



To: All Registered Political Party Presidents and Chief Financial Officers
To: All Registered Constituency Association Presidents and Chief Financial Officers

Bill 81, *Election Statutes Amendment Act, 2021 (No. 2)*, has been proclaimed and **will take effect on March 31, 2022**. The purpose of this email is to provide a general overview of forthcoming changes to the *Election Finances and Contributions Disclosure Act* (EFCDA) that relate to and impact registered political parties, constituency associations, candidates, nomination contestants, and leadership contestants. Once finalized, the revised Guidelines should be followed over this general summary.

Registration

- Nomination contestants will no longer be required to register under the EFCDA, but parties will still need to collect all the same information from their contestants and provide it to Elections Alberta shortly after the nomination contest ends
- Candidates—whether independent or endorsed by a party—will be required to pay a \$500 deposit to Elections Alberta as part of their registration under the EFCDA, instead of paying the deposit to the returning officer as part of filing the candidate's nomination papers under the *Election Act*
- Leadership contestants will still be required to register under the EFCDA, but only when they announce their intention to seek the leadership of a party, and cannot accept contributions or incur expenses for their campaign until registered

Nomination Contests

- Parties will have up to 15 days after a nomination contest ends, to notify Elections Alberta of the nomination contest start and end dates, the name and contact information of the contestant(s) and chief financial officer(s) who participated, and who was selected for endorsement; Elections Alberta will publish summary information upon being notified
- Parties will have up to 30 days after the contest ends to provide Elections Alberta with additional details including the date the contestant(s) first announced their intention to seek endorsement or accepted their first contribution or incurred their first expense (whichever was earliest), and the financial institution and signing officers for the campaign account
- Parties will be encouraged to use Elections Alberta's Online Financial System (OFS) to enter contest and contestant information early, to assist with timely notification to Elections Alberta so we may quickly communicate with contestants and chief financial officers about their financial compliance and reporting obligations under the EFCDA
- Any nomination contests in progress in OFS as of March 31st will follow the current 10-day deadline for notifying Elections Alberta of who was selected for endorsement

Contributions

- The current \$4,243 contribution limit per person ordinarily resident in Alberta per calendar year, will round up to **\$4,300** in aggregate to any combination of registered parties, registered constituency associations, registered leadership contestants, and registered candidates; nomination contestants will be removed from this aggregate limit effective March 31st
- Nomination contestants will have a new separate limit of **\$4,000** per person ordinarily resident in Alberta per calendar year in aggregate to any combination of nomination contestants starting on March 31st; official contribution receipts issued to contributors under this new limit will ***not*** be eligible for Alberta income tax credits

- Contributions to nomination contestants before March 31st, including self-funded by the contestant, will count toward the old limit and have a tax benefit;
- Starting March 31st contributors can contribute an additional \$4,000 to nomination contestants in aggregate for the remainder of 2022 without a tax benefit
- A party or constituency association membership, paid by a person on behalf of someone else, will be deemed a contribution to the party or constituency association by the person who paid it, and is subject to the above contribution limit

Expense Limits (Effective for the Next Election Event)

- The party general election expense limit of \$2,121,368 will change to a calculation of \$1.16 x the number of names in the Register of Electors on the 1st day of the month, three months before Election Day; an estimate based on the 2019 post-election Register of 2,822,303 electors would be **\$3,273,871**
- The party by-election expense limit of \$24,396 per electoral division will round up to **\$24,400**
- The candidate election expense limit of \$53,034 will round up to **\$53,100**
- The nomination contestant election expense limit of \$10,607 will increase to **\$13,275** (from 20% to 25% of the candidate limit)
- For any nomination contest in progress, the election expense limit for these contests will increase on March 31st from \$10,607 to \$13,275

Financial Reporting

- The 2021 annual returns due on March 31st are not impacted by these amendments
- Constituency associations will no longer be required to file quarterly contribution reports starting with Q1 2022, but will be encouraged to record contributions in OFS regularly throughout the year; waiting until the end of the year will significantly increase the potential for administrative penalties resulting from unresolved over-contributions
- The threshold for parties to file audited financial statements if their revenue or expenses exceed \$1,000 will increase to \$25,000 starting with the 2022 financial return(s)
- If a candidate's campaign return is not filed on time, the Chief Electoral Officer may keep the \$500 candidate deposit as payment of the automatic \$500 late filing fee, starting with the 2022 Fort McMurray-Lac La Biche By-election campaign return
- Due to a fixed election date prescribed in the Bill 81 amendments to the *Election Act*, a Writ of Election is expected to be issued on May 1, 2023 for a May 29, 2023 Provincial General Election; parties, constituency associations, and candidates should plan their fund-raising and spending activities anticipating these timeframes to ensure EFCDA compliance

I look forward to working with you as we implement these legislative amendments. Should you have any questions, please feel free to contact any member of our Finance team at 780-427-7191 (toll-free 310-0000 then 780-427-7191) or by email at finance@elections.ab.ca.

Sincerely,

Glen Resler
Chief Electoral Officer and Election Commissioner