

DEFERRED

**Bill #59
Elections Act**

**CHANGES RECOMMENDED TO THE LAW AMENDMENTS COMMITTEE
BY THE MINISTER OF JUSTICE**

PAGE 1 and 2, Clause 2 -

(a) add after paragraph (h) the following paragraph:

(i) "election advertising" means the transmission to the public by any means during an election of an advertising message that promotes or opposes a registered party or the election of a candidate, including one that takes a position on an issue with which a registered party or candidate is associated but, for greater certainty, does not include

(i) the transmission to the public of an editorial, a debate, a speech, an interview, a column, a letter, a commentary or news,

(ii) the distribution of a book, or the promotion of the sale of a book, for no less than its commercial value, if the book was planned to be made available to the public regardless of whether there was to be an election,

(iii) the transmission of a document directly by a person or a group to their members, employees or shareholders, as the case may be, or

(iv) the transmission by an individual, on a non-commercial basis on the Internet, of his or her personal political views;

(b) paragraphs (i) to (af) - reletter as (j) to (ag); and

(c) paragraph (w) - (reletter as (y)), line 1 - delete "an".

PAGE 4, paragraph 5(a) - delete and substitute the following:

(a) assist, or cause to be assisted,

(i) a registered party, electoral district association, candidate or registered third party;

(ii) an official agent of a registered party, electoral district association or candidate, and

(iii) a financial agent of a registered third party,

in preparing statements and returns required under this Act and otherwise in complying with this Act;

PAGE 4, paragraph 5(p) - delete "271" and substitute "285".

PAGE 8, subclause 10(6) - delete "must" and substitute "may".

PAGE 8, subclause 11(6), line 2 - delete "6" and substitute "5".

PAGE 10, subclause 21(1), line 2 - delete "and curriculum materials".

PAGE 11, subclause 21(2), line 1 - add "develop and" immediately after "may".

PAGE 13, subclause 23(9), line 2 - delete "on" and substitute "in".

PAGE 14, Clause 25, line 2 - delete "on" and substitute "in".

PAGE 15, paragraph 30(1)(a), line 1 - add "the" immediately after "in".

PAGE 15, paragraph 30(1)(b), line 1 - delete "in" and substitute "on".

PAGE 16, paragraph 31(a) - add "the" immediately after "in".

PAGE 17, clause 37

(a) **line 3** - add "to an" immediately after "and";

(b) **line 4** - add "in that electoral district" immediately after "candidate" the second time it appears.

PAGE 20, paragraph 42(2)(e) - adding "commencing with the general election held on June 9, 2009" immediately after "elections".

PAGE 21, subclause 44(1),

(a) **paragraph (a), line 2** -

(i) add "s" to "clause",

(ii) add "and (e)" immediately after "(b)";

(b) **paragraph (b), line 2** -

(i) add "s" to "clause",

(ii) add "and (e)" immediately after "(b)".

PAGE 21, subclause 45(2), line 2 - add "the" immediately after "in".

PAGE 24, subclause 52(4), line 2 - add "and an indication whether the elector voted" immediately after "(b)".

PAGE 25, subclause 55(6), line 2 - add "the" immediately after "in" the second time it appears.

PAGE 26, Clause 57,

(a) **subclause (2), line 2** -

(i) add "s" to "clause",

(ii) delete "an indication of whether the elector voted in previous elections" and substitute "(e)";

- (b) **subclause (4) -**
- (i) add “s” to “clause”;
 - (ii) delete “an indication of whether the elector voted in previous elections” and substitute “(e)”.

PAGE 28, subclause 62(6), line 1 - close the brackets around (3).

PAGE 28, subclause 65(1),

- (a) delete “A nomination” and substitute “Nomination documents”;
- (b) delete “on” and substitute “in”;
- (c) **subparagraph (v) -** delete “and”;
- (d) **subparagraph (vi) -** delete the semicolon and substitute a comma.

