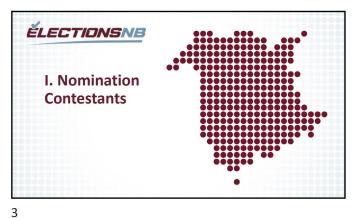


Overview Nomination Contestants II. Candidates III. Campaigning and Advertising IV. Third-Party Election Advertising V. Financial Reporting *ÉLECTIONSNB*

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Outline • To Whom These Rules Apply · Registration Process · Nomination Convention Financial Rules Financial Reporting *ÉLECTIONSNB*

To Whom These Rules Apply An individual seeking the nomination as an official candidate of a registered political party (a "party") in an electoral district <u>must</u> complete the registration An individual who is uncontested in a nomination contest in an electoral district and is **elected by acclamation** as the party's candidate is still considered a nomination contestant and must complete the registration process An individual who is appointed as a candidate of a party without there being a nomination contest is not considered to be a nomination contestant and is $\underline{\text{not}}$ required to register *<u>ÉLECTIONSNB</u>*

Registration Process Individual decides to seek the nomination as a candidate At this point in time, they become a nomination contestant Must immediately designate an official representative to record all contributions, financing, and expenditures for their campaign • May act as their own official representative • Complete Parts A to D of the form "Application for Registration as a Leadership Contestant or Nomination Contestant" (P 04 843) Forward application form to the party *ÉLECTIONSNB*



Nomination Convention Following the convention, an authorized officer of the party completes the form "Certificate of Nomination Convention" (P 04 847) · Date and location of convention · Contestants who stood for nomination · Individuals who withdrew as contestants · Individual elected as the candidate of the party Party submits certificate to Elections NB *ÉLECTIONSNB*

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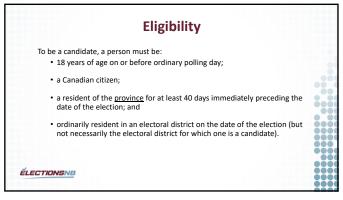
Financial Rules Contribution and financing limit of \$3,000 per individual supporter, including No provincial tax credit Financial institutions may finance > \$3,000 if fully secured by guarantees made No spending limit on expenditures Funds may not be transferred to party or district association Any surplus funds shall be distributed to: • the persons who made the contributions, or • to any other person for any purpose approved by the Elections NB *ÉLECTIONSNB*

Financial Reporting Official representative required to file sworn financial return Usually a one-page return since contestants historically receive \$2,000 or less in financial support If any liabilities or any surplus are reported, supplementary financial returns required every six months thereafter (up to three) until additional contributions are collected and liabilities are paid off or surplus is distributed If liabilities remain outstanding on the final financial return, the sum of the liabilities and any contributions made by the contestant must not exceed \$3,000 • If the sum exceeds the limit without a reasonable excuse, the contestant has committed a serious offence and may be subject to prosecution *ÉLECTIONSNE*

9 10



Outline · Eligibility • Candidate nomination process • Nomination Papers Designation of official agent *ÉLECTIONSNB*



Eligibility (cont'd)

A mayor or councillor of a municipality may be a candidate

• If elected, must resign the municipal office before becoming a member of the Legislative Assembly

The following persons may not be a candidate in an election:

• Judges;

• Persons who are disqualified from voting under any law relating to the disqualification of electors for corrupt or illegal practices; and

• Election officers

Special circumstances for federal or provincial employees

13 14

Candidate Nomination Process Different than the nomination contestant process managed by parties Prior to the issuing of a writ of election, an individual who has been selected as the candidate of a political party, or has registered as an independent candidate, may begin to present themselves to the public as a candidate for an upcoming election The process to officially register with Elections NB as a candidate in an election can only be initiated after the writ of election is issued by the Lieutenant-Governor in Council

Candidate Nomination Process (cont'd)

Nomination Paper

www.electionsnb.ca

• Resources → Forms → P 04 001 Nomination Paper

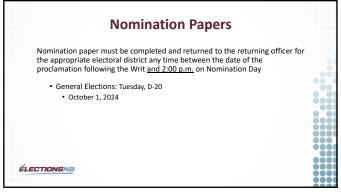
CEO Directives explain procedures

www.electionsnb.ca

• Resources → Directives and Instructions →

Chief Electoral Officer Directives for the Nomination of Candidates

15 16



Nomination Papers (cont'd)

