

**ACCESS TO BANKING SERVICES
BY THE CANDIDATE'S OFFICIAL AGENT**

In order to facilitate access to banking services by a candidate's official agent, Elections Canada is providing this package, which is based on information provided by the Canadian Bankers Association and the Office of the Superintendent of Financial Institutions, for the opening of campaign accounts for federal electoral purposes.

Bank Account Opening Procedures for Federal Election Campaigns

Elections Canada has been advised that as an official agent of a candidate for a future federal election, when opening a bank account on which you will be signing officer, you will likely be asked to provide certain information about yourself, and the candidate for which you are acting as the official agent.

To meet the requirements of the Proceeds of Crime (Money Laundering) and Terrorist Financing legislation, banks must obtain and record personal identification from the signing officer(s) on such accounts. A listing of what generally constitutes acceptable identification follows.

As part of regular account opening procedures you will be asked to provide additional personal and financial information which may include your date of birth, social insurance number, occupation, home and business addresses and phone numbers. You may also be asked to provide authorization for the bank to complete a credit bureau check.

In addition, you may be asked to complete third party determination requirements. Please be prepared to provide evidence that you are opening the account for a third party, including the name, address and phone number of the third party, the nature of the principal business or occupation of the third party, as well as the nature of the relationship between you and the third party.

You may also be asked to provide a letter from the candidate confirming your appointment as their official agent. It is your responsibility to determine the requirements of the particular bank in question. A sample form is provided which you may consider using for this purpose depending on the requirements of the particular bank. You must determine the suitability of this form to your situation before using. The bank may wish that this form be sworn by the candidate before a notary public or other person authorized to take oaths in the province.

In general, the account being opened will be a business, or not-for-profit or community account, however, this may vary depending on the bank. As well, features associated with the account, such as the service charges and whether or not the account is interest-bearing or not, will be specific to the bank with which you are dealing.

With few exceptions, once you have visited the branch and provided this information, it should be possible for the account to be opened within several business days.

Where a signing officer(s) is able to open the account at a branch where they already bank, the process may be completed even faster, especially if they have already met these requirements.

For additional information, please contact your bank or Elections Canada at 1 800 486-6563.

Identification Requirements for Opening a Bank Account¹

Elections Canada has been advised that the following is a list of the kinds of identification that will be considered. If the signing officer(s) is new to the bank, it will require at least 2 pieces of acceptable identification. If you have a valid bank or credit card for the bank where you are opening the account, one additional piece of identification may be sufficient.

Types of acceptable of identification include:

- a valid driver's licence issued in Canada;
- a passport issued in Canada;
- a birth certificate issued in Canada;
- a Social Insurance Number (SIN) card issued by the Government of Canada;
- an Old Age Security card issued by the Government of Canada;
- a Certificate of Indian Status issued by the Government of Canada;
- any similar official document or card issued by a federal, provincial or state government;
- credit & debit card with your signature issued by a reputable financial institutions;
- provincial health insurance card (where permitted by applicable provincial law);
- employee identification card, which includes your photo and name, issued by a reputable employer.

¹ Certain restrictions apply.
(04/04)

Section 437 of the *Canada Elections Act*

437. (1) An official agent of a candidate shall open, for the sole purpose of the candidate's electoral campaign, a separate bank account in a Canadian financial institution as defined in section 2 of the *Bank Act*, or in an authorized foreign bank as defined in that section, that is not subject to the restrictions and requirements referred to in subsection 524(2) of that Act.

Account holder name

(2) The account must name the account holder as follows: "*(name of official agent)*, official agent".

Payments and receipts

(3) All financial transactions of the candidate in relation to an electoral campaign that involve the payment or receipt of money are to be paid from or deposited to the account.

Closure of bank account

(4) After the election or the withdrawal or death of the candidate, the official agent of a candidate shall close the account once any unpaid claim or surplus of electoral funds has been dealt with in accordance with this Act.

Final statement of bank account

(5) The official agent shall, on closing the account, provide the Chief Electoral Officer with the final statement of the account.

S.C. 2003, c. 19, s. 41.

MEMORANDUM

From: **Name of prospective candidate:** _____
 Principal business or
 occupation of candidate: _____

Home address and telephone:

() _____

Business address and telephone:

() _____

To: **Financial Institution Official**
Subject: **Appointment of Official Agent**

The purpose of this memorandum is to advise you of my intention to stand as a candidate at the next federal election and to inform you that the following person has been appointed and has agreed to act as my official agent, and in this capacity is requesting access to banking services from your institution:

Name of appointed official agent: _____
Principal business or occupation of official agent: _____

Home address and telephone:

() _____

Business address and telephone:

() _____

Section 437 of the *Canada Elections Act*, imposes upon the candidate's official agent an obligation to open a separate bank account in a financial institution for the sole purpose of the campaign. It also mandates that all campaign transactions involving the receipt or disbursement of funds be made through this account. Once all statutory requirements have been met, the official agent is to close the account and forward the final statement to the Chief Electoral Officer.

This statutory obligation commences with the acceptance of the first contribution or the incurring of the first electoral campaign expense, which could take place prior to the issuance of the writs of the election, and prior to the candidate's official nomination with the returning officer. An official agent who fails to satisfy the bank account requirements may be found guilty of an offence and liable on summary conviction to a fine of not more than \$1,000 or to imprisonment for a term of not more than three months or both.

Given the seriousness of the offences related to these legislative provisions, I would ask for your assistance in facilitating access to banking services by my official agent.

Signature of Prospective Candidate/Date

Signature of Official Agent/Date

(04/04)