PAGE 29, subclause 65(1)

- (a) **paragraph (b) -** re-letter as “(vii)”;
- (b) **paragraph (c), line 2 -** add “and” immediately after “nomination”;
- (c) **paragraph (c) -** re-letter as “(viii)”;
- (d) **paragraph (d), line 2 -** add “and” immediately after “endorsement.”;
- (e) **paragraph (d),** re-letter as “(ix)”;
- (f) **paragraph (e) -** delete “on the prescribed form”;
- (g) **paragraph (e), line 3 -** delete the semi-colon and substitute a period;
- (h) **paragraph (e) -** re-letter as “(b)”;
- (i) add the following subsection:
 - (2) The nomination documents must be accompanied by
- (j) **paragraph (f) -** re-letter as “(a)”;
- (k) **paragraph (b) -** re-letter as “(b)”.

PAGE 29, subclause 67(2),

- (a) **paragraph (a), line 1 -** delete “on” and substitute “in”;
- (b) **paragraph (b), line 1 -**
 - (i) add “the” after “in”;
 - (ii) delete “manner” and substitute “form”.

PAGE 30, subclause 72(1), line 2 - delete “on” and substitute “in”.

PAGE 31, paragraph 74(2)(a), line 1 - add “the” immediately after “in”.

PAGE 32, paragraph 77(a), line 2 - delete "manner" and substitute "form".

PAGE 32, subclause 78(2), line 2 - add "the" immediately after "in".

PAGE 33, Clause 80,

(a) **line 1** - delete "5(2)" and substitute "4(3)";

(b) **line 2** - add "at" immediately after "ending";

(c) **line 2** - delete "seven" and substitute "eight".

PAGE 34, subclause 81(12), paragraph (c), line 2 - delete "343" and substitute "355".

PAGE 35, Clause 84, line 3 - delete "manner" and substitute "form".

PAGE 36, Clause 87,

(a) **paragraph (4)(c)** - delete "on" and substitute "in";

(b) **paragraph (6)(b), line 1** - add "the" immediately after "in".

PAGE 39, Clause 94,

(a) **subclause (2), line 2** - delete "on" and substitute "in";

(b) **subclause (4), line 2** - delete "on" and substitute "in".

PAGE 40, paragraph 95(3)(d), line 3 - delete "deputy returning officer" and substitute "election officers conducting the poll".

PAGE 40, subclause 95(4) - delete and substitute the following:

(4) With the exception of election officers as prescribed by the Chief Electoral Officer, none of the persons present in a polling location during voting hours shall use a recording or communication device.

PAGE 41, subclause 99(4), line 1 - delete "on" and substitute "in".

PAGE 41, subclause 101(3), line 1 - delete "on" and substitute "in".

PAGE 44, clause 102(3), line 2 - delete "chosen to vote" and substitute "voted".

PAGE 45, paragraph 104(2)(d), line 1 - delete "has chosen to vote or".

PAGE 45, subclause 105(1)

(a) **paragraph (b)** - delete;

(b) **paragraphs (c) and (d)** - renumber as (b) and (c).

PAGE 47, subclause 108(3), line 2 - delete "manner" and substitute "form".

PAGE 48, paragraph 111(3)(a), line 1 - delete "on" and substitute "in".

PAGE 49, subclause 113(1), line 3 - delete "manner" and substitute "form".

PAGE 52, paragraph 123(1)(c), line 4 - delete "manner and substitute "form".

PAGE 53, paragraph 125(1)(b), line 2 - delete "on" and substitute "in".

PAGE 54, paragraph 128(2)(a), line 1 - delete "on" and substitute "in".

PAGE 56, subclause 139(1), line 2 - delete "on" and substitute "in".

PAGE 58, paragraph 142(3)(c)

(a) subparagraph (ii) - delete the comma and substitute a semi-colon;

(b) subparagraph (iii) - delete.

PAGE 60, paragraph 148(2)(a) - add "the" immediately after "in".

PAGE 61, paragraph 149(1)(a), line 1 - delete "on" and substitute "in".

