



CHIEF ELECTORAL OFFICER AND ELECTION COMMISSIONER

Compliance and Enforcement Unit

Compliance and Enforcement

- Bill 22 – Amalgamated the Election Commissioner (EC) with Elections Alberta
- Our focus is on Compliance with Enforcement used only as a last resort
- Authority of EC is granted under Part 9 of the *Local Authorities Election Act*
- Our office is complaint-driven, but EC can also initiate investigations

LAEA - Part 5.1

Election Finances and Contributions Disclosure

- Individuals are eligible to make contributions
- Unions, Corporations, Charities, and non-Albertans are prohibited
- Annual contribution limit to any single candidate or trustee is \$5,000
- There are restrictions on anonymous contributions and funds not belonging to a contributor
- Penalties for contribution offences range from \$1,000 to \$10,000



LAEA - Part 5.1
*Election Finances and
Contributions Disclosure*

Duties of registered candidates:

- Open a bank account
(at time of nomination or after receiving \$1,000+ in contributions)
- Record contributions and expenditures
- Issue receipts for contributions, and
- Submit a Campaign Disclosure Statement to the Local Authority by March 1, 2022

**FAILURE OF A CANDIDATE TO COMPLY
CAN LEAD TO A PENALTY**

Important Dates - Filing

LAEA - Part 5.1

Election Finances and Contributions Disclosure

Failure to File by Deadline

An automatic \$500 Late Filing Fee must be applied
Fee is levied and collected by the Local Authority

March 1, 2022

April 1, 2022

If not resolved by this date

Must be forwarded to the Election Commissioner
May result in a penalty of up to \$5,000

LAEA - Part 5.1

Election Finances
and Contributions
Disclosure



Expenditure limits for candidates will be set by Ministerial Regulation



Elected authority can pass a by-law to lower those limits *(but not increase them)*



Exceeding expense limits can result in a penalty of up to \$10,000

LAEA - Part 8

Third Party Advertising

- Third Parties are Individuals, Corporations, and Groups
- Election Advertising Period: May 1, 2021 to Election Day
- Third-Parties must register with the Local Jurisdiction if they:
 - collect or plan to collect \$1,000 in contributions, or
 - spend or plan to spend \$1,000 on expenses
- Third-parties can Engage in Election Advertising if they:
 - are approved by the Local Jurisdiction, or
 - do not exceed the \$1,000 threshold

LAEA - Part 8

Third Party Advertising

Municipality / Registrar Duties:

- Review, approve/reject applications
 - Must give reasons if rejected
- Maintain a Register of Third-Parties
 - Third Parties cannot collect contributions or incur expenses unless registered
(unless under \$1K limit)
 - Prohibited Contributors
 - Non-Alberta Residents and Unions, Prohibited Corporations, and Registered Charities
 - Source Limits on Contributions
(anonymous funds, funds that do not belong to the contributor)
 - Expense limits not yet set

Important Date

LAEA - Part 8 Third Party Advertising

Failure to File by Deadline (March 1, 2022)

An automatic \$500 Late Filing Fee must be applied
Fee is levied and collected by the Local Authority

Must be forwarded to the Election Commissioner

May result in a penalty of up to \$10,000 (individual),
or up to \$100,000 (union, organization, corporation)

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Complaints

If you have a complaint or allegation regarding a violation of the [Election Act](#), or [Election Finances and Contributions Disclosure Act](#) (governing provincial elections), or in regard to a violation of the campaign finance or third party advertising provisions of the [Local Authorities Election Act](#) (in relation to Parts 5.1 or 8), or the [Alberta Senate Election Act](#), you should submit your complaint or allegation below.

Only complaints or allegations regarding the four Acts listed above should be referred to the Election Commissioner. Matters relating to federal election law violations should be referred to the [Commissioner of Canada Elections](#).

Every complaint or allegation received by the Election Commissioner is reviewed to determine its basis and whether or not an investigation or some other recourse is warranted. As necessary, the Election Commissioner engages the services of contracted personnel to assist with the mandate and resolve matters in a thorough and timely manner.



Referral of Complaints

If you have information about a possible offence that you believe was committed under the *Election Act*, *Election the Finances and Contributions Disclosure Act*, the *Local Authorities Election Act*, or the *Alberta Senate Election Act* – please submit your complaint using one of the methods below.

You are asked to provide: