



# ADVERTISING GUIDELINES FOR POLITICAL PARTICIPANTS



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## Overview

The following advertising guidelines apply if you are a:

- Registered political party
- Registered constituency association
- Registered candidate, including a senate candidate
- Third party advertiser (election, political, senate, referendum, recall or citizen initiative)

The Chief Electoral Officer has established these guidelines under the *Election Act*, *Election Finances and Contributions Disclosure Act* (EFCDA), *Referendum Act*, *Recall Act*, *Senate Election Act* and *Citizen Initiative Act* and they have the force of law.<sup>1</sup>

If you or anyone on your behalf is sponsoring an advertisement that falls under one of these Acts, in compliance with these guidelines, you must:

- 1) indicate that you authorize the ad, and
- 2) provide your contact information on the ad.

Your information is required for the members of the public to know who the sponsor is and how to contact you.

## What is an Advertisement?

### Parties, Constituency Associations and Candidates

If you are a political party, constituency association, candidate, or senate candidate, the following definition applies to you.

An **advertisement**, for which there is or normally would be a charge, in any broadcast, print, electronic or other media, including telephone, fax, internet, electronic mail and text messaging, with the purpose of promoting or opposing any registered political party or the election of a registered candidate.<sup>2</sup>

### Third Party Advertisers

If you are a third-party advertiser undertaking election or political advertising, the following basic definitions apply:

**Election advertising** is the transmission to the public by any means *during an election advertising period* of an advertising message that promotes or opposes a registered party or the election of a registered candidate, including an advertising message that takes a position on an issue with which a registered party or registered candidate is associated.<sup>3</sup>

**Political advertising** is the transmission to the public by any means, *at any time other than during an election advertising period*, of an advertising message that promotes or opposes a registered party, the leader of a registered party, a member of the Legislative Assembly, a registered nomination contestant, a registered leadership contestant or the election of a registered candidate.<sup>4</sup>



Election and political advertising also include canvassing for the benefit of a registered party or registered candidate and organizing events where a significant purpose of the event is to promote or oppose a registered party or registered candidate.<sup>4</sup>

There are also a number of exceptions to the definitions above. Please refer to the “Guide for Political and Election Third Party Advertisers” on the Elections Alberta website for detailed information on the definitions, operation, and reporting requirements for political and election third party advertisers.

The relevant sections of the legislation pertaining to senate election advertising, referendum advertising, recall advertising and citizen initiative advertising can be found on the last page of this document.

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*One of the main differences between election advertising and political advertising is the time period when the advertising occurs.*

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**Senate election advertising** is the transmission to the public by any means during the Senate election advertising period of an advertising message that promotes or opposes the election of a registered candidate for Senate election.<sup>5</sup>

**Referendum advertising** is the transmission to the public by any means during the referendum advertising period of an advertising message that promotes or opposes a question in a referendum.<sup>6</sup>

**Recall advertising** is the transmission to the public by any means during the recall advertising period of an advertising message that promotes or opposes the recall of the member whose electoral division is the subject of the recall petition.<sup>7</sup>

**Initiative advertising** is the transmission to the public by any means during an initiative petition period of advertising that promotes or opposes an initiative petition, the legislation, policy or constitutional question proposed by the initiative petition or the subject-matter of the legislation, policy or constitutional question.<sup>8</sup>



## Advertising Exceptions

Advertising exceptions, including exceptions to third party advertising, include:

- The transmission to the public of an editorial, a debate, a speech, an interview, a column, a letter, a commentary, or news.
- Distributing a book, or promoting the sale of a book, for no less than its commercial value (if the book was planned to be made available to the public regardless of whether there was to be a Senate election or referendum).
- A corporation or a group transmitting a document, or communicating directly, to its members, employees, or shareholders.
- Transmitting the political views of a person, corporation, or group, on a non-commercial basis on the internet (including social media pages).
- Phoning electors for the sole purpose of encouraging them to vote.
- Advertising by the Government in any form.

*Non-commercial transmission means there is no cost, or normally no cost, to transmit your message*

These exceptions do not need to follow these guidelines on contact information.

## Significant Purpose of an Event

In determining a significant purpose of an event, you must consider the following factors, in addition to any other relevant information:

- Whether it is reasonable to conclude that the event was specifically planned to coincide with an election.
- Whether the formatting or branding of promotional materials for the event is similar to the formatting, branding or election material used by a registered party, the leader of a registered party, a member of the Legislative Assembly, a nomination contestant, a registered leadership contestant or a registered candidate.
- The extent to which an election or any registered party, the leader of a registered party, member of the Legislative Assembly, nomination contestant, registered leadership contestant or registered candidate is referred to, either directly or indirectly, in promotional materials for the event or at the event.
- Whether the event is consistent with previous events held by that third party.
- Whether messages conveyed at the event are political messages associated with a registered party, the leader of a registered party, a member of the Legislative Assembly, a nomination contestant, a registered leadership contestant or a registered candidate.