PAGE 64, subclause 159(1), last line - delete "manner" and substitute "form".

PAGE 66, subclause 163(2),

(a) line 2 - delete "includes" and substitute "include";

(b) line 3 - delete "342(1)" and substitute "358(1)".

PAGE 66, subclause 163(3), line 1 - delete "343(6)" and substitute "357(6)".

PAGE 69 and 70, Clause 166 -

(a) paragraph (d),

(i) line 2 - delete "or candidate" and substitute ", candidate or registered third party",

(ii) line 3 - delete "or candidate" and substitute ", candidate or registered third party",

(iii) line 4 - delete "or candidate" and substitute ", candidate or registered third party",

(iv) subparagraph (iv), line 2 - delete "or candidate" and substitute ", candidate or registered third party",

(v) **sub-subparagraph (iv)(B), line 2** - add “or financial agent” after “agent”,

(vi) **sub-subparagraph (iv)(B), line 3** - add “or financial agent” after “agent”,

(vii) **subparagraph (v), line 2** - delete “or candidate” and substitute “, candidate or registered third party”,

(viii) **subparagraph (vi), lines 2 and 3** - delete “or candidate” and substitute “, candidate or registered third party”, and

(ix) **subparagraph (vii), line 2** - delete “or candidate” and substitute “, candidate or registered third party”,

(b) paragraph (f)

(i) **line 3** - delete “or candidate” and substitute “, candidate or registered third party”,

(ii) **subparagraph (ii), line 2** - delete “or”,

(iii) **subparagraph (iii), line 3** - delete the semi-colon at the end of subparagraph (iii) and substitute “, and”, and

(iv) add the following subparagraph after subparagraph (iv):

(iv) the services of an individual who acts as a financial agent of a registered third party;

(c) add after paragraph (g) the following paragraph:

(h) “election advertising expense” means an expense incurred in relation to

(i) the production of an election advertising message, and

(ii) the acquisition of the means of transmission to the public of an election advertising message;

(d) paragraphs (h) to (i) - reletter as (i) to (j);

(e) paragraph (h) (relettered as (i)), line 2 - add “, or for the program or policy of a registered party or candidate” immediately after “candidate”.

(f) add after paragraph (i) (relettered as (j)) the following paragraph:

(k) “financial agent” means an agent appointed by a registered third party pursuant to Section 279;

(g) paragraphs (j) to (r) - reletter as (l) to (t);

(h) add after paragraph (r) (relettered as (t)) the following paragraph:

(u) “third party” means a person or a group, other than a candidate, registered party or electoral district association.

(i) paragraphs (s) and (t) - reletter as (v) and (w).

PAGE 71, subclause 170(2), line 3 - add “the” immediately after “in”.

PAGE 75, subclause 180(4), line 2 - delete “on” and substitute “in”.

PAGE 76, subclauses 182(1), (2) and (3) - delete “manner” and substitute “form”.

PAGE 80, subclause 192(1), line 2 - delete “or candidate” and substitute “, candidate or registered third party”.

PAGE 80, subclause 192(3), line 2 - delete “on” and substitute “in”.

PAGE 80, subclause 192(4), line 4 - delete “or candidate” and substitute “, candidate or registered third party”.

PAGE 80, subclause 194(1), line 1 - delete “on” and substitute “in”.

PAGE 82, subclauses 196(1) and (2), line 2 - delete “manner” and substitute “form”.

PAGE 84, Clause 203,

(a) **paragraph (1)(a), line 1 - add “the” immediately after “in”;**

(b) **subclause (5), line 2 - delete “on” and substitute “in”.**

PAGE 85, subclause 203(6), line 2 - delete “manner” and substitute “form”.

PAGE 87, subclause 215(1), line 1 - delete “or candidate” and substitute “, candidate or registered third party”.

PAGE 87, subclause 215(2), lines 2 and 3 - delete “or candidate” and substitute “, candidate or registered third party”.