Part C: Designation of official agent

• Official agent to authorize all election expenses of the candidate

• Confirms or changes an electoral district agent, if any, previously appointed by the party's chief agent



• Roles and Responsibilities
• Political Party
• District Association and Candidate
• Volunteers
• Campaign Finances
• Election Expenses
• Spending Limits
• Reimbursement
• Electoral Activities

19 20

Roles and Responsibilities Political Party Official representative Solicit contributions Coordinate fundraising activities Arrange financing Collaborate on electoral budget Finsure pre-writ advertising respects \$200,000 (plus Consumer Price Index) aggregate annual advertising limit (\$240,000 for the year 2024) Pay election expenses authorized by chief agent Maintain accounting systems Prepare electoral financial return for chief agent Comply with Political Process Financing Act (PPFA)

Roles and Responsibilities
Political Party (cont'd)

Chief agent

Comply with election spending limit
Authorize and control election-related spending by party
Provide documentation to official representative for payment of election expenses
Review, approve, sign, and submit electoral financial return to Elections NB
Comply with PPFA
Appoint electoral district agents prior to election period, if required

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Roles and Responsibilities

District Association and Candidate (cont'd)

Official representative of registered district association (cont'd)

If authorized by electoral district agent / official agent, incur election expenses

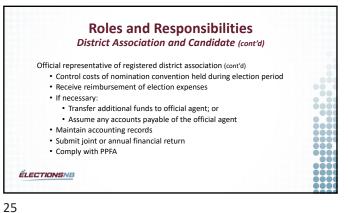
Identify deemed contribution if election expenses less than regular price

Determine current retail value of used advertising materials (signage)

Ensure pre-writ advertising respects \$3,000 (plus Consumer Price Index) annual advertising limit

\$\$\\$\$3,600 for the calendar year 2024

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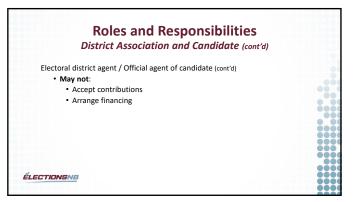
Roles and Responsibilities District Association and Candidate (cont'd) Electoral district agent / Official agent of candidate Collaborate on electoral budget • Comply with election spending limit · Consult with district association on banking options · Use district association's existing bank or funds-on-deposit account No new bank account required · Open new bank account for campaign Receive funds from official representative *ÉLECTIONSNB*

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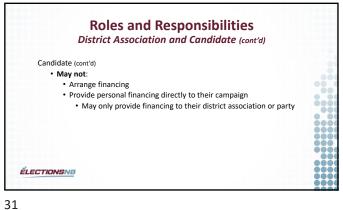


Roles and Responsibilities District Association and Candidate (cont'd) Electoral district agent / Official agent of candidate (cont'd) · Monitor authorized election expenses regularly · Identify deemed contributions · Depending on the banking option chosen: · Submit invoices to official representative for payment and file joint financial return; or · Pay invoices and file electoral financial return • If possible, pay all liabilities and close bank account prior to submitting return If not possible, subsequently complete banking transactions, close account, and submit details to Elections NB • Comply with PPFA

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Roles and Responsibilities District Association and Candidate (cont'd) Candidate Accept contributions if authorized by district association or party • Incur personal lodging, food, and travel costs, and may be reimbursed as election expenses Personally incur \$2,000 in election expenses without prior authorization of electoral district agent / official agent • Submit details not later than 20 days after Election Day • If not reimbursed, amount is deemed to be a contribution of *ÉLECTIONSNB*



Roles and Responsibilities District Association and Candidate (cont'd) Campaign manager · Understand and respect legislated roles and responsibilities · Communicate with electoral district agent / official agent regularly • Obtain authorization to incur election expenses · Comply with PPFA *ÉLECTIONSNB*

