

Election Finances and Contributions Disclosure Act – Summary of Changes

July 4, 2025

Summary of amendments to the *Election Finances and Contributions Disclosure Act* contained in Bill 54: *Election Statutes Amendment Act*.

Terminology changes

- Amended definition “campaign period” to remove reference to nomination contests. (s.1(1)).
- “Official candidate” replaced with “candidate”. (s.1(1)(c)).
- “Contribution” means the providing money, real property, goods or services, or the use of real property, goods or services, without compensation, to or for the benefit of a political party, constituency association, prospective candidate association, candidate, or leadership contestant. (s.1(1)(e)).
- “Election expense” means an expense incurred or a non-monetary contribution accepted by a registered party, constituency association, prospective candidate association, or candidate to the extent the expense or contribution is used during an election period to directly promote or oppose a registered party, its leader, or a registered candidate (s.1(1)(f.03)). This specifically includes the production of advertising or promotional material, the distribution, broadcast or publication of advertising or promotional material, including by the use of a capital asset, the payment of remuneration and expenses to or on behalf of a person for the person’s services as a chief financial officer or in any other capacity, securing a meeting space, or conducting election or other surveys research, during an election period. (s.1(6)).
- “Expense incurred” means an expense that is incurred, whether it is paid or unpaid. (s.1(7)).
- “Federal political party” has the same meaning as “political party” in the *Canada Elections Act* (Canada). (s.1(1)(g.1)).
- “Local political party” has the same meaning as in the *Local Authorities Election Act*. (s.1(1)(i.31)).
- “Nomination contest” definition removed. (was s.1(1)(i.4))
- “Nomination contestant” amended to mean “a person seeking endorsement as the candidate of a registered party”. (s.1(1)(i.5)).
- “Permitted person or entity” means a person ordinarily resident in Alberta, a corporation carrying on business in Alberta that is not a prohibited corporation, or an Alberta trade union or Alberta employee organization. (s.1(1)(i.6)).
- “Prohibited person or entity” means
 - (i) person not ordinarily resident in Alberta,
 - (ii) a prohibited corporation,
 - (iii) a trade union or an employee organization that is not an Alberta trade union or Alberta employee organization, and

- (iv) an unincorporated association or organization not operating in Alberta (s.1(1)(1.01)).
- “Prospective candidate” means a person for whose benefit a prospective candidate association is established. (s.1(1)(1.02)).
- “Prospective candidate association” means an entity established by or on behalf of a person as the official association of the person for the purpose of supporting the person’s prospective campaign for election as a member of the Legislative Assembly. (s.1(1)(1.03)).
- “Registered prospective candidate association” means a prospective candidate association that is registered under section 8.1. (s.1(1)(o.11)).
- “Senate election” means an election conducted under the *Alberta Senate Election Act*. (s.1(1)(o.21)).
- A prospective candidate may only exercise a right or power or perform a duty in respect to a prospective candidate association (PCA) with the PCA established in their benefit. (s.1(8)(a)).
- A PCA may only exercise a right or power or perform a duty in respect to a prospective candidate for whose benefit the PCA was established. This authority continues if the prospective candidate is endorsed by a registered party, becomes a registered candidate, becomes a Member of the Legislative Assembly, or ceases to be a registered candidate. (s.1(8)(b)).

Campaign expenses

- A campaign expense is an expense incurred or non-monetary contribution accepted
 - (a) by a registered party, registered constituency association, registered prospective candidate association or registered candidate, to the extent that the property or service for which the expense was incurred, or that was received as a non-monetary contribution, is used during a campaign period to directly promote or oppose a registered party, its leader, a registered constituency association, a registered prospective candidate association, or a registered candidate, or
 - (b) by a registered leadership contestant, to the extent that the property or service for which the expense was incurred, or that was received as a non-monetary contribution, is used during the campaign period of a leadership contest to directly promote or oppose a leadership contestant. (s.1.1(1)).

Prohibited corporations

- This section is repealed. (s.3)

Duties of the Chief Electoral Officer

- Registered PCAs added to the section and nomination contestants removed from list of entities whose financial affairs and records may be inquired into by the Chief Electoral Officer (CEO). (s.4(1)(b)).
- Registered PCAs added to the list of entities whose financial statements are published and are required to publish a statement on the Elections Alberta website that includes the name of any contributor who has contributed more than \$2250 and the actual amount contributed. (s.4(1)(d) and (e)).

- If the CEO becomes aware of contributions were made or accepted in excess of a limit, the CEO will advise the chief financial officer of the person or entity to provide the CEO with information regarding the circumstance of the contribution(s) and either return the excess over the limit to the contributor or, if the contributor cannot be identified, transfer the amount to the CEO and deposit it in the General Revenue Fund. (s.4(3 and 4)).

Powers of the Chief Electoral Officer

- Amended to add prospective candidate association to and remove nominated candidate from the list of entities whose premises may be entered by an authorized representative of the CEO to carry out an examination or inquiry. (s.5(2)).
- Amended to add prospective candidate association to and remove nomination contestant from the list of entities who must provide any information or documents with respect to their financial affairs reasonably required by the CEO in the course of their duties. (s.5(3)).

