

***CAMPAIGN FINANCING
INFORMATION***

CAMPAIGN FINANCING

What does the legislation on campaign financing do?

Form 3-9

The legislation on campaign financing requires disclosure of campaign contributions (in cash and in kind) and election expenses by candidates, elector organizations who have their endorsement shown on a ballot, and campaign organizers.

The legislation does not prescribe financial limits on contributions or expenses, and it applies to municipal, regional district, school board and Islands Trust elections.

What is required to be disclosed?

Candidates and elector organizations are required to disclose:

- the total amount of campaign contributions (in cash and in kind) received;
- for contributions of \$100.00 or more (singly or in aggregate), the value, the source, and the date on which the contribution was made;
- the value of any anonymous contributions received that were over the \$50.00 limit;
- the total amount of expenses incurred; and,
- a breakdown of the amount of expenses in various categories outlined in *Schedule B* (for example, office, advertising, etc.).

How will this affect candidates and elector organizations in their campaigning efforts?

Candidates and elector organizations must have financial agents (candidates may act as their own financial agents). Only the financial agent, or persons authorized by the financial agent, may accept contributions or incur election expenses. The candidate is the financial agent, if one is not appointed.

The value of all campaign contributions, whether in cash or in-kind, and all expenses are to be recorded clearly and in the detail required by the Local Government Act at Section 90. This section forms the basis for the financial disclosure forms and will be provided to you on request. Candidates have an obligation to keep explicit, detailed records of the sources of contributions to their campaigns and the goods and services on which those funds were spent.

The valuation of goods and services provided or used must be at their fair market value except that no value is attached to “volunteer services”. This volunteer exemption does not include self-employed people who provide services that they would normally charge for, or the services provided by employees who are “on-loan” from an employer who is paying their salaries.

There is a prohibition for making anonymous contributions in amounts over \$50.00. Any anonymous contributions received over this amount are required to be provided to the City of Victoria.

When is the disclosure to be made?

A disclosure statement is to be filed with the designated local government officer within 120 days after the election. The disclosure statements are to be available for public inspection at the local government office until December 1st in the year of the next general election.

What happens if a disclosure statement is not filed?

If a disclosure statement is not filed for a candidate by March 19, 2012, there is a 30-day grace period to file with the payment of a \$500.00 late filing penalty. For an elector organization, there is the same 30-day grace period that incurs a \$500.00 late filing penalty for each candidate the organization endorsed.

If after the 30-day grace period a disclosure statement has not been filed, the candidate is disqualified from being nominated, elected to, or holding a local government office until after the next general election and the elector organization is not entitled to endorse a candidate until after the next general election.

What if false disclosure statements are made?

If a candidate is found to have filed a false disclosure statement, the candidate is disqualified from holding office until after the next general election.

If a person is found guilty of contravening the provisions – e.g., a candidate retains anonymous contributions over \$50.00, or a financial agent files a false declaration – he or she could be liable to one or more of the following:

- a fine of not more than \$5,000.00;
- imprisonment for a term not longer than 1 year;
- a prohibition from holding office for a period not longer than 6 years;
- a prohibition from voting for a period not longer than 6 years.

Who enforces the campaign financing provisions?

The Corporate Administrator is responsible for keeping the disclosure statements and may advise electors on how to proceed if an elector believes that a member of the local government is disqualified under these provisions.

The City is responsible for the recovery of any late filing fines if candidates or elector organizations have not filed their disclosure statements on time.

How do you have a member disqualified under these provisions?

If a person believes that a candidate did not follow the campaign financing provisions and should be declared disqualified, the person can either:

- petition City Council to pass a resolution to seek a declaration from the Supreme Court to disqualify the elected candidate (Council member); or
- make an application to the Supreme Court with ten electors to have the candidate declared disqualified.

Campaign Financing Forms

Filing of Campaign Disclosure Statements

The Financial Agent for each candidate and each Elector Organization must file a Campaign Financing Disclosure Statement with the Chief Election Officer by 4:30 p.m., March 19, 2012. A \$500.00 late filing penalty must accompany any statements filed between March 20, 2012 and the final deadline of April 18, 2012.

The following is a list of forms that you are required to submit to the Chief Election Officer as part of your package:

All Candidates (including those endorsed by Elector Organizations)		
Form No.	Form	Page
3-9, Page 1	Campaign Financing Disclosure Statement for the Council Municipal Election	54
3-9, Page 2	Declaration of Candidate / Declaration of Financial Agent	55
3-9, Page 3	Schedule "A" – Campaign Financing Disclosure Statement – Campaign Contributions (from known and anonymous sources)	56
3-9, Page 4	Schedule "A" – Campaign Financing Disclosure Statement – Campaign Contributions (list of contributors totaling \$100 or more)	57
3-9, Page 5	Schedule "A" – Campaign Financing Disclosure Statement – Campaign Contributions (list of anonymous contributions over \$50 remitted to the City of Victoria)	58
3-9, Page 6	Schedule "B" – Campaign Financing Disclosure Statement – Election Expense Details	59
3-9, Page 7	Schedule "C" – Campaign Financing Disclosure Statement – Details of Surplus Funds Disbursement	60
Elector Organizations		
Form No.	Form	Page
3-9.1, Page 1	Elector Organization Campaign Financing Disclosure Statement for the Municipal Election	66
3-9.1, Page 2	Declaration of Elector Organization Official / Declaration of Financial Agent	67
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3-9 Page 6	Schedule "B" – Campaign Financing Disclosure Statement – Election Expense Details	59
3-9, Page 7	Schedule "C" – Campaign Financing Disclosure Statement – Details of Surplus Funds Disbursement	60

N.B. Additional forms on Pages 67-71 are for your record-keeping purposes only.