## Requirements for Sponsor Information on Advertisements

**Your advertising must clearly state your name (in the case of an individual, your first and last names) and your contact information.** Examples of acceptable authorization statements are listed below:

- “Authorized by [Name] [Phone Number]”
- “Authorized by the Official Agent of [Name], candidate for the [Political Party Name] [Candidate Website]”
- “Authorized by [Political Party Name] [Party Website]”
- “Authorized by [Name], please visit [Website]”
- “This message has been authorized by [Name], please contact us at [Email Address].”

The requirements for providing sponsor information on advertising varies between mediums used for transmitting your message. In this section, we provide specific guidelines to meet minimum standards for your authorization statement and contact information, but you can provide multiple forms of contact on your ads.



### Phone Calls and Text Messaging

If you sponsor an ad that is transmitted to a phone, whether in the form of a live call, an automated pre-recorded call, or a text message, you must state that you authorize the advertisement. Your

authorization statement must be:

- Clear and audible.
- In the same volume and style as the content of the ad. This requirement is not applicable to text messaging.

*Contact information is your name and phone number*

You must also ensure that:

- Your phone number is not blocked from being displayed on the call display of called parties and it is visible to parties subscribed to call display.
- Your name is stated at the beginning of the ad.
- Your party affiliation (if any) is stated.
- For phone calls: Your phone number is stated at the end of the ad.
- For text messaging: Your phone number is displayed or stated (or both) at the end of the ad.

*Contact information is your name plus at least one of the following:*

- Your phone number
- Your email address
- Your website (that enables contact)

### Radio

If you sponsor a radio ad, your authorization statement must be:

- Stated at the beginning of the ad.
- Clear and audible.
- In the same volume and style as the content of the ad to ensure consistency and clarity of the message.

## TV

If you sponsor a TV ad, your authorization statement must be:

- Stated at the beginning of the ad, either through text or audio.
- Clear and audible.
- In the same volume and style as the content of the ad (if provided in audio).
- Legible, in a colour that contrasts sufficiently with the background to make it visible, and in a font that displays reasonable definition (if provided in text).

*Contact information is your name plus at least one of the following:*

- *Your phone number*
- *Your email address*
- *Your website (that enables contact)*

## Internet

If you sponsor an ad of any length with **audio content only**, your authorization statement must be:

- Stated at the beginning of the ad.
- Clear and audible
- In the same volume and style as the content of the ad.

If you sponsor an ad containing **audio and visual content that is more than 15 seconds in length** your authorization statement must be:

- Stated at the beginning of the ad, either through text or audio.
- Clear and audible.
- In the same volume and style as the content of the ad (if provided in audio).
- Legible, in a colour that contrasts sufficiently with the background to make it visible, and in a font that displays reasonable definition (if provided in text).

If you sponsor an ad containing **audio and visual content that is 15 seconds in length or less**, the text in your authorization statement must be:

- Legible, with sufficient contrast on the video for the full duration of the ad.

If you sponsor an ad containing **visual content only**, your authorization statement must be:

- Legible, and displayed on each page that has an advertising message.

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*Where there are space limitations for your ad placed on a website (e.g., small pay-per-click ads), the authorization statement is not required to be displayed within the ad. However, selecting the ad (i.e., by mouse click or finger tap) must send the viewer to a website, landing page or profile page that contains your authorization statement.*

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## Social Media

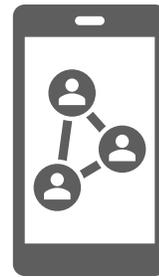
**Paying for promotion** using social media falls within the definition of an advertisement, as it is considered commercial transmission. You are required to provide your authorization statement on any ads that you *pay to promote* through social media.

The contact information requirement in the context of social media for third party advertisers can be met in the following ways:

- In the case of a Facebook page, displaying sponsor name and authorization statement on the info page.
- In the case of a Facebook post, displaying the sponsor's name on the comment section.
- In the case of a Twitter account, displaying the sponsor's name or the name of the third-party advertiser on the profile page.
- In the case of Instagram, displaying the sponsor's name or the name of the third-party advertiser on the profile page.

*Contact information is your name plus at least one of the following:*

- *Your phone number*
- *Your email address*
- *Your website (that enables contact)*



## Printed Paper Advertising

If you sponsor a printed paper ad (e.g., brochure, newspaper), your authorization statement must be:

- Legible.
- In a colour that contrasts sufficiently with the background to make it visible.
- In at least the same font size as the main text of the ad.