Chief Electoral Officer's advice

- The CEO may provide advice to a person or entity who asks and to whom the Act applies on that person's or entity's powers, duties, or rights under the Act, and advice that sets out or is based on facts or other considerations the CEO considers appropriate. (s.5.01(1 and 2)).
- If a change to material fact has occurred related to a person's or entity's request before the CEO provides advice, that person must notify the CEO as soon as practicable. (s.5.01(3)).
- The CEO must keep advice provided to a person or entity requesting it confidential unless the person or entity makes it publicly available, provides written consent to make it available to another person or entity or the public, or it is required to be disclosed for the purpose of a proceeding. (s.5.01(4)).
- The CEO may make public advice, including material facts, other considerations, and recommendations, of a general nature in respect of the enforcement, interpretation, or application of the EFCDA or advice provided if identifying information has been removed. (s.5.01(5 and 6)).
- A person or entity who has relied on the advice provided by the CEO may not be the subject of a civil or administrative proceeding or administrative penalty to the extent it is based on their reliance on the advice. (s.4.2(7)).

Disclosure

- Amended to replace "organization" with "entity" and remove "nomination contestant". (s.5.2(2)).
- Information, complaints, and allegations against a PCA may be disclosed to the prospective candidate. (s.5.2(2)(d.1)).
- The Election Commissioner must make the following information publicly available on the Elections Alberta website in the following circumstances:
 - The Election Commissioner receives a written request for disclosure from the person or entity that received the notice: the person or entity that is the subject of the notice, the provision(s) of the Act that is the subject of the notice, the reasons

if the Election Commissioner refused to conduct an investigation, and the outcome of an investigation the Election Commissioner conducted.

- An administrative penalty is imposed or a letter of reprimand is issued: the name of the person or entity required to pay or to whom the letter was issued, the provision of the Act the person or entity contravened, and the amount of the administrative penalty, if applicable.
- A compliance agreement is entered into: the name of each person or entity that entered into the agreement and the terms of the agreement that describe the compliance obligations of each.
- The Election Commissioner consents to a prosecution: the name of each person or entity that is alleged to have contravened a provision of this Act and each provision they are alleged to have contravened. (s.5.2(3) and (4)).
- The CEO and the Election Commissioner are not required to disclose any information that would reveal the name of a complainant or witness without their consent or unless directed to do so by a court. (s.5.2(5)).

Qualifications for registration of political parties

- Replaces “candidates” with “person who was nominated” or “people who are nominated”. (s.6).

Registration of political parties

- An application for political party registration must now include the name and address of the financial institution holding the account into which contributions to that political party are made and the name of each signing officer responsible for that account. (s.7(1.2)).
- The CEO will determine if the political party is qualified to be registered (was previously entitled to be registered). (s.7(2)).
- Political parties must be incorporated as a society under the *Societies Act*, a company under Part 9 of the *Companies Act*, or a corporation under the *Canada Not-for-profit Corporations Act* (Canada) to be registered. (s.7(2.03)).
- The applying party also cannot propose a name or name abbreviation that, in the CEO’s opinion, so nearly resembles that of a local political party to likely be confused or be the name of a local political party whose registration was cancelled or changed since the last municipal general elections. (s.7(3)).
- The CEO will also not change the registered party’s name if, in the CEO’s opinion, it so nearly resembles that of a local political party to likely be confused or be the name of a registered party or local political party whose registration was cancelled or changed since the last municipal general elections. (s.7(3.1)).

Registration of constituency associations

- An application for constituency registration must now include the name and address of the financial institution holding the account into which contributions to that political party are made and the name of each signing officer responsible for that account. (s.8(1.2)).
- The CEO will determine if the constituency association is qualified to be registered (was previously entitled to be registered). (s.8(3)).

Registration of prospective candidate associations

- Contributions cannot be accepted unless the PCA is registered. (s.8.1(1)).

- The CEO will maintain a register of PCAs and register each PCA that applies and is qualified. (s.8.1(2))
- This section sets out what information must be included in the PCA application for registration. (s.8.1(3)).
- The CEO will determine if the PCA is qualified to be registered. (s.8.1(4)).
- The PCA must notify the CEO of any changes to the required information in writing within 60 days of the change. Once received, the CEO will update the PCA's information in the register. (s.8.1(5 and 6)).

Registration of candidates

- "Official candidate" is replaced with "candidate" throughout this section. (s.9(2.1)).
- Candidates must notify the CEO if a PCA has been registered for their benefit. (s.9(2.1)(d.1)).
- Candidates must also notify the CEO of the name and address of the financial institution holding the account into which contributions to that PCA are made, as well as the name of each signing officer responsible for the account. (s.9(2.1)(g and h)).
- Once the CEO receives the registered party candidate form, the person endorsed as the candidate is deemed to be a registered candidate. (s.9(3.1)).
- "Nomination contestant" is replaced by "person" in this section. (s.9(4.1)).

