

Broadcaster and Publisher Responsibilities

Third Party Advertising

The municipal election is scheduled to take place on Monday, October 24, 2022. This notice is to inform broadcasters and publishers of their new obligations under the [Municipal Elections Act](#) (MEA or the Act) if they broadcast or publish a third party advertisement during the municipal election period.

Definition of a registered third party advertiser

Under the Act, a registered third party advertiser is an individual, corporation or trade union that has registered with the Clerk of the municipality where they want to advertise.

Third party advertisers must register prior to incurring any expenses for the appearance of a third party advertisement, and must comply with requirements including filing a financial statement(s), spending and contribution limits. A list of registered third party advertisers will be available at www.collingwood.ca/election/third-party. A candidate in the election cannot register as or direct a third party advertiser.

Definition of a third party advertisement

A third party advertisement is a message in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing a candidate in the election, or a question on the ballot.

All third party advertisements must contain the following information:

1. Name of the registered third party
2. Municipality where the registered third party is registered
3. Telephone number, mailing address or email address at which the registered third party may be contacted regarding the advertisement

Restricted campaign period

Broadcasters and publishers may only permit third party advertisements to appear between May 1, 2022 and October 24, 2022 (Election Day).

The third party advertiser is required to be registered with the municipality they wish to advertise in prior to advertisements being published, displayed or broadcasted. To ensure they are registered, visit the registry provided on the [Elections - Third Party Advertisers](#) webpage.

Legal obligations for broadcasters and publishers in the municipal election

The new requirements for broadcasters and publishers include:

1. A registered third party advertiser **must provide the following information** to the broadcaster or publisher in writing before the third party advertisement appears:
 - a) Name of the registered third party
 - b) Name of the business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the registered third party
 - c) Municipality where the registered third party is registered
2. The broadcaster or publisher of a third party advertisement **must maintain records** for 4 years after the date the advertisement appears. These records must contain:
 - a) Mandatory information described in section 1 (above), as outlined under section 88.5

- (2) of the Act;
- b) A copy of the advertisement, or the means of reproducing it for inspection;
- c) A statement of charge made for its appearance.

The public must be permitted to inspect the records during normal business hours.

3. The broadcaster or publisher may not **charge a third party advertiser** more or less than their normal advertising rate. If less is charged, the difference is deemed to be a contribution to the third party advertiser. Providing free advertising is considered a contribution towards the third party advertiser, unless all third party advertisers are offered the same service.
4. Broadcasters or publishers, who wish to conduct third party advertising, **must register as a third party advertiser** and follow the requirements of the [Municipal Elections Act](#). A Third Party Advertisers' guide, published by the Ministry of Municipal Affairs and Housing is available at <https://www.ontario.ca/files/2022-03/mmah-2022-third-party-advertisers-guide-en-2022-03-31.pdf> .

Additional Resources

For more information about third party advertiser requirements can be found in the [Municipal Elections Act](#), on the Ontario website at <https://www.ontario.ca/page/municipal-elections> or by visiting <https://www.collingwood.ca/council-government/elections> .