PAGE 87, subclause 215(4),

(a) **lines 1 and 2 - delete “or candidate” and substitute “, candidate or registered third party”; and**

(b) **lines 2 and 3 - delete “or candidate” and substitute “, candidate or registered third party”.**

PAGE 87, subclause 215(5), lines 1 and 2 - delete “or candidate” and substitute “, candidate or registered third party”.

PAGE 87, subclause 216(1), line 1 – add “or registered third party” after “candidate”.

PAGE 87, subclause 216(3), line 2 - delete “or candidate” and substitute “, candidate or registered third party”.

PAGE 88, paragraph 216(4)(a), line 2 - delete “or candidate” and substitute “, candidate or registered third party”.

PAGE 88, subclause 216, line 2 - delete “or candidate” and substitute “, candidate or registered third party”.

PAGE 88, Clause 217, line 1 - delete “loan” the first time it appears and substitute “contribution”.

PAGE 88, Clause 218,

- (a) **subclause (2), line 2** - add “the” immediately after “in”;
- (b) **subclause (3), line 4** - delete “manner” and substitute “form”.
- (c) **subclause (4), line 4** - delete “manner” and substitute “form”.

PAGE 88, subclause 218(1),

- (a) **line 1** - delete “or candidate or” and substitute “, candidate or registered third party,”; and
- (b) **line 2** - add “or the financial agent of a registered third party” after “candidate”.

PAGE 88, subclause 218(2), lines 1 and 2 - add “or financial agent of the registered third party” after “candidate”.

PAGE 88, subclause 218(3), lines 2 and 3 - add “or financial agent of the registered third party” after “candidate”.

PAGE 88, subclause 218(4), line 3 - add “or financial agent of the registered third party” after “candidate”.

PAGE 88, paragraph 218(5)(a), line 2 - delete “or candidate” and substitute “, candidate or registered third party”.

PAGE 89, Clause 220, line 2 - delete “on” and substitute “in”.

PAGE 89, subclause 221(1), line 2 - delete “or candidate” and substitute “, candidate or registered third party”.

PAGE 89, subclause 221(2), line 3 - add “or financial agent of a registered third party” after “candidate”.

PAGE 90, Clause 223,

- (a) **subclause (1), line 4** - delete “manner” and substitute “form”.
- (b) **subclause (3), line 2** - delete “on” and substitute “in”.

PAGE 90, subclause 224(1), line 1 - delete “manner” and substitute “form”.

PAGE 91, subclause 225(1), line 3 - delete "manner" and substitute "form".

PAGE 91, Clause 226, line 2 - delete "manner" and substitute "form".

PAGE 91, subclause 227(1), line 2 - delete "manner" and substitute "form".

PAGE 92, Clause 228, line 2 - delete "manner" and substitute "form".

PAGE 92, Clause 229,

(a) **subclause (1), line 3** - delete "manner" and substitute "form".

(b) **subclause (4), line 2** - delete "on" and substitute "in".

PAGE 92, subclause 230(1) - add "the" immediately after "in".

PAGE 93, subclause 231(1), line 3 - delete "manner" and substitute "form".

PAGE 93, subclause 232(1), line 2 - delete "manner" and substitute "form".

PAGE 94, subclause 233(2), line 2 - delete "or candidate" and substitute ", candidate or registered third party".

PAGE 94, subclause 233(3), line 1 - delete "or candidate" and substitute ", candidate or registered third party".

PAGE 94, Clause 234 - delete and substitute the following:

234 (1) Except as permitted by this Act, no person may make a contribution to

(a) a registered party, electoral district association, candidate or registered third party;

(b) an official agent or trust for a registered party, electoral district association or candidate; or

(c) a financial agent for a registered third party.

(2) Except as permitted by this Act, no

(a) registered party, electoral district association, candidate or registered third party;

(b) official agent or trust for a registered party, electoral district association or candidate; or

(c) financial agent for a registered third party,

shall accept a contribution.

PAGE 94, subclause 235(1) - add "or financial agent" after "agent".

PAGE 94, subclause 235(2) - add “or financial agent” after “agent”.

