” means an annual financial report required under section 45.1 [*annual financial reports by elector organizations*]; ,

(b) in the definition of “compliance deadline” by striking out “under section 47 (4) [*compliance deadline for filing disclosure statements*]” and substituting “under section 45.2 (3) [*compliance deadline for filing annual financial report*], section 47 (4) [*compliance deadline for filing disclosure statements*]”, and

(c) **by repealing the definition of “court order for relief” and substituting the following:**

“**court order for relief**” means a court order under section 76.2 [*court relief powers in relation to requirement to provide information*] and the following Divisions of Part 6:

- (a) Division 2 [*Court Orders for Relief in Relation to Disclosure Requirements*];
- (b) Division 4 [*Court Orders for Relief in Relation to Exceeding Expense Limits or Amount Available*];
- (c) Division 5 [*Third Party Advertising Limits – Penalties and Court Orders for Relief*];
- (d) Division 5.1 [*Campaign Contributions – Penalties and Court Orders for Relief*];
- (e) Division 5.2 [*Sponsorship Contributions – Penalties and Court Orders for Relief*];
- (f) Division 5.3 [*Third Party Sponsors – Penalties and Court Orders for Relief*];
- (g) Division 5.4 [*Registration of Elector Organizations – Penalties and Court Orders for Relief*]; .

68 **The Schedule is amended in the definition of “court order for relief” by adding the following paragraph:**

- (d) Division 5.2 [*Sponsorship Contributions – Penalties and Court Orders for Relief*]; .

69 **The Schedule is amended**

(a) in the definition of “court order for relief”

(i) by striking out “under the following Divisions of Part 6 [*Penalties and Court Orders for Relief*]” **and substituting** “under section 76.2 [*court relief powers in relation to requirement to provide information*] and the following Divisions of Part 6”, **and**

(ii) by adding the following paragraph:

- (e) Division 5.3 [*Third Party Sponsors – Penalties and Court Orders for Relief*]; , **and**

(b) in the definition of “shared third party advertising” by striking out “attributed to each third party advertising sponsor” **and substituting** “attributed to each third party sponsor”.

70 The Schedule is amended

- (a) in the definition of “disclosure requirements” by striking out “disclosure statement or supplementary report” and substituting “disclosure statement, annual financial report or supplementary report”,**
- (b) by repealing the definition of “established elector organization”,**
- (c) in the definition of “final campaign financing arrangement” by striking out “as it reads on general voting day” and substituting “as it reads at the end of general voting day”,**
- (d) by repealing the definition of “late filing deadline” and substituting the following:**
 - “late filing deadline” means,**
 - (a) in relation to a disclosure report, the late filing deadline as established under section 47 (2) [*filing up to 120 days after general voting day on payment of penalty fee*], or
 - (b) in relation to an annual financial report, the late filing deadline as established under section 45.2 (2) [*filing within 30 days of March 31 on payment of penalty fee*]; ,
- (e) in the definition of “late filing penalty fee” by striking out “section 47 (2)” and substituting “section 45.2 (2) or 47 (2)”,**
- (f) in the definition of “permissible loan” by striking out “to a candidate or elector organization for campaign use” and substituting “to a candidate for campaign use, to an elector organization for any use”,**
- (g) by adding the following definition:**
 - “pre-campaign period” means the period applicable in relation to a general local election under section 10 (1.1) [*what is a pre-campaign period*]; ,**
- (h) by adding the following definition:**
 - “register of elector organizations” means the register maintained by the BC chief electoral officer in accordance with section 30.10 [*register to be open to public*]; , and**
- (i) by repealing the definition of “registered” and substituting the following:**
 - “registered” means,**
 - (a) in relation to an elector organization, registered under Division 6 [*Registration of Elector Organizations*] of Part 2 [*Candidate and Elector Organization Campaign Financing*], and

- (b) in relation to a third party sponsor or non-election assent voting advertising sponsor, registered under Division 3 [*Registration of Third Party Sponsors*] of Part 3 [*Third Party Advertising*]; .

PART 2 – LOCAL GOVERNMENT ACT AMENDMENTS

71 Section 65 of the Local Government Act, R.S.B.C. 2015, c. 1, is amended

(a) by repealing subsection (1) (d) and substituting the following:

- (d) the person must be a resident of the municipality or electoral area, as determined in accordance with section 67; , **and**

(b) by repealing subsection (2).