*Contact information is your name plus at least one of the following:*

- *Your phone number*
- *Your email address*
- *Your website (that enables contact)*

## Physical Signage

Physical signage includes all physical signage not covered in the other categories (e.g., yard signs, portable signs, billboards, airplane banners).

If you sponsor an ad on physical signage, your authorization statement must be:

- A minimum font size of 1:32 of the sign’s total height dimension.
- Stated on both sides of the sign (if the sign is viewable on both sides).

Contact information is your name plus at least one of the following:

- Your phone number
- Your email address
- Your website (that enables contact)

Guide for Authorization Statement Font Size					
<b>Minimum Font Size</b>	36-point font (0.5”H)	54-point font (0.75”H)	72-point font (0.75”H)	108-point font (1.5”H)	108-point font (1.5”H)
<b>Standard Sign Sizes</b>	24” W x 16”H SMALL RECTANGLE	24” W x 24”H SMALL SQUARE	48” W x 24”H MEDIUM RECTANGLE	48” W x 48”H LARGE SQUARE <i>sample below</i>	72” W x 48”H LARGE RECTANGLE
<b>Other Sign Sizes</b>	For smaller than “small rectangle”, minimum 36-point font size (0.5”H) For larger than “large rectangle”, apply 1:32 rule				



## Sponsor Information Exceptions

You do not need to include an authorization statement for the following<sup>9</sup>:

- Ads on personal clothing.
- Ads on novelty items, including wearable novelty items such as buttons, badges, wrist bands and necklaces.
- Ads on small items of nominal value that are intended for personal use.



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*Although the above items are exceptions, they are not exempt from being election expenses or third-party advertising expenses and must still be reported.*

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## Additional Requirements and Resources

Additional legislation or regulations may apply to the placement, location, and timelines for removal of election signs. Consult your local municipality for the specific bylaws for your area.

For provincial roadways, please visit:

- [Guidelines for the Installation of Election Signs](#)
- [Government of Alberta Transportation](#)

Please consult the Canadian Radio-television and Telecommunications Commission (CRTC) guidelines for:

- [Rules For Unsolicited Telecommunications Made on Behalf of Political Entities](#)
- [National Do Not Call List Rules \(Part II\)](#),
- [Telemarketing Rules \(Part III\)](#), and
- [Automatic Dialing-Announcing Device Rules \(Part IV\)](#).

## Non-Compliance

If your ad is found to be non-compliant, the Chief Electoral Officer may cause it to be removed or discontinued.<sup>10</sup> Non-compliant ads may also be subject to action by the Election Commissioner. The Election Commissioner may enter into a compliance agreement, issue a letter of reprimand, levy an administrative penalty, or refer the matter for prosecution.

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*If an ad must be removed that is displayed on a sign, poster, or other similar format, the Chief Electoral Officer (or any person acting under their instructions) is not liable for trespass or damages resulting from its removal.*

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## Contact Us

Elections Alberta

Suite 100, 11510 Kingsway NW, Edmonton, Alberta T5G 2Y5

Phone: 780.427.7191 (toll free dial 310.000)

General inquiries: [info@elections.ab.ca](mailto:info@elections.ab.ca)

Financial compliance inquiries: [finance@elections.ab.ca](mailto:finance@elections.ab.ca)

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<sup>1</sup> These guidelines are established under section 134(3) of the *Election Act*, sections 44.8(2), 44.9496(2), and 44.94998(2) of the *Election Finances and Contributions Disclosure Act*, section 37(2) of the *Recall Act*, and section 39(2) of the *Citizen Initiative Act*.

<sup>2</sup> *Election Act* section 134(1)

<sup>3</sup> EFCDA section 44.1(1)(d) and (1.1)

<sup>4</sup> EFCDA section 44.1(1)(g) and (1.3)

<sup>5</sup> EFCDA section 44.941(1)(e)

<sup>6</sup> EFCDA section 44.94993(1)(c)

<sup>7</sup> *Recall Act*, section 22(1)(c)

<sup>8</sup> *Citizen Initiative Act*, section 24(1)(c)

<sup>9</sup> The Chief Electoral Officer is guided by the Supreme Court's decision in *B.C. Freedom of Information and Privacy Association v British Columbia (Attorney General)*, 2017 SCC 6, which recognized that election advertising rules are not intended to limit the freedom of expression of individuals at a personal level.

<sup>10</sup> *Election Act* section 134(5)





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**Suite 100, 11510 Kingsway NW  
Edmonton, Alberta T5G 2Y5**

**Toll Free: 310.0000 | Phone: 780.427.7191  
[www.elections.ab.ca](http://www.elections.ab.ca) | [info@elections.ab.ca](mailto:info@elections.ab.ca)**

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