

Implementation Fact Sheet

Accountability and Transparency Amendments *Local Authorities Election Act, 2018 and 2020*

Advertisement Distribution and Campaign Activities at a Voting Station

Legislation: *Local Authorities Election Act (LAEA)*

Section Numbers: s. 152, s. 152.1

Previous requirement:

1. The *LAEA* prohibited the distribution of pamphlets and materials inside the voting station as well as the display of these materials on the inside or outside of the voting station but did not prohibit the distribution of materials outside of the building, or any other campaign activities in or around a voting station.
2. The *LAEA* allowed for the removal of campaign advertising, and specified that the deputy returning officer is not liable for trespass or damages for carrying out the removal.

What has changed?

1. *The *LAEA* extends the prohibition of campaign activities and advertising within the boundaries of land on which a building is located for the use as a voting station. s. 152.

The *LAEA* also prohibits activities in and around a voting station that would involve soliciting votes or communicating for the purpose of influencing votes. s. 152.1

2. The *LAEA* was amended to clarify that the returning officer may request/require/instruct that campaign advertising be removed, and instruct those obstructing the voting process or taking part in campaign activities to leave the property. s. 152.1

What do prospective candidates need to know?

Candidates are prohibited from any type of campaign activities and any actions considered to be an attempt to solicit or influence votes in and on the property surrounding a building used as a voting station. Those found guilty may be subject to a fine of up to \$500.

What does the public need to know?

Your voting environment will be protected from outside influence. If an elector feels that there are campaign activities taking place at the voting station, they can report them to the Returning Officer who has the authority to stop the activity, require the individual(s) taking part in the activity to leave, or request that the individual(s) move locations.

The Returning Officer has the authority to request the assistance of a Peace Officer to aid in maintaining public access to the voting station or to remove a person who has refused to comply with the orders of the Returning Officer.

What do municipalities and school boards need to know?

The Returning Officer has the discretion to have advertising removed and instruct those considered to be obstructing the voting process or campaigning to leave the property. The Returning Officer may request the assistance of a Peace Officer if deemed necessary.

When do these changes take place?

The amendments to the *LAEA* came into force January 1, 2019.

*Amendments passed in July 2020 under Bill 29: *The Local Authorities Election Amendment Act*

List of Candidates

Legislation: *Local Authorities Election Act (LAEA)*

Section Numbers: s. 28(10)

Previous requirement:

There was no requirement in the *LAEA* for a list of candidates to be posted following nomination day.

Municipalities were required to report nomination information to Municipal Affairs which then posts the information on the ministry website.

What has changed?

Municipalities and school boards are required to post the names of candidates within 48 hours following the close of nominations.

The returning officer must post or direct someone to post at the office of the local jurisdiction, the names of those nominated. s. 28(10)

What does the public need to know?

A List of Candidates will be made available by the municipality within 48 hours of Nomination Day. The list is required to be posted at the office of the local jurisdiction but municipalities and school boards may also choose to post the list on local websites or social media pages. It is recommended that the public check with their municipality to determine where they can find the list of candidates.

What do municipalities and school boards need to know?

The Returning Officer must ensure a List of Candidates is posted at the office of the local jurisdiction, within 48 hours of Nomination Day.

When do these changes take place?

The amendments to the *LAEA* came into force January 1, 2019.

*Amendments passed in July 2020 under Bill 29: *The Local Authorities Election Amendment Act*