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Form 3-9, Page 1
Local Government Act
Section 90

CAMPAIGN FINANCING DISCLOSURE STATEMENT FOR THE MUNICIPAL ELECTION

This disclosure statement is to be filed with Robert G. Woodland, Chief Election Officer and Corporate Administrator, City of Victoria, within 120 days after general voting day, the deadline being March 19, 2012.

NAME OF CANDIDATE: _____

OFFICE for which the candidate sought election: _____

NAME OF ENDORSING ELECTOR ORGANIZATION: _____
(if applicable)

SUMMARY OF CAMPAIGN CONTRIBUTIONS

Total amount of campaign contributions
(Total of [A + B + C] from Part 1, Schedule A) \$ _____

Attach list of contributors/contributions totalling more than \$100.00
(See Part 2 of Schedule A)

Total amount of anonymous campaign contributions remitted to the City of Victoria
(Total from Part 3 of Schedule A) \$ _____

SUMMARY OF ELECTION EXPENSES

Total amount of election expenses
(From Schedule B, which must be completed and submitted) \$ _____

SURPLUS FUNDS

Transfer from local government (surplus funds from previous election) \$ _____

Balance in candidate's campaign account (surplus or deficit) \$ _____

Disbursement of surplus funds: Please complete Schedule C

NOTE: This is not a balance sheet. For example, contributions may not equal expenses. Please fill out the declaration on Page 2 of this form.



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Form No. 3-9
Page 2

DECLARATION OF CANDIDATE

I, _____, a candidate in the City of Victoria 2011 Civic Election, solemnly affirm that to the best of my knowledge, information and belief:

1. this campaign financing disclosure statement and supporting schedules completely and accurately discloses the campaign contributions received and the election expenses used in my election campaign for the Office of _____ in the 2011 Civic Election of The Corporation of the City of Victoria.
2. no contravention of Division (8) – Campaign Financing of the Local Government Act occurred in relation to my election campaign for the Office of _____ in the 2011 Civic Election for The Corporation of the City of Victoria.

Declared before me at the City of Victoria in the
Province of British Columbia, this _____ day of
_____, 20__.

Designated Local Government Official **or**
A Commissioner for taking affidavits in and for
British Columbia

Signature of Candidate

DECLARATION OF FINANCIAL AGENT

I, _____, have prepared this disclosure statement and supporting
schedules for _____ and solemnly affirm that to the best of my
knowledge, information and belief:
(name of candidate)

1. this campaign financing disclosure statement and supporting schedules completely and accurately discloses the campaign contributions received and the election expenses used in the election campaign of _____ for the office of _____ in the 2011 Civic Election
(name of candidate)
for The Corporation of the City of Victoria; and
2. no contravention of Division (8) – Campaign Financing of the Local Government Act occurred in relation to the election campaign of _____ for the office of _____ in the 2011
(name of candidate)
Civic Election for The Corporation of the City of Victoria.

Declared before me at the City of Victoria in the
Province of British Columbia, this _____ day of
_____, 20__.

Designated Local Government Official **or**
A Commissioner for taking affidavits in and for
British Columbia

Signature of Financial Agent



SCHEDULE "A"
CAMPAIGN FINANCING DISCLOSURE STATEMENT
CAMPAIGN CONTRIBUTIONS

PART 1 – CONTRIBUTIONS

Contributions from known sources

Total value of contributions from a single source totalling more than \$100 **A** \$ _____
(unless nil, complete Part 2)

Total value of contributions from a single source totalling \$99.99 or less **B** \$ _____

Contributions from anonymous sources

Total value of contributions from anonymous sources \$ _____

Less anonymous contributions over \$50 remitted to
the City of Victoria \$ _____

Total amount of anonymous campaign contributions
of \$50 or less \$ _____ = **C** \$ _____

TOTAL AMOUNT OF CONTRIBUTIONS: **A + B + C =** \$ _____

Total number of contributors who made contributions of \$99.99 or less _____

(Candidate Name)



SCHEDULE "A" CAMPAIGN FINANCING DISCLOSURE STATEMENT CAMPAIGN CONTRIBUTIONS

PART 2 – LIST OF CONTRIBUTORS TOTALLING \$100 OR MORE

FULL NAME (1)	ADDRESS (2)	DATE	AMOUNT	CLASS (3)
		TOTAL		

Attach supplementary list if more space is required

_____ (Candidate Name)

1 If numbered corporation or unincorporated organization, include full name of 2 individuals who are directors or principal officers or members.
 2 Do not report addresses of individuals.
 3 Classes: Individual, corporation, unincorporated organization, trade union, non-profit organization, other.