PAGE 94, subclause 236(1), line 2 - delete “or candidates” and substitute “, candidates or registered third parties”.

Page 95, Clause 236,

(a) **add the following subclause after subclause (3):**

(4) The total contributions by an individual to all registered third parties must not exceed five thousand dollars in any calendar year.

(b) **subsections (4) to (10)** - renumber as (5) to (11).

PAGE 95, subclause 236(4) (renumbered as (5)) delete and substituted the following:

(5) No organization may make a contribution to a registered party, electoral district association, candidate or registered third party.

PAGE 95, subclause 236(6) (renumbered as (7)), line 2 - delete “or candidate” and substitute “, candidate or registered third party”.

PAGE 95, subclause 236(7) (renumbered as (8)), line 2 - delete “or candidate” and substitute “, candidate or registered third party”.

PAGE 95, subclause 236(9) (renumbered as (10)),

(a) **line 1** - delete “person” and substitute “individual or organization”;

(b) **line 2** - delete “or candidate” and substitute “, candidate or registered third party”; and

(c) **line 4** - delete “or candidate” and substitute “, candidate or registered third party”.

PAGE 95, subclause 237(1),

(a) **paragraph (a), line 2** - add “or financial agent of a registered third party” after “candidate”; and

(b) **paragraph (b), line 2** - add “or financial agent of the registered third party” after “candidate”.

PAGE 95, paragraph 237(1)(b), line 1 - delete “manner” and substitute “form”.

PAGE 95, subclause 237(3),

(a) **line 1** - add “or financial agent” after “agent”; and

(b) **line 2** - add “or financial agent” after “agent”.

PAGE 96, subclause 237(4),

- (a) **line 2** - add “or the financial agent of a registered third party” after “candidate”;
- (b) **paragraph (a), line 1** - add “or financial agent” after “agent”;
- (c) **paragraph (b), lines 3 and 4** - delete “of a registered party, electoral district association or candidate” and substitute “or financial agent”; and
- (d) **paragraph (c),**
 - (i) **line 2** - add “or financial agent” after “agent”, and
 - (ii) **line 3** - add “or financial agent” after “agent”.

PAGE 96, subclause 237(5), line 2 - add “or the financial agent of a registered third party” after “candidate”.

PAGE 96, subclause 237(6), lines 2 and 3 - delete “or candidate” and substitute “, candidate or registered third party”.

PAGE 96, subclause 237(8), line 3 - add “or the official agent of a registered third party” after “candidate”.

PAGE 96, subclause 237(10),

- (a) **line 2** - add “or a financial agent of a registered third party” after “candidate”.;
- and**
- (b) **line 4** - add “or the financial agent of a registered third party” after “candidate”.

PAGE 97, subclause 237(11),

- (a) **line 2** - delete “an”;
- (b) **line 3** - delete “or candidate” and substitute “, candidate or registered third party”;
- (c) **paragraph (a), line 2** - delete “or candidate” and substitute “, candidate or registered third party”; **and**
- (d) **paragraph (b), line 3** - delete “or candidate” and substitute “, candidate or registered third party”.

PAGE 97, subclause 238(1),

- (a) **line 2** - add “or financial agent” after “agent”;
- (b) **lines 2 and 3** - add “or financial agent” after “agent”.

PAGE 97, subclause 238(2),

- (a) **line 2** - delete “or candidate” and substitute “, candidate or registered third party”; **and**
- (b) **line 2** - add “or financial agent” after “agent”.

PAGE 97, subclause 238(3), lines 1 and 2 - add “or the financial agent of a registered third party” after “candidate”.

PAGE 97, subclause 239(1), line 1,

- (a) delete “and an” and substitute “,”; and
- (b) add “and registered third party” after “association”.

PAGE 97, subclause 240(1), line 2 - delete “on” and substitute “in”.

PAGE 98, Clause 240,

- (a) subclause (2), line 3 - delete “manner” and substitute “form”;
- (b) subclause (3), line 1 - delete “manner” and substitute “form”;

PAGE 98, paragraph 244(b), line 1 - delete “manner” and substitute “form”.