Registration of third parties

- "Eligible" is replaced by "qualified" in this section. (s.9.1(2.1)).
- Third parties who are or will be engaging in referendum advertising must include whether they are for or against each question to be put to electors on their registration applications. (s.9.1(b.1)).
- Third parties must include a declaration signed by the person submitting the application that the third party is not acting directly or indirectly on behalf of a registered party in their application. (s.9.1(2.3)).
- Third parties also cannot propose a name that was the name of a registered party or a registered third party whose registration was cancelled or name has changed since the last general election. (s.9.1(4)(b)).
- Third parties who meet at least one of the criteria that determine affiliation with a registered party cannot be registered. (s.9.1(4)(c)).
- A prohibited person or entity, a group that includes a prohibited person or entity as a member, a registered charity, a political party, constituency association, PCA, candidate, or third party affiliated with a registered party are not qualified to be registered as a third party. (s.9.1(5)).
- "Eligible" to be registered replaced with "qualified". (s.9.1(5.1)).
- Criteria for determining affiliation of a third party with a registered party now includes if a person holding a position on the governing body of a third party also holds a position with the registered party and any information prescribed by regulation. (s.9.1(5.2)).

Registered party candidates

- This section fully replaces Nomination contests and contests, which was repealed. (s.9.3).

- Within 30 days of endorsing a person as their candidate, registered parties or registered constituency associations must submit a statement to the CEO with the person's full name, address of each place their records are maintained and for communications, name and contact information of their chief financial officer, the name and address of the financial institution holding the account used for the endorsed candidate for participating in the election, and the name of each signing officer responsible for that account, and the date they were endorsed. (s.9.3(1)).
- The CEO will publish the candidates name, name and contact information of the chief financial officer, and the endorsement date of the person endorsed as a candidate. (s.9.3(2)).
- The CEO must be notified within 48 hours in writing of any change to this information and will update the information on the website. (s.9.3(3)).

Cancellation of registration

- The CEO may cancel a registered PCA's registration:
 - on application by the registered PCA or the prospective candidate. (s.10(1)(b.1)).
 - if the chief financial officer fails to comply with filing campaign returns and records of contributions within 30 days after the filing deadline. (s.10(3)).
 - if they accept a contribution related to a senate election. (s.10(4)).
 - if they are no longer qualified to be registered or obtained registration with materially false information. (s.10(5)).
- The CEO will notify the PCA and the prospective candidate in writing by recorded mail. (s.10(6)).
- If a PCA's registration has been cancelled because they did not file the required financial statements or campaign return, they may not apply for registration again until those are received by the CEO and the late filing fee paid. (s.10(11)).
- When a PCA's registration is cancelled, all funds of the PCA not required to pay outstanding debts must be sent to the CEO to be held in trust for the PCA. If the PCA is not re-registered within one year, those funds will be paid into the General Revenue Fund. (s.10(12)).

Records

- Nomination contestants removed from this section. (s.10.1).
- Registered PCAs must retain all records for a period of 3 years after the required filing date.

Access to documents

- The home address of a registered leadership contents is not public information. (s.11(2)).

Registration for eligible successor parties

- "Eligible" replaces with "qualified" in this section. (s.11.2).

Continuing use of campaign funds

- "Registered PCA established for the candidate" added to the list of entities to whom funds held in trust may be transferred or paid from time to time. (s.12(3)).

- “Endorsed as the candidate of a registered party” replaces “nominated”. Under this section candidates must declare if they will be an independent candidate before the nomination day for the next election. (s.12(4)).
- If the funds cannot be transferred to one of the entities identified, the candidate must transfer the funds to a registered charity. (s.12(4.1)).
- If a candidate has not transferred campaign funds held in relation to a Senate election within 30 days of the date specified for distribution of funds, the candidate must immediately transfer those funds to the CEO to be deposited in the General Revenue Fund. (s.12(7)).

Surpluses – nomination contestants

- Removed. This section has been repealed. (was s.12.1(1)).

Surpluses – prospective candidate associations

- If a prospective candidate does not declare their candidacy as an independent candidate by nomination day and they were not endorsed as a candidate of a registered party at the previous election, they must transfer the funds held by the PCA within 7 days to the registered party that proposed or supported at or after the previous election, a registered constituency association or registered party’s current registered candidate, or the registered successor party, constituency party, or candidate. (s.12.3(1)).
- If the funds cannot be transferred to one or more of these, the PCA must transfer the funds to a registered charity. (s.12.3(2)).
- If a PCA has not transferred funds within 30 days of the date specified for distribution of funds, the PCA must immediately transfer those funds to the CEO to be deposited in the General Revenue Fund. (s.12.3(3)).

Exemptions

- PCAs added to this section (s.13.1).
- “Corporation, trade union or employee organization” added to this section (s.13(2)).

Deposit of contributions

- Registered PCAs added to this section and nomination contestant removed (s.14.1).