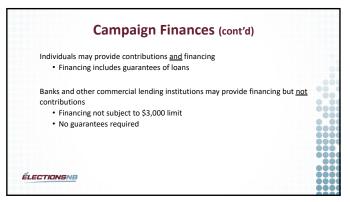
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Roles and Responsibilities Volunteers Participation by volunteers "The donation by an individual of his personal services, talents or expertise, or the use of his vehicle and the product of that donation, where it is given freely and not as part of his work in the service of an employer..." is not considered a contribution nor an election expense [PPFA, s.2(1)(a)] Leaves of absence with pay are prohibited Restrictions on federal and provincial employees engaging in political activity *ÉLECTIONSNE*

Campaign Finances Annual contribution and financing limit of \$3,000 Per individual (including a candidate) to a registered political party, its registered district associations, and its candidates' campaigns collectively • Not permitted by corporations and trade unions Contributions from fundraising activities • Full ticket price, not profit per ticket · Full bid on auction item *ÉLECTIONSNB*

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Campaign Finances (cont'd) Exception: Incurring election expenses using a person's own money or credit · Not considered financing if authorized and reimbursed by official agent • If not reimbursed, deemed a contribution of money *ÉLECTIONSNB*

Election Expenses Definition "Election expenses" means all expenditures incurred during an election period for the purpose of promoting or opposing directly or indirectly, the election of a candidate or that of the candidates of a party, including every person who subsequently becomes or who is likely to become a candidate, and includes all expenditures incurred before an election period for literature, objects or materials of an advertising nature used during the election period for such purposes. [PPFA, s.67(1)] · Contributions of property and services to a campaign · Unreimbursed purchases

Election Expenses

Spending Limits

Calculation for political party

- # registered electors in the aggregate of the electoral districts in which it has candidates, times inflation-adjusted rate per elector
- · Electors determined from preliminary lists of electors at issue of writs

2024 Estimate

• 565,000 electors X \$2.40/elector = \$1,356,000

www.electionsnb.ca
Political Financing > Information > 2024-10-21 Election Expenses Limits and Reimbursements

ÉLECTIONSNB

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Election Expenses Spending Limits (cont.) Calculation for candidate • # registered electors in electoral district times inflation-adjusted rate per · Electors determined from preliminary lists of electors at issue of writs 2024 Estimate • 11,000 electors X \$4.20/elector = \$46,200 www.electionsnb.ca Political Financing > Information > 2024-10-21 Election Expenses Limits and *<u><u>ĚLECTIONSNB</u>*</u>

Election Expenses Reimbursement

Eligibility criteria

- · Each elected candidate; and
- Each candidate having obtained 15% or more of valid votes cast in their electoral district

Paid to registered district association, not to official agent of candidate

2024 Estimate

• 11,000 electors X \$1.58/elector = \$17,380

www.electionsnb.ca

Political Financing > Information > 2024-10-21 Election Expenses Limits and Reimbursements

ÉLECTIONSNB

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Electoral Activities

- · Official start of election period
- Pre-writ advertising

Includes:

ÉLECTIONSNB

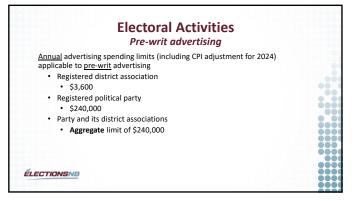
- · Election-period advertising
- Campaign offices
- Wages paid to campaign workers and candidates Nominating conventions
- Fundraising activities held during election period • Election Day expenses
- · MLA constituency office
- · Access to apartment buildings

<u><u>ĚLECTIONSNB</u></u>

Electoral Activities Official start of election period

- 12:01 AM on date writs of election issued
- Only "pre-writ advertising" permitted before start

ÉLECTIONSNB



Electoral Activities

Pre-writ advertising subject to annual limits

1. Broadcasting undertakings

• Production costs of acquiring advertisements

• Media buys for television ads

• Media buys for radio ads

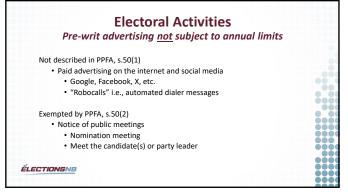
• Television and video ads distributed over the internet as part of programming

43 44

Electoral Activities Pre-writ advertising subject to annual limits (cont'd) 2. Newspapers and periodicals • Ads in provincial daily newspapers • Ads in regional weekly newspapers • Ads in service organizations' monthly newsletters • Ads in local community flyers

Electoral Activities Pre-writ advertising subject to annual limits (cont'd) 3. Other printed matter • Billboards • Postcards • Roadside signs • Restaurant placemats • T-shirts, ball caps, sweaters and Lawn signs • Campaign office signs other clothing • Vehicle wrapping • Pens, pins, buttons, and other Brochures, rack cards, and memorabilia door knockers distributed by candidates or volunteers *ÉLECTIONSNB*

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Electoral Activities

Pre-writ advertising not subject to annual limits (cont'd)

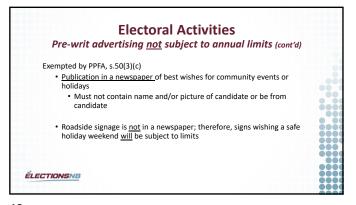
Exempted by PPFA, s.50(3)(a)

• Cost of postage for the mailing of letters, printed materials, and cards

• e.g., Canada Post unaddressed ad-mail fees

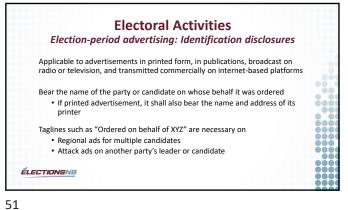
Exempted by PPFA, s.50(3)(b)

• Production and distribution of newsletters distributed solely to party members



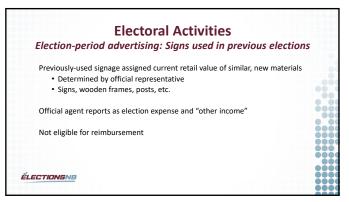
Electoral Activities Pre-writ advertising: Identification disclosures Identification disclosures · Printing companies will want same disclosures as required during election period *ÉLECTIONSNB*

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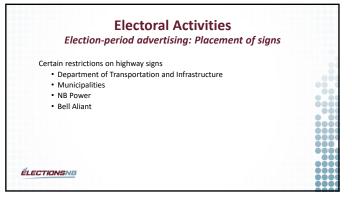
Electoral Activities Advertisements used pre-writ and during election period Official agent · Reimburse official representative for cost of advertisements · Signage reimbursed at full cost Including vehicle wrapping · Door-knockers, hand-bills, brochures, etc. · Allocated based upon quantities distributed pre-writ and during election-period *ÉLECTIONSNE*

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Electoral Activities Election-period advertising: Vandalized, stolen, or destroyed signs Replacement costs do <u>not</u> constitute election expenses Official agent requests exemption from Supervisor *ÉLECTIONSNB*

53 54



Electoral Activities

Election-period advertising:
Unsolicited communications with electors

Examples

• Live voice calls to inform of polling stations
• "Robocalls" promoting a candidate
• Opinion polls and surveys

Canadian Radio-television and Telecommunications Commission (CRTC) rules for political parties and candidates

http://crtc.gc.ca/eng/phone/telemarketing/politi.htm

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Election-period advertising:

"Restricted advertising period" (cont'd)

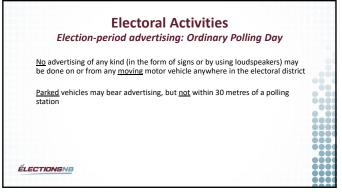
Permissible

• Non-commercial use of social media, e.g., Facebook, X, etc.

• Printed materials distributed in person or by Canada Post

• Posting of additional signs

57 58



Electoral Activities

Election-period advertising:
On Advance or Ordinary Polling Day

Within 30 metres of polling station:

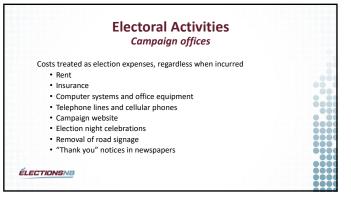
• No printed campaign materials displayed

• No audible political propaganda heard

• No political badges worn

• Candidates and workers may greet electors but must not impede access

Returning office not a "polling station"; therefore, no restriction on locating a campaign office (and its requisite advertising) near a returning office



Electoral Activities
Wages paid to campaign workers and candidates

To be eligible for reimbursement:
• Wages and honoraria must be agreed to in advance
• Must be paid prior to ordinary polling day

