
Notice to opponents

As soon as possible after financial agents are designated, Elections BC notifies each successful applicant that they are registered opponents, and provides contact information for their appointed financial agent and, if applicable, the other opponents who are part of the same group. The notification also specifies the expenses limit for the opponent group. An opponent or opponent group must not act in that capacity until they receive this notice.

Those opponent applicants for whom a financial agent was not designated are notified that they are not opponents of the initiative petition. They must not spend any money or use any goods or services to oppose, directly or indirectly, the petition.

Unsuccessful opponent applicants may apply to become a registered initiative advertising sponsor, however their activities must be limited to sponsoring initiative advertising, with a maximum value of \$5,000.

For more information

Elections BC

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The Application Process for Opponents of an Initiative Petition



Introduction

Individuals or organizations who intend to incur expenses to oppose an initiative petition must apply to Elections BC to register as an opponent.

An opponent application must meet several legislated requirements for the Chief Electoral Officer to grant approval. This guide is intended to clarify the application requirements for potential opponents to an initiative petition.

Opponents, opponent groups and expenses limits

Initiative petition opponents must have financial agents. Financial agents are appointed by the Chief Electoral Officer.

Opponents can be individuals or organizations. Opponents that have the same financial agent designated for them are opponent groups. If an individual opponent has a financial agent designated for them who is not the financial agent of anyone else, that individual opponent is treated as an opponent group of one.

The initiative petition expenses limit is shared between opponent groups based on the number of opponents in their group. To qualify as an opponent group, the group must be eligible for a share of at least 20 percent of the total expenses limit. Thus, the legislation governing opponent registration effectively limits the number of opponent groups to five or less in order to ensure that the initiative petition expenses limit does not become overly fragmented when it is distributed between opponent groups.

Applying to be an initiative petition opponent

Notice of approval in principle for an initiative petition application is published in the *British Columbia Gazette*. Potential opponents must apply to the Chief Electoral Officer within 30 days after the day on which this notice is published.

Those wishing to act as opponents for the initiative petition should contact Elections BC and request an opponent application package. Included in the package are two opponent application forms. The Initiative Petition Opponent Application – Individual (913) is intended for individuals wishing to register as opponents and the Initiative Petition Opponent Application – Organization (912) is intended for organizations. Applications must be completed in full.

Potential opponents must also propose an individual to act as their financial agent. Opponent applicants who are individuals may propose themselves to act as their own financial agent. An Application for Financial Agent (914) is included in the opponent application package.

It is important to note that a fully completed application form does not guarantee that the opponent will be registered by the Chief Electoral Officer.

Designating financial agents

Elections BC examines all opponent application packages for completeness. After the end of the 30 day application period, the Chief Electoral Officer designates financial agents in accordance with the *Recall and Initiative Act* (s. 32).

- If one financial agent is proposed by 50 percent or more of opponent applicants, the Chief Electoral Officer appoints that person as financial agent for those opponent applicants who proposed them.
- If two or more financial agents are proposed by 20 percent or more of opponent applicants, the Chief Electoral Officer appoints those financial agents to the opponent applicants who proposed them.

Those opponent applicants who are not designated a financial agent according to the above criteria are notified by the Chief Electoral Officer and provided with contact information for the other opponent applicants and all proposed financial agents. Those applicants may then propose an alternate financial agent within 29 days after the end of the original 30 day application period. The proposed financial agent may be the same person who was proposed originally, or it may be a financial agent proposed by another applicant.

After the 29 day period, the Chief Electoral Officer repeats the process of designating financial agents in accordance with the *Recall and Initiative Act* (s. 32).

Any opponent applicants who are not designated a financial agent during this process must not act as an opponent to the initiative petition.