SCHEDULE "A" CAMPAIGN FINANCING DISCLOSURE STATEMENT CAMPAIGN CONTRIBUTIONS

PART 3 – LIST OF ANONYMOUS CONTRIBUTIONS OVER \$50 REMITTED TO CITY OF VICTORIA

DATE	VALUE
SUB-TOTAL	

DATE	VALUE
SUB-TOTAL	

Total Amount Remitted to Municipality	
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(Candidate Name)

SCHEDULE "B"
CAMPAIGN FINANCING DISCLOSURE STATEMENT
ELECTION EXPENSE DETAILS

A. Election campaign advertising for:

- (1) radio, television, newspaper, periodical or electronic advertising for the public \$ _____
- (2) signs, pamphlets, flyers and brochures \$ _____
- (3) advertising and promotion for the public not included in A (1) or (2) above \$ _____
- (4) newsletters for members of the elector organization \$ _____

B. Election campaign office expenses for:

- (1) compensation paid to persons for campaign work, other than for services described in section 89(2) of the *Local Government Act* \$ _____
- (2) rent, insurance and utilities \$ _____
- (3) courier services and postage \$ _____
- (4) furniture, telecommunications equipment and other equipment \$ _____
- (5) office supplies and other office expenses not covered by B (1) to (4) above \$ _____

C. Convention and similar meeting expenses \$ _____

D. Expenses for campaign related functions not described in C above \$ _____

E. Research and polling expenses \$ _____

F. Campaign related transportation \$ _____

G. Other expenses (provide description)

- _____ \$ _____
- _____ \$ _____
- _____ \$ _____
- _____ \$ _____

Total amount of other expenses \$ _____ ⇒ \$ _____

TOTAL AMOUNT OF ELECTION EXPENSES \$ _____

(Candidate Name)



SCHEDULE "C"
CAMPAIGN FINANCING DISCLOSURE STATEMENT
DETAILS OF SURPLUS FUNDS DISBURSEMENT

- A. Balance remaining in account \$ _____
- B. Amount reimbursed to candidate from campaign account for the candidate's contributions to his/her campaign \$ _____
- C. Amount of remaining surplus funds (after any reimbursement in B) \$ _____
- D. Details of the disbursement of remaining surplus funds under C.

(Candidate Name)



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Form No. 3-9
Page 8

CAMPAIGN FINANCING RECORD KEEPING FORM RECORD OF CASH CAMPAIGN CONTRIBUTIONS*

NAME	ADDRESS	DATE	AMOUNT	CLASS

* This form is not required to be submitted with the campaign financing disclosure statement.

Records detailing contributions and expenses required under Section 88 of the Local Government Act must be retained by the Financial Agent, Candidate or Elector Organization or Campaign Organizer until November 20, 2018.



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Form No. 3-9
Page 9

CAMPAIGN FINANCING RECORD KEEPING FORM RECORD OF IN-KIND CAMPAIGN CONTRIBUTIONS*

NAME	ADDRESS	CLASS	DATE	GOOD OR SERVICE	VALUE

* This form is not required to be submitted with the campaign financing disclosure statement. Records detailing contributions and expenses required under Section 88 of the Local Government Act must be retained by the Financial Agent, Candidate or Elector Organization or Campaign Organizer until November 20, 2018.



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Form No. 3-9
Page 10

CAMPAIGN FINANCING RECORD KEEPING FORM RECORD OF DISCOUNTED GOODS AND SERVICES*

GOOD OR SERVICE	PRICE PAID	FAIR MARKET VALUE (RETAIL VALUE)

* This form is not required to be submitted with the campaign financing disclosure statement.

Records detailing contributions and expenses required under Section 88 of the Local Government Act must be retained by the Financial Agent, Candidate or Elector Organization or Campaign Organizer until November 20, 2018.



City of Victoria Civic Election 2011

Form No. 3-9
Page 11

CAMPAIGN FINANCING RECORD KEEPING FORM RECORD OF ANONYMOUS CAMPAIGN CONTRIBUTIONS REMITTED TO CITY OF VICTORIA*

CONTRIBUTION (MONEY, GOODS)	VALUE/AMOUNT	DATE REMITTED TO CITY OF VICTORIA

* This form is not required to be submitted with the campaign financing disclosure statement.

Records detailing contributions and expenses required under Section 88 of the Local Government Act must be retained by the Financial Agent, Candidate or Elector Organization until November 20, 2018.

CAMPAIGN FINANCING RECORD KEEPING FORM

RECORD OF ELECTION EXPENSES*

GOODS, PROPERTY OR SERVICES RECEIVED	DATE INCURRED	DATE PAID	AMOUNT

* This form is not required to be submitted with the campaign financing disclosure statement.

Records detailing contributions and expenses required under Section 88 of the Local Government Act must be retained by the Financial Agent, Candidate or Elector Organization until November 20, 2018.