Contributions only by persons

- Only a person ordinarily resident in Alberta, a corporation carrying on business in Alberta that is not a prohibited corporation, or an Alberta trade union or Alberta employee organization may make a contribution to a registered party, registered constituency association, registered PCA, registered candidate, or registered leadership contestant. (s.16).

Limitation on contributions

- All references to nomination candidates removed from this section (s.17).
- Contribution limits for permitted person’s or entities per calendar year, adjusted by CEO to reflect increases in the consumer price index, increased to:
 - \$5000 to a registered party, registered constituency association, registered PCA, or registered candidate. (s.17(1)).
 - \$5000 to registered leadership contestants. (s.17(1.1)).

- Contributions may be made to a registered PCA at any time except during a campaign period for a general election or by-election if the prospective candidate is a registered candidate.

Limitation re Alberta Senate Election Act

- Contribution limits for permitted person's or entities per calendar year, adjusted by CEO to reflect increases in the consumer price index, increased to \$5000 for a Senate election registered candidate. (s.18(1)).

Excessive contributions

- Registered PCAs added to this section and nomination contestant removed from this section. (s.19).
- Registered PCAs may also not accept a contribution if they know or ought to have known the contribution exceeds a contribution limit. (s.19(1)).
- If a chief financial officer becomes aware an excess contribution was made to or accepted by their entity, within 30 days, they must provide written notice to the CEO, return the excess contribution above the limit to the contributor, or transfer the excess portion to the CEO if the contributor cannot be identified for deposit into the General Revenue Fund. (s.19(2) and (3)).

Excess contributions re Senate election

- If a chief financial officer becomes aware an excess contribution was made to or accepted by their entity, within 30 days, they must provide written notice to the CEO, return the excess contribution above the limit to the contributor, or transfer the excess portion to the CEO if the contributor cannot be identified. Such funds will be deposited into the General Revenue Fund. (s.19(2) and (3)).

Prohibition re Senate election

- Registered PCAs may also not accept contributions related to a Senate election and will notify the CEO in writing within 30 days if they learn a contribution was accepted. (s.21).

Anonymous and unauthorized contributions

- Registered PCAs added to this section and nomination contestants removed. (s.21.1)
- Registered PCAs also may not accept anonymous contributions in excess of \$50. Any excess must be returned to the contributor if they can be identified, or to the CEO if they cannot be identified for deposit into the General Revenue Fund. (s.21.1).

Valuing contributions other than money

- Registered PCAs added to this section and nomination contestants removed. (s.22).
- The value of contributions other than money is the market value at the time. If the contribution of real property, goods, services, or any part of them, or the use of them for the benefit of a registered PCA for a price that is less than the market value at the time, the excess is contribution under the Act. (s.22(2)).

Fund-raising functions

- Registered PCAs added to this section and nomination contestants removed. (s.23).
- The registered PCA chief financial officer must also record the gross income from any fundraising function. (s.23(2)).

- Registered PCAs must record ticket charges for a fundraising function held by or on behalf of the registered PCA, as defined in this section. (s.23(3)).
- Merchandise is defined as a good branded in a manner promoting a registered party, its leader, or any of its candidates or MLAs, or opposing another registered party, its leader, leadership contestant, candidate endorsed by another party, or MLA, or promoting or opposing a position on an issue associated with the registered party, and offered for sale by the registered party. (s.23.1(1)).
- If a registered party sells merchandise in excess of its fair market value, the excess is considered a contribution to the registered party by the person purchasing it. (s.23.1(2)).

General collections

- Registered PCA added to this section and nomination contestant removed. (s.24).
- If a person attending a meeting held in relation to a registered PCA gives \$50 or less in response to a solicitation of funds, the amount is not a contribution, but the chief financial officer must record the total amount collected.

Annual membership fees

- An annual party membership fee is not considered a contribution if it does not exceed \$50 per membership. (s.25(1)).
- The amount of an annual party membership fee above \$50 is considered a contribution. (s.25(2)).
- If person pays for a membership that is not for themselves, their spouse, their child, or their parent, the full amount is considered a contribution (s.25(3)).

Chief financial officers

- Registered PCAs added to this section and nomination contestants removed. Registered PCA and leadership contestant is also added to organizations for whom the list of persons prohibited from acting as a chief financial officer applies. (s.29).
- Removed section 29(1.1) and all references to it. (s.29)

Duties of chief financial officers

- Registered PCA added to this section and nomination contestant removed. (s.30).
- Registered PCA chief financial officers must also ensure proper records are kept as required, contributions are placed in an account on record with the CEO, proper receipts are done, payments of more than \$25 has a receipt, proof of payment, or document from supplier vouching for it, financial statements, returns, and reports required are filed on time with the CEO, and contributions of other than money are valued and recorded. (s.30).
- Registered PCA chief financial officers must advise prospective contributors of the rules relating to contributions. (s.30).

Acceptance of contributions

- A registered candidate or registered leadership candidate may only accept a contribution through their chief financial officer. (s.31).

Records of contributions

- Registered PCA added to this section and nomination contestant removed. (s.32).

