

What Are The Media's Responsibilities Under The Elections Act?

Media must be aware of the rules respecting campaign period advertising outlined under the Elections Act and highlighted in this brochure.

It is an offence under the Act for a person to broadcast or publish an advertisement contrary to the provisions of the Act.

Media members must ensure that any person, corporation, trade union, party or candidate who publishes a political advertisement in a publication or through the use of some other outdoor advertising facility, furnishes in writing to the publisher of the advertisement

- a) his or her identification in writing and
- b) the identification in writing of the person, corporation, trade union, party or candidate sponsoring the political advertisement.

Publishers are required to maintain records for a period of 2 years after the date of publication. Record details must include: the advertisement; the charge for the advertisement; and the identifications as outlined above.

The public is entitled to inspect those records during normal office hours.

The Office of the Chief Electoral Officer



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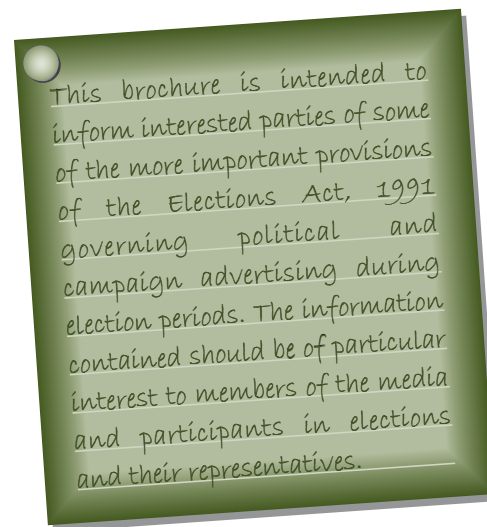
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Elections Newfoundland and Labrador

Political Advertising



A Non-Partisan Office Responsible for the
Conduct of Provincial Elections and Plebiscites

Political advertising is defined as: *advertising for the purpose of promoting or opposing a registered party or the election of a candidate.* It does not normally include legitimate news stories, interviews, commentaries or other works prepared for publication or broadcast.

Typical methods of advertising include:

- 1) broadcast such as television and radio;
- 2) print such as newspapers, magazines and other periodical publications;
- 3) campaign signs, banners and buttons; and
- 4) the Internet such as audio and video streaming and website development.

Does The Elections Act Place Restrictions On Political Advertising?

Yes, The Elections Act has several provisions which address the conduct of those involved in an election. Conduct with respect to political advertising is not an exception.

Does The Elections Act Apply Equally To All Forms Of Advertising?

No. The Elections Act, 1991 has special provisions dealing with various types of advertising.

Special rules apply to broadcast undertakings and publications such as newspapers, magazines and other periodicals.

It is an offence under the Elections Act to broadcast or publish an advertisement contrary to these rules.

What Is The Blackout Period?

The blackout period begins on the day the writ for an election is issued and ends on polling day.

During this period, advertising through a broadcast undertaking, in a newspaper, magazine or other periodical publication is restricted to a 21 day period which ends at midnight two days before polling day.

Blackout restrictions do not apply to:

- a) the advertising of public meetings in districts;
- b) advertising through the use of outdoor advertising facilities; (e.g. signs/posters)
- c) announcing political party headquarter locations;
- d) announcing services for electors by political parties respecting enumeration and revision of lists of electors; or
- e) any other matter regarding administrative functions of political parties

provided the advertisements and announcements are done in accordance with the guidelines of the Chief Electoral Officer.

What About Information Flyers And Handouts?

The blackout does not affect political messages conveyed by the use of flyers. However, flyers inserted as part of a newspaper, magazine or other periodical publication prohibited by the Elections Act, 1991 from advertising during specified periods are inappropriate.

What About Public Service Announcements?

For service announcements regarding items such as contained in a), c), d) and e) above, the Chief Electoral Officer recommends the following format:

LOGO
For Information or assistance on polling day, please call (insert district association/Party/Candidate Name) at telephone No. _____.

Please note, a party logo is appropriate in such advertising but it should not include an election/campaign slogan.

**Please Consult
The Elections Act, 1991
For Detailed Information**

Are There Rules Regarding Other Forms Of Advertising?

Yes. The Elections Act specifies that any printed advertisement, handbill, placard or poster referring to an election must bear upon its face the name and address of:

- a) the printer; and
- b) the person who authorized the printing on behalf of a candidate or party.

It is an offense for any person to print, publish, distribute, or post up; or arrange to print, publish, distribute or post up printed materials of this nature without this information.

Does The Elections Act Say Anything About The Cost Of Campaign Advertising?

Yes. The Act specifies that during the blackout period no person, corporation or trade union shall charge

- a) a registered party;
- b) a registered candidate; or
- c) a person acting with the consent of a registered party or candidate,

a rate for advertising that exceeds the lowest rate charged to another person for an equal amount of time or space.

The rates charged during that period shall be the same as the rate charged for an equal amount of broadcast time or advertising space outside that period.

Are There Any Special Provisions Which Apply To Polling Day?

Yes. The Elections Act provides that during the period when the polls are open on polling day a person shall not:

- a) take part in a demonstration, parade, motorcade or other outdoor gathering; or
- b) supply for that purpose a loud speaker, bunting, flag, banner, placard or other object or material in support of the election of a candidate or political party.

In addition, a person shall not post a sign or display a flag, banner, placard or other object in support of the election of a candidate or a political party within 100 meters of a building in which a polling station is located on polling day.