PAGE 101, subclause 252(4), line 2 - delete “manner” and substitute “form”.

PAGE 102, Clause 253,

- (a) subparagraph (1)(b)(i), line 1 - delete “on” and substitute “in”;
- (b) subparagraph (4)(b)(i), line 1 - delete “on” and substitute “in”.

PAGE 104, Clause 257 -

- (a) delete “(1)” after the Section number; and
- (b) renumber subsections 257(2) and (3) as subsections 258(1) and (2).

PAGE 104 -

- (a) delete the heading “ADVERTISEMENTS” after clause 257 (renumbered as 258); and
- (b) delete Clause 258.

PAGE 105, subclause 261(4), line 3 - delete “166(h)(iii)” and substitute “166(i)(iii)”.

PAGE 108, paragraph 267(3)(b), line 4 - delete “166(h)” and substitute “166(i)”.

PAGE 109, subclause 268(2), line 3 - delete “on” and substitute “in”.

PAGE 109, subclause 269(1), line 2 - delete “and candidates and official agents” and substitute “, candidates, registered third parties, official agents and financial agents”.

PAGE 109, Clause 270, line 3 - delete "or official agent" and substitute ", registered third party, official agent and financial agent".

PAGE 109 - add the following headings and Sections:

ELECTION ADVERTISING

271 (1) A candidate or registered party, or a person acting on behalf of a candidate or registered party, who causes election advertising to be conducted shall mention in or on the message that its transmission was authorized by the official agent of the candidate or registered party, as the case may be.

(2) No person shall transmit any election advertising referred to in subsection (1) that does not comply with subsection (1).

272 No person shall knowingly conduct election advertising or cause it to be conducted using a means of transmission of the Government of the Province.

273 (1) No person shall knowingly transmit election advertising to the public in an electoral district on election day before the close of all of the polling stations in the electoral district.

(2) The transmission to the public of a notice of an event that the leader of a registered party intends to attend or an invitation to meet or hear the leader of a registered party is not election advertising for the purpose of subsection (1).

(3) For the purpose of subsection (1), a person includes a registered party.

(4) Subsection (1) does not apply in respect of

(a) the transmission of a message that was transmitted to the public on the Internet before the blackout period described in that subsection and that was not changed during that period; or

(b) the distribution during that period of pamphlets or the posting of messages on signs, posters or banners.

274 (1) No person shall prevent or impair the transmission to the public of an election advertising message without the consent of a person with authority to authorize its transmission.

(2) Subsection (1) does not apply with respect to

(a) the prevention or impairment, by a public authority, of an unlawful transmission if reasonable notice has first been given to the person who authorized the transmission; or

(b) the removal by an employee of a public authority of a sign, poster or banner where the posting of it is a hazard to public safety.

THIRD PARTY ELECTION ADVERTISING

275 (1) A third party shall not incur election advertising expenses of a total amount of more than ten thousand dollars during an election in relation to a general election.

(2) Not more than two thousand dollars of the total amount referred to in subsection (1) shall be incurred to promote or oppose the election of one or more candidates in a given electoral district, including by

- (a) naming them;
- (b) showing their likenesses;
- (c) identifying them by their respective political affiliations; or
- (d) taking a position on an issue with which they are particularly associated.

(3) The limit set out in subsection (2) only applies to an amount incurred with respect to a leader of a registered party to the extent that it is incurred to promote or oppose the election of the leader of a registered party in a given electoral district.

(4) A third party shall not incur election advertising expenses of a total amount of more than two thousand dollars in a given electoral district during a by-election.

(5) The amounts set out in subsections (1), (2) and (4) shall be increased at the beginning of each year by the percentage increase in the previous year in the Consumer Price Index for the Province published by Statistics Canada using the annual 2010 index as the base.

276 A third party shall not circumvent, or attempt to circumvent, a limit set out in section 275 in any manner, including by splitting itself into two or more third parties for the purpose of circumventing the limit or acting in collusion with another third party so that their combined election advertising expenses exceed the limit.