- Registered PCA chief financial officers must also record all contributions, with contributors' names and addresses and dates contributions made. Contributions received during a campaign period must be recorded separately from other contributions accepted during that year. (s.32).
- Registered PCAs must also file an annual return which includes the total contributions that did not exceed \$50 annually in aggregate from a single contributor, total contributions in aggregate in excess of \$50 annually for a contributor with their name and address. (s.32(3.01)).

Receipts

- Registered PCA added to this section and nomination contestant removed. (s.33).
- Registered PCAs must also issue receipts for every accepted contribution indicating if it was accepted for an election, senate election, or leadership contest, that the contributor acknowledges compliance with the Act, and where the information about making contributions can be found. (s.33).

Contributions not belonging to contributor

- A person or entity must not contribute funds that do not belong to them or funds given to them for the purpose of making a contribution, or give funds to another person or entity to have them contribute the funds to a registered party, constituency association, PCA, candidate, or leadership contestant. (s.34(1) and (2)), and a registered party, constituency association, PCA, candidate, or leadership contestant must not solicit or accept these contributions if they know or ought to know. (s.34(3)).
- If a chief financial officer becomes aware such a contribution was made to or accepted by their entity, within 30 days, they must provide written notice to the CEO, return the excess contribution above the limit to the contributor, or transfer the excess portion to the CEO, if the contributor cannot be identified, for deposit into the General Revenue Fund. (s.34(4) and (5)).

Prohibited contributions

- Registered PCA added to this section and nomination contestant removed. (s.35).
- Registered PCAs must also not solicit or accept contributions from a prohibited person or entity, or contribute or transfer funds to any political party, constituency, or candidate not registered under this Act, including senate election-related funds to a federal political party. (s.35(1) and (1.1)).
- If a chief financial officer becomes aware such a contribution was made to or accepted by their entity, within 30 days, they must provide written notice to the CEO (s.35(2)).

Transfer of funds re elections and contests

- Section title changed from "Funds from federal parties" (s.36).
- A registered party, registered constituency association, registered PCA, registered candidate, or registered leadership contestant must not accept funds for an election or leadership contest from a federal political party, electoral district association, or candidate under the *Canada Elections Act* (Canada), or local political party or slate under the *Local Authorities Election Act*. (s.36)

Transfer of funds re Senate elections

- Section title changed from “Prohibition re federal parties” (s.37).
- A registered party, registered constituency association, registered PCA, registered candidate, or registered leadership contestant must not accept funds for a senate election from a federal political party, electoral district association, or candidate under the *Canada Elections Act* (Canada), or local political party or slate under the *Local Authorities Election Act*. (s.37)

Authorized transfers

- Section title changed from “Transfers within parties” (s.38).
- If a prospective candidate is endorsed as a candidate for a registered party or is elected and is a member of the registered party, a registered PCA, party, constituency association, candidates, and another PCA may transfer or accept funds or real property, use of real property, goods or services, the use of goods or services. or debts incurred during a campaign period to eliminate a campaign deficit between themselves. (s.38(3)).
- If a prospective candidate is elected as an independent MLA, and registers a constituency association, the registered PCA, and registered constituency association may transfer or accept funds or real property, use of real property, goods or services, the use of goods or services. or debts incurred during a campaign period to eliminate a campaign deficit between themselves. (s.38(4) and (5)).
- If a prospective candidate is not elected, the PCA may transfer any of the funds, real property, or debts incurred during the campaign period to eliminate a campaign deficit to either the registered party or one or more candidates of the registered party. If the prospective candidate was an independent candidate or the funds or real property cannot be transferred to the registered party, funds and real property may be transferred to a registered charity. (s.38(6)).
- Debt, funds, real property, use of real property, and goods and services transferred are not considered contributions. The source and amounts must be recorded, and funds deposited to the appropriate account on record with the CEO. (s.38(7) and (8)).
- Registered candidates, constituency associations, and PCAs who acquired funds, real property, or beneficial use of real property for a senate election cannot transfer or use them for a general election. (s.38(9) and (10)).
- A transfer under this section is not an election expense. (s.38(11)).

Monetary claims against candidate, nomination contestant or leadership contestant

- Nomination contestant and nomination contest removed from this section. (s.39.2)).

Borrowing

- Registered PCA added to this section and nomination contestant removed. (s.40).
- “Person ordinarily resident in Alberta” replaced in this section with “person or entity” or “permitted person or entity”. (s.40).

Guarantees

- “Person ordinarily resident in Alberta” replaced in this section with “person or entity” or “permitted person or entity”. (s.41).
- Registered PCA added to this section and nomination contestant removed. (s.41).

Election expenses

- This section is repealed and removed. (s.41.1).

Election expense limits – registered parties

- Expense limits for registered parties, adjusted by CEO to reflect increases in the consumer price index, increased to:
 - \$5,000,000 in each year for general elections (s.41.2(1)).
 - \$75,000 for by-elections (s.41.2(2)).
- An election expense incurred by a registered PCA on behalf of a registered party that endorsed the prospective candidate is an election expense incurred by the registered party. (s.41.2(5)(c)).
- Registered PCAs added to this section. (s.41.2(8)(c)).

