

## Third Party Advertisers (TPA's)

September 27, 2018

The Township of Oro-Medonte has received enquiries regarding Third Party Advertisers (TPA's.) To provide clarification pertaining to TPA's, and taking into consideration that the 2018 Municipal Election marks the first time legislation has been established by the Provincial government pertaining to TPA's, please see the list of frequently asked questions below.

### 1. What is Third Party Advertising?

Third party advertising refers to advertisements or other materials that support, promote or oppose a candidate, or support, promote or oppose a “yes” or “no” answer to a question on the ballot. Given that there are no questions on the Oro-Medonte 2018 Municipal Elections ballot supporting, promoting or opposing a “yes” or “no” answer to a question, TPA's in this regard do not apply.

To review detailed information regarding TPA's please see: [2018 Guide for Third Party Advertisers.](#)

### 2. Are TPA's legal?

Yes, TPA's are permitted, provided that they follow the regulations and guidelines established under the Ontario Municipal Elections Act, and the Ministry of Municipal Affairs and Housing.

### 3. Who decided TPA's should be permitted?

The Ontario Provincial government introduced TPA's as one of the many legislative changes that were made to the Ontario Municipal Elections Act. The 2018 municipal election is the first time that these changes have been implemented.

#### 4. Who can be a TPA?

An individual, corporation or trade union is qualified to register with the municipal Clerk to be a third party advertiser in a municipality. Once registered, a TPA is permitted to advertise to the voters in the municipality in which they are registered. Third party in this context is a person or entity who is **not** a candidate. Similar to a candidate running in the municipal election, TPA's are held accountable to applicable legislation.

#### 5. What can TPA's do?

TPA's have the ability to provide communication materials in the form of advertising that promotes, supports or opposes a candidate running in the Ontario municipal elections. Advertising methods may include websites, social media, brochures, signs, postcards, business cards etc.

It is important to note that in order for a TPA to undertake any advertising, they must be registered with the municipal Clerk to be a third party advertiser in a municipality. Third parties can register in any lower-tier or single-tier municipality (city, town, township, etc.). Third parties cannot register in an upper-tier municipality (a region or county).

#### 6. Which legislation governs TPA's?

The Ontario Municipal Elections Act governs TPA's.

Section 1 of the Municipal Elections Act (MEA) defines a third party advertisement as:

“third party advertisement” means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing,

(a) a candidate, or

(b) a “yes” or “no” answer to a question referred to in subsection 8 (1), (2) or (3),

but does not include an advertisement by or under the direction of a candidate or an advertisement described in subsection (2) or (2.1)”

For further details, please see [Ontario Municipal Elections Act, 1996, S.O. 1996, c. 32.](#)

## **7. How are TPA's held accountable?**

TPA's are required to follow financial and reporting requirements in a similar manner to that of a candidate running in the municipal election.

## **8. Who is registered as a TPA in Oro-Medonte?**

For a complete listing of registered TPA's in Oro-Medonte, please visit <https://www.oro-medonte.ca/elections> and select the Nominations and Registrations page or see: [Nominations and Registrations](#). Registrations may be submitted to the municipal Clerk until the end of business day on Friday, October 19, 2018. Please note that the Township's website will be updated accordingly with any additional TPA's.

## **9. If the TPA is a corporation, how do I determine who the Officers of the corporation (Board of Directors) are?**

A written request is required to be submitted to the Clerk's office. Copies of TPA registration forms shall be provided. Please note that applicable photocopy costs will apply. Alternatively, TPA registration forms may be viewed in person at the Township Administration Centre.

## **10. What role can candidates have with TPA's?**

According to the Elections Act, "for greater certainty, third party advertisements shall not be under the direction of a candidate whose nomination has been filed."

## **11. How do I establish a TPA?**

The first step to establishing a TPA is to register with the municipal Clerk. Please visit the [Township's website](#) or the [Ministry of Municipal Affairs and Housing website](#) for details, including necessary forms regarding establishing a TPA.

## **12. I have received communication about the upcoming municipal election in my mailbox, e-mail and through social media. How can I tell if the information is from the Township or from a TPA?**

All Township communication contains the Township logo and directs the reader to the Township website.

To date, the Township has provided the following communication through regular mail regarding the upcoming municipal election:

1. Voter Notification Letter containing necessary voting credentials for participation in the upcoming municipal election.
2. The Municipal Elections postcard below containing information regarding voting dates and locations.

The postcard features the Oro-Medonte logo and the text 'MUNICIPAL ELECTIONS'. It states: 'A Voter Notification Letter will be delivered to each elector on the voters' list which will contain voting credentials and instructions.' It lists voting locations and times: Big Cedar Oldhouse Voter Help Centre (1844 Line 13 N, Oct 16, 10:00 am - 1:00 pm), Mount St. Louis Moonstone Voter Help Centre (24 Mount St. Louis Moonstone Rd. W., Oct 18, 1:00 pm - 6:00 pm; Oct 22, 10:00 am - 8:00 pm), and Township Administration Centre (148 Line 7 S, Oct 12, 9:00 am - 4:30 pm; Oct 13, 10:00 am - 1:00 pm; Oct 15-19, 8:30 am - 4:30 pm; Oct 22, 8:30 am - 8:00 pm). It includes a 'CANDIDATES' list: Mayor (Sandy Agnew, John Crawford, Harry Hughes), Deputy Mayor (Ralph Hough, Scott Jermy), Ward 1 Councillor (John Thornton, Ian Veitch), Ward 2 Councillor (Tammy DeSousa, Scott Macpherson), Ward 3 Councillor (Phil Hall, Cathy Keane), Ward 4 Councillor (Erin Decline, Shawn Scott, Bruce Wiggins), Ward 5 Councillor (Randy Greenlaw, Joan Kelly), English - Public School Board Trustee (Peter Beacock, Kelly Kramer), English - Separate School Board Trustee (Francis B. Smith - Acclaimed), French - Public School Board Trustee (Guy Belcourt, Savaria Caruso, Eric Lapointe), and French - Separate School Board Trustee (Ryan Malenfant, Claire Thibodeau). It also provides contact information: 'Questions? Contact Us 705-487-4020 elections@oro-medonte.ca' and the website 'WWW.ORO-MEDONTE.CA/ELECTIONS'. A large 'OCT. 22' graphic is present. A reminder at the bottom says 'Remember - Voting on Election Day, October 22, is by phone or internet only.' and 'Accessible Formats Available Upon Request.'

If you have received any information other than the two communication pieces referenced above, the material has been provided to you independent of the Township. Additionally, the Township has had election related information included with summer and fall editions of North Simcoe Life and the Community Information Guide.

### 13. Will the Township take action to shut down a TPA and their methods of advertising?

If a registered TPA is adhering to the established regulations and guidelines, the Township does not have authority to intervene.

Residents and business owners are encouraged to visit the [Elections page](#) of the Township's website, and social media channels; [Facebook](#) and [Twitter](#) to obtain the facts regarding the municipal election.