277 (1) A third party shall identify itself in any election advertising placed by it and indicate that it has authorized the advertising.

(2) No person shall transmit any election advertising referred to in subsection (1) that does not comply with subsection (1).

278 (1) A third party shall register immediately after having incurred election advertising expenses of a total amount of five hundred dollars and may not register before the issue of the writ.

(2) An application for registration shall be sent to the Chief Electoral Officer in the prescribed form and shall include

- (a) the name, address and telephone number of
 - (i) where the third party is an individual, the individual,
 - (ii) where the third party is a corporation, the corporation and the officer who has signing authority for it, and
 - (iii) where the third party is a group, the group and a person who is responsible for the group;
- (b) the signature of the individual, officer or person referred to in subclause (a)(i), (ii) or (iii), respectively, as the case may be;
- (c) the address and telephone number of the office of the third party where its books and records are kept and of the office to which communications may be addressed; and

(d) the name, address and telephone number of the third party's financial agent.

(3) An application under subsection (2) must be accompanied by a declaration signed by the financial agent accepting the appointment.

(4) If the third party is a trade union, corporation or other entity with a governing body, the application must include a copy of the resolution passed by its governing body authorizing it to incur election advertising expenses.

(5) The Chief Electoral Officer shall, after receiving an application, determine whether the requirements set out in subsections (1) to (4) are met and shall then notify the person who signed the application whether the third party is registered.

(6) Where the Chief Electoral Officer refuses to register a third party, the Chief Electoral Officer shall give reasons for the refusal.

(7) A third party may not be registered under a name that, in the opinion of the Chief Electoral Officer, is likely to be confused with the name of a candidate, registered party, or other registered third party.

(8) The registration of a third party is valid only for the election period during which the application is made, but the third party continues to be subject to the requirement to file an election advertising report under subsection 282(1).

279 (1) A third party that is required to register under subsection 278(1) shall appoint a financial agent who may be a person who is authorized to sign an application for registration made under that subsection.

(2) The following persons may not act as the financial agent of a registered third party

(a) a member of the House of Assembly;

(b) a candidate;

(c) an auditor acting for a registered party, an electoral district association or a candidate;

(d) an election officer or an employee of Elections Nova Scotia;

(e) an individual who does not have full capacity to enter into contracts;

(f) an individual who, at any time in the previous seven years, has been convicted of an offence under this Act or the former Act.

(3) A financial agent may authorize a person to accept contributions or incur election advertising expenses, but that authorization does not limit the responsibility of the financial agent.

280 The Chief Electoral Officer shall maintain, for the period that the Chief Electoral Officer considers appropriate, a registry of third parties in which is recorded, in relation to each registered third party, the information referred to in subsection 278(2).

281 (1) Every contribution made during an election to a registered third party for election advertising purposes must be accepted by, and every election advertising expense incurred on behalf of a third party must be authorized by, its financial agent.

(2) No registered third party shall use a contribution for election advertising if the registered third party does not know the name and address of the contributor or is otherwise unable to determine within which class of contributor referred to in subsection 282(5) the contributor falls.

282 (1) Every third party that is required to be registered in accordance with subsection 278(1) shall file an election advertising report in the prescribed form with the Chief Electoral Officer within four months after election day.

(2) An election advertising report shall contain

(a) in the case of a general election,

(i) a list of election advertising expenses referred to in subsection 275(2) and the time and place of the broadcast or publication of the advertisements to which the expenses relate, and

(ii) a list of all election advertising expenses other than those referred to in subclause (i) and the time and place of broadcast or publication of the advertisements to which the expenses relate; and

(b) in the case of a by-election, a list of election advertising expenses referred to in subsection 275(4) and the time and place of the broadcast or publication of the advertisements to which the expenses relate.

(3) If a third party has not incurred expenses referred to in clause (2)(a) or (b), that fact shall be indicated in its election advertising report.