Election expense limits – registered candidates

- Election expense limit increased to \$75,000, adjusted by CEO to reflect increases in the consumer price index. (s.41.3(1)).
- An election expense incurred by the registered PCA on behalf of the candidate is an election expense incurred by the registered candidate. (s.41.3(3)(b)).

Limits on election expenses – nomination contestant

- This section is repealed and removed. (s.41.4).

Activities by third parties

- Nomination contestant removed. (s.41.41).
- Restrictions on incurring expenses do not apply to:
 - a person who does not have decision-making authority in a third party or registered party and provides volunteer labour without compensation. (s.41.41(2)(a)).
 - advertising supporting or opposing a candidate seeking a position in the registered party's governing body, or supporting or opposing a resolution proposed for adoption by a registered party. (s.41.41(2)(b)(ii) and (iii)).
 - the distribution of publicly available information (s.41.41(2)(e)).

Collusion

- Registered PCAs added and nomination contestant removed from this section. (s.41.41).

Filing of annual financial returns

- Chief financial officers of registered PCAs must file annual financial returns. (s.42(1)(b)).

Nomination contestant campaign return

- This section is repealed and removed. (s.43.01)

Campaign deficits

- Nomination contestants removed from this section. (s.43.1).
- Amounts transferred to a registered candidate by a registered PCA must also be included in revenue. (s.43.1(1)(c)).
- A registered PCA may transfer funds to its registered prospective candidate or may pay any outstanding liabilities within 3 months after the date the campaign return is next required to be filed or a further 3 months maximum following that if the CEO extends it.

Late filing fee

- Registered PCAs added and nomination contestants removed from this section. (s.43.2).
- Registered PCAs that fail to meet the filing deadline for a financial statement or return must also pay a \$500 late filing fee. (s.43.2(2)).
- The CEO cannot cancel the registration of a registered PCA for late filings if the required financial statement is filed within 30 days of the deadline. (s.43.2(3.1)).
- The registered PCA and its chief financial officer are jointly and severally liable for late filing fees. (s.43.2(5)(b.1)).

Effect of non-compliance

- Nomination contestants removed from this section. (s.44).

Definitions

- Registered PCAs added to this section. (s.44.1).

Election advertising spending limit

- Third party advertiser election advertising expense limits for a general election, adjusted by CEO to reflect increases in the consumer price index, increased to:
 - \$500,000 for the period from the fourth Monday in May to the day before the writ is issued for a fixed date general election. (s.44.11(1)(a)(i)).
 - \$500,000 for a general election writ period. (s.44.11(1)(a)(ii) and (b)).
 - \$10,000 for to promote or oppose one or more registered candidates in an electoral division in both the pre-writ and writ periods. (s.44.11(2)(a)).
 - \$10,000 for a by-election. (s.44.11(4)).

Eligibility to make advertising contributions

- Registered PCAs added to and nomination candidates removed from this section. (s.44.2)
- Only permitted persons or entities may make election advertising contributions. (s.44.2).

Restrictions on advertising contributions and expenses

- Contribution limits for eligible contributors reduced to, adjusted by CEO to reflect increases in the consumer price index, in aggregate:
 - \$5000 annually for election advertising
 - \$5000 annually for political advertising
 - \$5000 annually for both election and political advertising combined contributions. (s.44.20)
- “Eligible” replaced with “qualified”. (s.44.20(6)).
- If a chief financial officer becomes aware an excess or prohibited contribution was made to or accepted by their entity, within 30 days, they must provide written notice to the CEO, return the prohibited or excess contribution above the limit to the contributor, or transfer the excess portion to the CEO, if the contributor cannot be identified, for deposit into the General Revenue Fund. (s.44.20(9) and (10)).

Contributions not belonging to contributor

- A person or entity eligible to make election advertising or political advertising contributions to a third party advertiser must not contribute funds that do not belong to them or funds given to them for the purposes of making a contribution, or give funds to

another person or entity to have them contribute the funds to third party advertiser and a registered party, constituency association, PCA, candidate, or leadership contestant must not solicit or accept these contributions if they know or ought to have known. (s.44.51(1) and (2)).

- If a chief financial officer becomes aware such a contribution was made to or accepted by their third party, within 30 days, they must provide written notice to the CEO, return the contribution to the contributor, or transfer it to the CEO, if the contributor cannot be identified, for deposit into the General Revenue Fund. (s.34(4) and (5)).

Definitions

- Registered PCAs added to this section. (s.44.941(1)(ii.1)).
- “Services” does not include the distribution of publicly available information (s.44.941(1.1)(b.1)).

Restrictions on advertising contributions and expenses

- Only permitted persons or entities may make senate election advertising contributions. (s.44.943(1)).
- Contribution limit to a third party by eligible contributors reduced to, in aggregate, \$5000, adjusted by CEO to reflect increases in the consumer price index. (s.44.943(2)).
- If a chief financial officer becomes aware an excess or prohibited senate election advertising contribution was made to or accepted by their entity, within 30 days, they must provide written notice to the CEO, return the prohibited or excess contribution above the limit to the contributor, or transfer the excess portion to the CEO, if the contributor cannot be identified, for deposit into the General Revenue Fund. (s.44.943(8) and (9)).