72 Section 87 (1) is amended by adding the following paragraph:

- (g) if applicable, the name of the elector organization that proposes to endorse the person nominated.

73 Section 92 is amended

(a) by adding “and” at the end of subsection (1) (a),

(b) by striking out “, and” at the end of subsection (1) (b),

(c) by repealing subsection (1) (c), and

(d) by repealing subsection (2) and substituting the following:

- (2) To be qualified to endorse a candidate, an organization must be registered under Division 6 [*Registration of Elector Organizations*] of Part 2 [*Candidate and Elector Organization Campaign Financing*] of the *Local Elections Campaign Financing Act*.

74 Section 93 is amended

(a) in subsection (1) by striking out “the chief election officer” and substituting “the chief election officer and the BC chief electoral officer”,

(b) in subsection (1) (a) (v) by striking out “subject to the restrictions in subsection (3),”,

(c) in subsection (1) (a) by repealing subparagraph (vi) and substituting the following:

- (vi) the name and required contact information of the authorized principal official of the organization; ,

(d) in subsection (1) by repealing paragraphs (c) and (d), and

(e) by repealing subsections (2) to (5).

75 *Section 94 is repealed.*

76 *Section 96 is repealed.*

77 *Section 155 (2) (b) is repealed and the following substituted:*

(b) declare that the election is invalid and that the offices that were to be filled in the election are vacant, .

78 *The following Division is added to Part 3:*

Division 17.1 – Canvassing

Canvassing in housing cooperative, strata and rental properties

160.1 (1) In this section:

“**authorized canvasser**” means an individual authorized in writing by a candidate to canvass electors and distribute candidate information on the candidate’s behalf;

“**campaign period**” has the same meaning as in the *Local Elections Campaign Financing Act*;

“**candidate information**” means printed information about

- (a) a candidate, and
- (b) if applicable, the elector organization that has endorsed the candidate.

(2) The following individuals and organizations must not unreasonably restrict access to residential property by a candidate or an authorized canvasser for the purposes of canvassing electors and distributing candidate information:

- (a) a housing cooperative or individual acting on behalf of a housing cooperative;
- (b) a landlord or individual acting on behalf of a landlord;
- (c) a strata corporation or individual acting on behalf of a strata corporation.

(3) While canvassing electors or distributing candidate information at a residential property, access to which is controlled by any of the individuals or organizations referred to in subsection (2), a candidate or authorized canvasser must produce government-issued photo identification and either proof of candidacy or a candidate’s written authorization to canvass electors and distribute candidate information, as applicable, at the request of any of the following individuals:

- (a) a resident of the property;

(b) an individual referred to in subsection (2) (a), (b) or (c).

(4) Subsection (2) applies from 9 a.m. to 9 p.m. during the campaign period.

79 *Section 168 (2) (f) and (g) is repealed.*

80 *Section 455 is amended by repealing the definitions of “housing cooperative” and “strata corporation”.*

81 *Section 1 of the Schedule is amended by adding the following definitions:*

“housing cooperative” has the same meaning as in section 1 of the *Cooperative Association Act*;

“strata corporation” has the same meaning as in section 1 of the *Strata Property Act*; .

PART 3 – SCHOOL ACT AMENDMENTS

82 *Section 40 of the School Act, R.S.B.C. 1996, c. 412, is amended*

(a) by repealing subsection (1) (d) and substituting the following:

(d) the person must be a resident of the trustee electoral area for which the election is held; , *and*

(b) by repealing subsection (2).

83 *Section 46.1 is repealed and the following substituted:*

Candidate endorsement by elector organization

46.1 In order to endorse a candidate in a trustee election, an organization must be registered under Division 6 [*Registration of Elector Organizations*] of Part 2 of the *Local Elections Campaign Financing Act*.

PART 4 – VANCOUVER CHARTER AMENDMENTS

84 *Section 2. of the Vancouver Charter, S.B.C. 1953, c. 55, is amended by adding the following definitions:*

“housing cooperative” has the same meaning as in section 1 of the *Cooperative Association Act*;

“strata corporation” has the same meaning as in section 1 of the *Strata Property Act*; .