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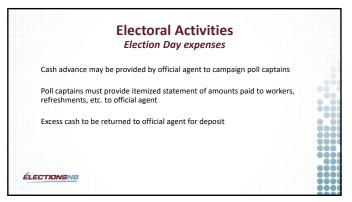


Electoral Activities
Fundraising activities held during election period

Direct costs of fundraising activity deemed to be election expenses of candidate

Official representative to advise official agent

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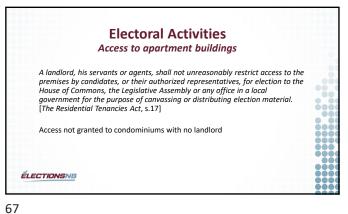


Electoral Activities
MLA constituency office

MLA communications with constituents
• Non-partisan in nature

MLA constituency office
• May never be used for partisan political activity
• May not be used for campaign office
• Must be closed during election period

Source: Orientation Manual 2014, Legislative Administration Committee,
Legislative Assembly of New Brunswick



ÉLECTIONSNB IV. Third-Party Election Advertising

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Outline • 2020 Provincial General Election – Registered Third Parties · Election Advertising · Registration · Advertising Identification · Financing • Spending Limits Prohibitions Advertising Expenditure Report *<u><u>ĚLECTIONSNB</u>*</u>

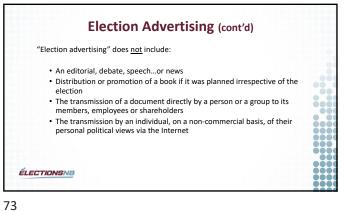
Definitions "Third party" means a person or group other than a party, a district association "Group" means a group of persons acting together by mutual consent for a common purpose, and includes a trade union Examples · Individuals, corporations, trade unions and their local chapters, business associations, charitable organizations, social clubs, and community action *ÉLECTIONSNB*

70 69

2020 Provincial General Election -**Registered Third Parties** Anglophone Rights Association of New Brunswick Inc. New Brunswick Medical Society New Brunswick Nurses Union Canadian Union of Public Employees NB (CUPE NB) New Brunswick Real Estate Association • Proudly New Brunswick / Fièrement Nouveau- Cities of New Brunswick Association · Conservation Council of New Brunswick Public Service Alliance of Canada · Égalité santé en français N.-B. inc. Saint John Firefighters Association, IAFF Local 771 Fredericton Club of the Communist Party of Canada Société de l'Acadie du Nouveau-Brunswick inc. Irving Woodlands and Forest NB Stop Spraying NB Inc. *<u><u>ĚLECTIONSNB</u>*</u>

Election Advertising "Election advertising" means a message transmitted to the public by any means <u>during a campaian period</u> that promotes or opposes a registered political party or the election of a candidate or takes a position on an issue with which a registered political party or a candidate is associated... [PPFA, 84.1] Unrestricted advertising permitted prior to the campaign period Subject to "restricted advertising period" rules like parties and candidates *ÉLECTIONSNB*

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Registration

Third parties must register with Elections NB immediately after incurring election advertising expenses exceeding \$500 in total

· May register in advance

Must appoint a chief financial officer who will be responsible for:

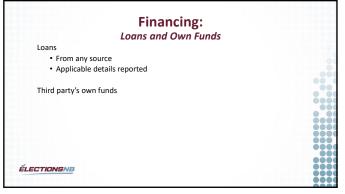
- Ensuring that the third party complies with the provisions of the PPFA;
- \bullet Accepting election advertising contributions and loans made to the third Authorizing all election advertising expenses incurred by or on behalf of
- the third party; • Maintaining the books, records and other documents of the third party;
- and • Filing the required financial reports with the Supervisor

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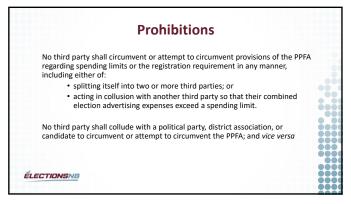
Advertising Identification Advertising identification required Name of third party · Name of person responsible for books and records and telephone number or address Applies to any third party who advertises during campaign period Not only <u>registered</u> third parties · Even to a person posting a home-made sign on their property No third party shall transmit to the public any advertising that may lead the public to believe it originates with a party, district association, or candidate *<u><u>ĚLECTIONSNB</u>*</u>