Contributions not belonging to contributor

- A person or entity must not contribute funds to a third party that do not belong to them, or funds given to them for the purposes of making a senate election advertising contribution, or give funds to another person or entity to have them contribute the funds to third party advertiser. (s.44.9493(1) and (1.1)).
- If a chief financial officer becomes aware such a contribution was made to or accepted by their third party, within 30 days, they must provide written notice to the CEO, return the contribution to the contributor, or transfer it to the CEO, if the contributor cannot be identified, for deposit into the General Revenue Fund. (s.44.9493(3) and (4)).

Definitions

- “Third party” definition amended to mean a person, entity or group, not including a registered party, constituency association, PCA, candidate, MLA, nomination contestant, or leadership contestant. (s.44.94993(1)(i)).

Restrictions on advertising contributions and expenses

- “Person” replaced with “person or entity” in this section (s.44.94995)
- Only permitted persons or entities may make senate election advertising contributions. (s.44.94995(1)).

- Referendum advertising contribution limit to a third party by eligible contributors reduced to, in aggregate, \$5000 annually, adjusted by CEO to reflect increases in the consumer price index. (s.44.94995(2)).
- If a chief financial officer becomes aware an excess or prohibited referendum advertising contribution was made to or accepted by their entity, within 30 days, they must provide written notice to the CEO, return the prohibited or excess contribution above the limit to the contributor, or transfer the excess portion to the CEO, if the contributor cannot be identified, for deposit into the General Revenue Fund. (s.44.94995(8) and (9)).

Contributions not belonging to contributor

- A person or entity must not contribute funds to a third party that do not belong to them, or funds given to them for the purposes of making a referendum advertising contribution, or give funds to another person or entity to have them contribute the funds to third party advertiser. (s.44.94995(1) and (1.1)).
- If a chief financial officer becomes aware such a contribution was made to or accepted by their third party, within 30 days, they must provide written notice to the CEO, return the contribution to the contributor, or transfer it to the CEO, if the contributor cannot be identified, for deposit into the General Revenue Fund. (s.44.94995(3) and (4)).

Identification of third parties

- All referendum advertising by a third party must include whether the third party is for or against each question to be put to electors, including through broadcast, electronic media, or through telephone. (s.949998(1)).

Duties of Election Commissioner

- Registered PCAs added to and nomination contests and contestants removed from this section. (s.44.95)
- Reasonable grounds requirement added to conditions under which the Election Commissioner may conduct an investigation. (s.44.95(b)).

Identification and investigation of excess contribution

- The Election Commissioner must conduct an investigation into a matter if they have reasonable grounds to believe a person or entity has made one or more contributions in excess of a limit that are reasonably likely to be greater than the amount specified in the regulations. (s.44.951).

Powers of Election Commissioner

- Powers are subject to subsections 3.1 and 3.2. (s.44.96).
- PCAs added to and nomination contestants removed from this section. (s.44.96)
- If the Election Commissioner summons a person as a witness to provide evidence in an investigation, they may require that person to appear within 30 days of the summons being served or longer period specified by the Election Commissioner, and must reasonably accommodate the person as it relates to personally appearing. (s.44.96(3.1)).
- The Election Commissioner may not compel a person or entity to participate in an investigation or provide response to a complaint that is the subject of an investigation

without notice of investigation being provided on commencement of an investigation. (s.44.96(3.2)(a)).

- The person being interviewed may have their legal counsel present and to record and interview. (s.44.96(3.2)(b)).
- Registered PCA's added to and nomination contestants removed from this section. (s.44.96(4)).
- The Election Commissioner must grant a request to extend the period in which the person summoned must appear or the period in which a registered party, constituency association, PCA, candidate, leadership contestant, or third party has to provide information or documentation, if the Election Commissioner determines it is reasonable considering the basis on which it is made and the impact to the timely completion of the investigation. (s.44.96(5)).
- During an election period, the Election Commissioner may request a person appears and information or documents are produced in a shorter period. (s.44.96(6)).
- During an election period, the Election Commissioner must complete the investigation before Election Day unless they determine there is no reasonable chance to complete it considering the subject matter or amount of time remaining to conduct the investigation before Election Day. (s.44.96(6)(c)).