85 Section 23. is amended

(a) by repealing subsection (1) (d) and substituting the following:

(d) the person must be a resident of the city, as determined in accordance with section 25; , **and**

(b) by repealing subsection (2).

86 Section 44. (1) is amended by adding the following paragraph:

(g) if applicable, the name of the elector organization that proposes to endorse the person nominated.

87 Section 45.3 is amended

(a) by adding “and” at the end of subsection (1) (a),

(b) by striking out “, and” at the end of subsection (1) (b),

(c) by repealing subsection (1) (c), and

(d) by repealing subsection (2) and substituting the following:

(2) To be qualified to endorse a candidate, an organization must be registered under Division 6 [*Registration of Elector Organizations*] of Part 2 [*Candidate and Elector Organization Campaign Financing*] of the *Local Elections Campaign Financing Act*.

88 Section 45.4 is amended

(a) in subsection (1) by striking out “the chief election officer” and substituting “the chief election officer and the BC chief electoral officer”,

(b) in subsection (1) (a) (v) by striking out “subject to the restrictions in subsection (3),”,

(c) in subsection (1) (a) by repealing subparagraph (vi) and substituting the following:

(vi) the name and required contact information of the authorized principal official of the organization; ,

(d) in subsection (1) by repealing paragraphs (c) and (d), and

(e) by repealing subsections (2) to (5).

89 Section 45.5 is repealed.

90 Section 45.7 is repealed.

91 Section 117. (2) (b) is repealed and the following substituted:

- (b) declare that the election is invalid and that the offices that were to be filled in the election are vacant, .

92 The following Division is added to Part I:

Division (16.1) – Canvassing

Canvassing in housing cooperative, strata and rental properties

122.1 (1) In this section:

- “**authorized canvasser**” means an individual authorized in writing by a candidate to canvass electors and distribute candidate information on the candidate’s behalf;
- “**campaign period**” has the same meaning as in the *Local Elections Campaign Financing Act*;
- “**candidate information**” means printed information about
 - (a) a candidate, and
 - (b) if applicable, the elector organization that has endorsed the candidate.
- (2) The following individuals and organizations must not unreasonably restrict access to residential property by a candidate or an authorized canvasser for the purposes of canvassing electors and distributing candidate information:
 - (a) a housing cooperative or individual acting on behalf of a housing cooperative;
 - (b) a landlord or individual acting on behalf of a landlord;
 - (c) a strata corporation or individual acting on behalf of a strata corporation.
- (3) While canvassing electors or distributing candidate information at a residential property, access to which is controlled by any of the individuals or organizations referred to in subsection (2), a candidate or authorized canvasser must produce government-issued photo identification and either proof of candidacy or a candidate’s written authorization to canvass electors and distribute candidate information, as applicable, at the request of any of the following individuals:
 - (a) a resident of the property;
 - (b) an individual referred to in subsection (2) (a), (b) or (c).
- (4) Subsection (2) applies from 9 a.m. to 9 p.m. during the campaign period.

93 Section 128. (2) (e) and (e.1) is repealed.

94 Section 559. is amended by repealing the definitions of “housing cooperative” and “strata corporation”.

PART 5 – TRANSITIONAL PROVISIONS

Transition – definitions

- 95 (1) In this Part, “**former provision**” means a provision of the *Local Elections Campaign Financing Act*, *Local Government Act*, *School Act* or *Vancouver Charter* as it read immediately before this Act received First Reading in the Legislative Assembly.
- (2) The definitions in the former provisions of the *Local Elections Campaign Financing Act* apply to this Part.

Transition – application to elections

- 96 (1) The amendments made by this Act do not apply in relation to an election referred to in section 1 [*elections to which this Act applies*] of the *Local Elections Campaign Financing Act*, or voting referred to in section 2 [*assent voting to which this Act applies*] of that Act, held before the 2022 general local election, and a former provision that, immediately before this Act received First Reading in the Legislative Assembly, applied in relation to that election or that voting continues to apply in relation to that election or that voting.
- (2) For certainty, the amendments made by sections 17 to 22 of this Act do not apply in relation to an election referred to in section 1 of the *Local Elections Campaign Financing Act*, or voting referred to in section 2 of that Act, held before the 2022 general local election.