Financing: Election Advertising Contributions Eligible contributors Individuals who are ordinarily resident in the Province • Trade unions representing NB workers, excluding those in public sector • Corporations incorporated or doing business in NB No contribution limit Not eligible for the New Brunswick Political Contributions Tax Credit *<u>ĚLECTIONSNB</u>*

76 75



Spending Limits 2024 Election advertising spending limits • Estimated \$17,600 province-wide or \$1,760 per single district www.electionsnb.ca Political Financing > Information > 2024-10-21 Election Expenses Limits and Reimbursements • For a by-election, same amount as last general election *<u>ĚLECTIONSNB</u>*



Advertising Expenditure Report

The third party's chief financial officer must file an advertising expenditure

No later than 90 days following ordinary polling day, i.e., Monday, January 20,

www.electionsnb.ca

- Political Financing > Electoral Financial Returns: Templates > P 04 965 Advertising Expenditure Report of Registered Third Party
- If in a deficit position, must file supplementary report within six months of filing the first report and every 12 months thereafter until the deficit is

ÉLECTIONSNB

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Outline **Electoral Reporting** • Registered Nomination Contestant · Candidate and Registered District Association Registered Political Party Annual Reporting Registered District Association Registered Political Party **Public Inspection of Financial Returns** *ÉLECTIONSNB*

Electoral Reporting Registered Nomination Contestant Nomination contestant's $\underline{official\ representative}\ must\ file\ a\ \underline{financial\ return}$ • Within 30 days after the nomination convention If this falls during the 2024 election period, extended to 90 days after ordinary polling day, i.e., Monday, January 20, 2025 www.electionsnb.ca Political Financing > Electoral Financial Returns: Templates > P 04 925 Financial Return of Registered Leadership or Nomination Contestant *<u><u>ĚLECTIONSNB</u>*</u>

Electoral Reporting Candidate If candidate's official agent opens their own bank account: • Official agent must file an electoral financial return No later than 60 days following the return of the writ of election. extended to Monday, January 6, 2025, because of 2024 holiday season www.electionsnb.ca • Political Financing > Electoral Financial Returns: Templates > P 04 901 Electoral Financial Return for Candidate \$100 deposit returned to candidate upon receipt of return by Elections NB Returns are examined in the order in which they are received, with priority given to those involving the reimbursement of election expenses.

84 83

Electoral Reporting Candidate and Registered District Association If candidate's official agent does not open their own bank account: • Election expenses of the candidate will be paid from the existing bank account of the district association or from funds on deposit with the party • Agreed to by the official representative and the official agent; or • When the same individual serves in both roles • A preferred, simpler banking option • Official representative and official agent must file a joint financial return • No later than March 31 for the preceding calendar year

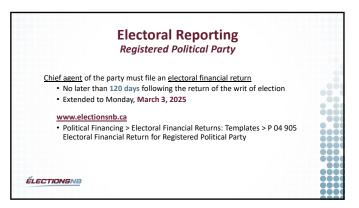
Electoral Reporting
Candidate and Registered District Association (cont'd)

www.electionsnb.ca

• Political Financing > Electoral Financial Returns: Templates > P 04 923 Joint Financial Return for Registered District Association and Candidate

85 86

ÉLECTIONSNB



Annual Reporting
Registered District Association

Official representative of registered district association must file an annual financial return

• No later than March 31 for the preceding calendar year

www.electionsnb.ca

• Political Financing > Annual Financial Returns: Templates > P 04 911
Financial Return for Registered District Association

NOTE: The annual return is not required if the joint financial return is used

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Public Inspection of Financial Returns

Financial returns that include contributions can be found online

www.electionsnb.ca

• Pollitical Financing > Public Inspection of Financial Returns

> Registered Political Parties

> Registered Nomination Contestants

> Registered Leadership Contestants

> Registered Independent Candidates

> Registered Independent Candidates

> Registered Third Parties

> Fling Status Reports

All financial returns are available for public inspection during ordinary business hours at Elections NB