Notice of investigation and conclusion

- The Election Commissioner must provide notification on commencing an investigation into whether 2 or more registered parties are associated registered parties. (s.44.97(1)).
- The Election Commissioner must provide notification, as soon as practicable, on commencing an investigation into a matter that the Election Commissioner has reasonable grounds to believe is an offence, to each person or entity that is the subject of the investigation, unless they determine providing notice could reasonably compromise the investigation. Notice must include that the person or entity is a subject, the substance of the allegations, and the grounds for the Election Commissioner's belief the matter is an offence under the Act. (s.44.97(1.1)).
- The Election Commissioner may refuse to conduct an investigation if the substance of the allegations in the complaint are frivolous or vexatious or there are no grounds to warrant the investigation. (s.44.97(2)).
- "Organization" replaced with "entity in this section. (s.44.97(2)).
- The Election Commissioner must provide notice to each person or entity that would have been the subject of the investigation and each person or entity that made the complaint if the Election Commissioner:
 - refuses to conduct an investigation, (s.44.97(4)).
 - completes an investigation. (s.44.97(5)(a)).
- The Election Commissioner may provide notice of the outcome of the investigation to any other person involved in the matter, as the Election Commissioner considers appropriate. (s.44.97(5)(b)).
- "Person or entity" definition expanded to specify Alberta trade union, Alberta employee organization, registered PCA, and group defined under section 44.1(1). (s.44.97(6)).

Terminology

- "Person or entity" definition expanded to include registered PCA. (s.44.98).

- “Person” replaced with “person or entity” throughout this section. (s.45, 46, 47).

Failure to provide financial statements and returns

- Registered PCAs added to and nomination contestant removed from this section. (s.48).
- Registered PCAs chief financial officers who does not provide financial statements and returns as required and their registered PCA are guilty of an offence and liable o a fine of not more than \$1000 each. (s.48).

Prohibition – expenses more than maximum

- Nomination contestant removed from this section. (s.48.1)

Circumvention of expense limits

- Nomination contestant removed from this section. (s.48.11).

Failure to comply with directions

- Registered PCAs added to and nomination contestant removed from this section. (s.48.2).
- Registered PCAs who fail to comply with a direction from the CEO or Election Commissioner is guilty of an offence and liable to a fine of not more than \$1000. (s.48.2).

Offences by corporations, etc.

- Trade unions and employee organizations added to this section, and are liable to a fine of not more than \$10,000 for a contravention of the Act. (s.49).

Third party election advertising offences

- “Corporation or other organization” replaced with “or other entity” in this section. (s.49.1).

General offences

- PCAs also are liable to a fine of not more than \$10,000 for contraventions for which no fine is specified. (s.50).

Administrative penalties

- PCAs also may be served either a notice of administrative penalty requiring them to pay the amount set out in the notice or a letter of reprimand for failing to comply with a direction of the Election Commissioner. (s.51.01(2)(b.1)).
- If the Election Commissioner determines the over-contribution was inadvertent or the contribution did not exceed the amount specified in the regulations, no administrative penalty or letter of reprimand will be served. (s.51.01(2.1)).
- “Corporation or other organization” replaced with “or other entity”. (s.51.01(5)(d)(ii)).

Time limit

- Deadline to serve a letter or reprimand or notice of administrative penalty reduced to one year from the date on which a complaint is received or two years from the date on which the Elections knew or ought to have known of a matter. (s.51.02(1)).
- This date is calculated from the date the first complaint is received if more than one complaint on substantially the same subject matter is received. (s.51.02(1.01)).

Appeal of administrative penalty

- The onus is on the Election Commissioner to establish the person who received the administrative penalty contravened the Act and the amount of the administrative penalty is appropriate. (s.53.03(6.1)).
- “Organization” replaced with “entity” in this section. (s.51.03(7)).

Compliance agreements

- The Election Commissioner requires consent of the contracting party to publish the name of each person or entity and terms of the agreement that describe the compliance obligations on the Elections Alberta website. (s.51.04(4)).

Publication of notice

- This section removed, and requirements for what is published on the Elections Alberta website for compliance agreements is defined in section 5.2(4)). (was s.51.07).

Prosecution

- PCAs added to this section, and a PCA or its officer, official, or agent may be prosecuted for an offence under this Act. (s.52).
- Prosecutions under this Act must be commenced within one year of the date of commission of the alleged offence. (s.52(3)).

Consent to prosecute

- The Election Commissioner must not consent to a prosecution if they are of the opinion that the contribution did not exceed the amount specified in the regulation and the over-contribution was inadvertent. (s.53(2)).

Regulations

- The section sets out the regulations that may be made by the Lieutenant Governor in Council. (s.54.1), which includes regulations designating prohibited corporates, defining publicly funded corporations, defining expressions used or defined in the Act, respecting PCAs, prescribing other information the CEO may consider in determining affiliation of a third party, and prescribing contribution limits. (s.54.1).

Transitional – existing unincorporated registered party

- A registered party that is not incorporated as a society under the *Societies Act*, a company under Part 9 of the *Companies Act*, a corporation under the *Canada Not-for-profit Corporations Act* (Canada), must incorporate and provide proof to the CEO on or before January 1, 2026. The CEO may grant an extension on request by the registered party to no later than July 1, 2026. (s.56).
- If a registered party does not comply, their registration will be considered cancelled and they will be subject to the terms under Cancellation of registration, section 10.



Elections Alberta is an independent, non-partisan office of the Legislative Assembly of Alberta responsible for administering provincial elections, by-elections, and referendums.

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