(4) The election advertising report shall include

(a) the amount, by class of contributor, of contributions for election advertising purposes that were received in the period beginning six months before the issue of the writ and ending on polling day;

(b) for each contributor who made contributions of a total amount of more than two hundred dollars for election advertising purposes during the period referred to in clause (a), subject to clause (c), the person's name, address and class, and the amount and date of each contribution;

(c) in the case of a numbered company that is a contributor referred to in paragraph (b), the name of the chief executive officer or president of that company; and

(d) the amount, other than an amount of a contribution referred to in paragraph (a), that was paid out of the third party's own funds for election advertising expenses.

(5) For the purposes of clauses (4)(a) and (b), the following are the classes of contributor:

(a) individuals;

(b) businesses;

(c) commercial organizations;

(d) governments;

(e) trade unions;

- (f) corporations without share capital other than trade unions; and
- (g) unincorporated organizations or associations other than trade unions.

(6) If the third party is unable to identify which contributions were received for election advertising purposes in the period referred to in clause (4)(a), it must list, subject to paragraph (4)(c), the names and addresses of every contributor who donated a total of more than two hundred dollars to it during that period.

(7) An election advertising report shall include the signed declarations of the financial agent and, if different, of the person who signed the application made under subsection 278(2) that the report is accurate.

(8) A registered third party shall, at the request of the Chief Electoral Officer, provide the original of any bill, voucher or receipt in relation to an election advertising expense that is in an amount of more than fifty dollars.

283 The Chief Electoral Officer may make a correction in a report referred to in subsection 282(1) if the error does not materially affect the substance of the report.

284 The Chief Electoral Officer shall, in the manner the Chief Electoral Officer considers appropriate,

- (a) publish the names and addresses of registered third parties, as they are registered; and
- (b) publish, within one year after the issue of the writ, reports made under subsection 282(1).

PAGES 109 to 127, Clauses 271 to 361 - renumber as 285 to 375.

PAGE 111, subclause 280(1) (renumbered as 294(1)),

- (a) **line 1** - delete "281 to 285" and substitute "295 to 299"; and
- (b) **line 3** - delete "282(2)" and substitute "298(2)".

PAGE 111, subclause 280(2) (renumbered as 294(2)), line 1 - delete "281(2)" and substitute "295(2)".

PAGE 112, subclause 283(1) (renumbered as 297(1), line 5 - delete "281(3) and substitute "295(3)".

PAGE 112, Clause 285 (renumbered as 299), line 3 - delete "280 and substitute "294".

PAGE 114, Clause 299 (renumbered as 313)

- (a) **line 1** - add "or financial agent" after "agent"; and
- (b) **line 2** - add "or financial agent" after "agent".

PAGE 115, Clause 308 (renumber as 322),

- (a) **paragraph (a)**
 - (i) **line 1** - delete "344(1)" and substitute "358(1)", and
 - (ii) **line 2** - delete "344(3) and substitute "358(3)".
- (b) **paragraph (b)** - delete "345" and substitute "359"; and
- (c) **paragraph (c)** - delete "346" and substitute "360".

PAGE 116, Clause 314 (renumbered as 328), line 1 - delete "313" and substitute "327".

PAGE 119, Clause 329 (renumbered as 343), line 1 - delete "313 to 328" and substitute "327 to 342".

PAGE 120, Clause 331 (renumbered as 345), line 1 - delete "332" and substitute "346".

PAGE 120, Clause 332 (renumbered as 346), line 1 - delete "331" and substitute "345".

PAGE 120, Clause 333 (renumbered as 347), line 2 - delete "331 and 332" and substitute "345 and 346".

PAGE 122, subclause 342(1) (renumbered as 356(1)),

- (a) **paragraph (c), line 2** - delete "343" and substitute "357"; and
- (b) **paragraph (d), line 2** - delete "40(4) and (6) and substitute "21(4) and (5)".

PAGE 124, subclause 344(1) (renumbered as 358), line 2 - delete "347" and substitute "361".