Transition – disclosure of campaign contributions accepted by elector organization prior to registration

- 97 (1) Subject to subsection (2), if a campaign contribution is accepted by an elector organization before section 30.06 [*requirement to register*] of the *Local Elections Campaign Financing Act* comes into force, an application for registration under section 30.07 [*application for registration – elector organization*] of the *Local Elections Campaign Financing Act* must include the information required under section 50 (2) (e) [*elector organization disclosure statement – information respecting campaign contributions*] of that Act respecting the campaign contribution.
- (2) Subsection (1) does not apply if, before section 30.06 of the *Local Elections Campaign Financing Act* comes into force, the information respecting the campaign contribution has already been included in a disclosure statement in accordance with Division 2 [*Disclosure Requirements for Candidates, Elector Organizations and Advertising Sponsors*] of Part 5 of the *Local Elections Campaign Financing Act*.

**Transition – discretion to reject
elector organization application for registration**

- 98** (1) Despite section 30.09 (4) [*requirement to register applicant elector organization*] of the *Local Elections Campaign Financing Act*, the BC chief electoral officer may reject an application for registration submitted by an elector organization if the BC chief electoral officer determines that any of the forms of identification referred to in section 30.07 (2) (a) to (d) [*requirement to include forms of identification in application for registration*] of that Act is the same as or similar to a form of identification of an elector organization that endorsed one or more candidates in the 2018 general local election.
- (2) The BC chief electoral officer may require the authorized principal official of the applicant elector organization to provide any additional information the BC chief electoral officer considers necessary to make a determination under subsection (1).
- (3) This section is repealed on October 16, 2022.

Transition – requirement to file annual financial report

- 99** The first calendar year respecting which an annual financial report must be filed under section 45.1 [*annual financial reports by elector organizations*] of the *Local Elections Campaign Financing Act* is 2021.

Transition – disqualified elector organization

- 100** An elector organization that, immediately before section 16 of this Act comes into force, is disqualified under a former provision from endorsing a candidate must not submit an application for registration under section 30.07 [*application for registration – elector organization*] of the *Local Elections Campaign Financing Act* or be registered under section 30.09 [*processing of applications for registration*] of that Act until the elector organization would cease to be disqualified if the former provisions were still in force.

Transition – sponsorship contribution limit for 2021

- 101** The following must be included for the purpose of determining whether an eligible individual exceeds the sponsorship contribution limit for 2021 established under section 36.01 [*sponsorship contribution limit for 2021*] of the *Local Elections Campaign Financing Act*:
- (a) a sponsorship contribution made in 2021 by an eligible individual before the date section 36.01 of that Act comes into force;
- (b) a loan for sponsorship use made in 2021 by an eligible individual to a third party advertising sponsor before the date section 36.01 of that Act comes into force.

Commencement

102 The provisions of this Act referred to in column 1 of the following table come into force as set out in column 2 of the table:

Item	Column 1 Provisions of Act	Column 2 Commencement
1	Anything not elsewhere covered by this table	The date of Royal Assent
2	Section 1	By regulation of the Lieutenant Governor in Council
3	Section 3	By regulation of the Lieutenant Governor in Council
4	Sections 5 to 12	By regulation of the Lieutenant Governor in Council
5	Section 16	By regulation of the Lieutenant Governor in Council
6	Sections 17 to 22	On the day after the date this Act receives First Reading in the Legislative Assembly
7	Sections 23 and 24	By regulation of the Lieutenant Governor in Council
8	Sections 26 to 47	By regulation of the Lieutenant Governor in Council
9	Section 49	By regulation of the Lieutenant Governor in Council
10	Section 50	On the day after the date this Act receives First Reading in the Legislative Assembly
11	Section 52	By regulation of the Lieutenant Governor in Council
12	Section 54	By regulation of the Lieutenant Governor in Council
13	Section 56	By regulation of the Lieutenant Governor in Council
14	Sections 59 to 64	By regulation of the Lieutenant Governor in Council
15	Section 67	By regulation of the Lieutenant Governor in Council
16	Section 68	On the day after the date this Act receives First Reading in the Legislative Assembly

Item	Column 1 Provisions of Act	Column 2 Commencement
17	Section 70	By regulation of the Lieutenant Governor in Council
18	Sections 72 to 76	By regulation of the Lieutenant Governor in Council
19	Section 83	By regulation of the Lieutenant Governor in Council
20	Sections 86 to 90	By regulation of the Lieutenant Governor in Council