



Province of Alberta

ELECTION FINANCES AND CONTRIBUTIONS DISCLOSURE ACT

Revised Statutes of Alberta 2000
Chapter E-2

Current as of April 16, 2026

Office Consolidation

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Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

Amendments Not in Force

This consolidation incorporates only those amendments in force on the consolidation date shown on the cover. It does not include the following amendments:

2025 cP-25.5 s240 amends s1(1)(a.02).

2025 c10 s16 amends s1(1)(l)(i).

Regulations

The following is a list of the regulations made under the *Election Finances and Contributions Disclosure Act* that are filed as Alberta Regulations under the Regulations Act

Alta. Reg.	Amendments
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Election Finances and Contributions

Disclosure Act

Prohibited Corporations	193/94
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HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of Alberta, enacts as follows:

Interpretation

1(1) In this Act,

- (a) “Alberta employee organization” means any organization that bargains collectively for employees in Alberta, and for the purposes of this Act all branches in Alberta of an employee organization are deemed to be one employee organization;
- (a.01) “Alberta trade union” means a trade union as defined by the *Labour Relations Code*, the *Public Service Employee Relations Act* or the *Canada Labour Code* (Canada) that holds bargaining rights for employees in Alberta, and for the purposes of this Act all locals of a trade union are deemed to be one trade union;
- (a.02) “audited financial statement” means a financial statement that has been independently audited by a professional accounting firm registered under the *Chartered Professional Accountants Act* and authorized to perform an audit engagement;

- (a.1) “by-election” means an election other than a general election;
- (a.2) “campaign expense” means a campaign expense described in section 1.1;
- (b) “campaign period” means
 - (i) repealed 2021 c24 s5(2),
 - (ii) in the case of a general election as defined in the *Election Act*, the period commencing with the issue of a writ for the election and ending 2 months after election day,
 - (iii) repealed 2021 c24 s5(2),
 - (iii.1) in the case of an election under the *Alberta Senate Election Act* held in conjunction with a general election as defined in the *Election Act*, the period commencing with the issue of a writ for the election and ending 2 months after election day,
 - (iii.2) in the case of an election under the *Alberta Senate Election Act* held in conjunction with the general elections under the *Local Authorities Election Act*, the period from January 1 to December 31 in the year in which the election is held,
 - (iii.3) in the case of an election under the *Alberta Senate Election Act* held separately on a date provided for in an order under section 5(1) of that Act, the period commencing on the date that the order under section 5(1) of that Act is passed and ending 2 months after election day,
 - (iv) in the case of a by-election, the period commencing with the issue of a writ for the by-election and ending 2 months after election day, and
 - (v) repealed 2025 c7 s7(2);
 - (vi) in the case of a leadership contest, the period beginning on the date the leadership contestant is required to register under section 9.2 and ending 2 months after the day on which a leadership contestant is selected to be the leader of the registered party;
- (c) “candidate” means

- (i) with respect to an election under the *Election Act*, a person
 - (A) who is endorsed as the candidate of a registered party for the electoral division, or
 - (B) who, after the commencement of the campaign period, declares the person's candidacy as an independent candidate at the election in the electoral division;
- (ii) with respect to an election under the *Alberta Senate Election Act*, a person
 - (A) who is endorsed as a candidate of a registered party for the purposes of that election, or
 - (B) who, after the commencement of the campaign period, declares the person's candidacy as an independent candidate at the election;
- (d) "constituency association" with reference to an electoral division means the association or organization endorsed by a registered party or an elected independent member of the Legislative Assembly as the official association of that party or independent member in the electoral division;
- (e) "contribution" means, subject to subsection (5), and except where otherwise indicated, the provision of money, real property, goods or services, or the use of real property, goods or services, without compensation
 - (i) to a political party, constituency association, prospective candidate association, candidate or leadership contestant, or
 - (ii) for the benefit of a political party, constituency association, prospective candidate association, candidate, prospective candidate or leadership contestant with the consent of the person or entity receiving the benefit;
- (f) "election" means
 - (i) an election of a person as a member of the Legislative Assembly conducted under the *Election Act*, and
 - (ii) an election of a person under the *Alberta Senate Election Act*;
- (f.01) "Election Commissioner" means the Election Commissioner as defined in the *Election Act*;

- (f.02) “election day” means the day set pursuant to the *Election Act*, the *Alberta Senate Election Act*, the *Recall Act* or the *Referendum Act* for voting at an election, a recall vote or a referendum, as the case may be;
- (f.03) “election expense” means, subject to Part 5.1, an expense incurred or a non-monetary contribution accepted by any of the following to the extent that the expense or contribution is used during an election period to directly promote or oppose a registered party, its leader or a registered candidate:
 - (i) a registered party;
 - (ii) a registered constituency association;
 - (iii) a registered prospective candidate association;
 - (iv) a registered candidate;
- (f.1) “election period” means the period commencing the day the writ of election is issued for an election and ending at the end of the election day;
- (g) “employee organization” means an organization, other than a trade union, that bargains collectively for employees;
- (g.1) “federal political party” has the same meaning as “political party” in the *Canada Elections Act* (Canada);
- (h) “financial institution” means a bank, a treasury branch, a credit union, a loan corporation or a trust corporation;
- (i) “general election” means a general election as defined in the *Election Act* and includes an election under the *Alberta Senate Election Act*;
- (i.01) “General Revenue Fund” has the same meaning as in the *Financial Administration Act*;
- (i.1) “leadership contest” means the procedure by which a registered party selects a leader;
- (i.2) “leadership contestant” means a person who seeks the leadership of a registered party at a leadership contest called by that party for that purpose;
- (i.3) “leadership vote” means the vote at which the leader of a registered party is selected;

- (i.31) “local political party” has the same meaning as in the *Local Authorities Election Act*;
- (i.4) repealed 2025 c7 s7(2);
- (i.5) “nomination contestant” means a person seeking endorsement as the candidate of a registered party;
- (i.6) “permitted person or entity” means
 - (i) a person ordinarily resident in Alberta,
 - (ii) a corporation carrying on business in Alberta that is not a prohibited corporation, or
 - (iii) an Alberta trade union or Alberta employee organization;
- (j) “person” means an individual;
- (j.1) “political party” means an organization, one of the purposes of which is to participate in public affairs by endorsing one or more of its members as candidates and supporting their election;
- (k) repealed 2021 c24 s5(2);
- (k.1) “predecessor party” means a party that has merged with one or more registered parties to form a successor party and whose registration has been cancelled under section 11.3(c);
- (l) “prohibited corporation” means
 - (i) a Provincial corporation as defined in the *Financial Administration Act*, and includes a management body within the meaning of the *Alberta Housing Act* and a provincial health agency, a regional health authority, a provincial health corporation and a subsidiary health corporation under the *Provincial Health Agencies Act*,
 - (ii) a municipality,
 - (iii) a Metis settlement,
 - (iv) a board of a school division under the *Education Act*,
 - (v) a public post-secondary institution under the *Post-secondary Learning Act*,
 - (vi) repealed 2012 c5 s58,

- (vi.1) a corporation associated with a corporation referred to in subclauses (i) to (v) as determined under subsections (2.1) to (2.3),
 - (vi.2) a corporation that does not carry on business in Alberta,
 - (vi.3) a registered charity,
 - (vi.4) a publicly funded corporation as determined by the regulations, or
 - (vii) any corporation, or corporation within a class of corporation, designated by the Lieutenant Governor in Council as a prohibited corporation;
- (1.01) “prohibited person or entity” means
- (i) a person not ordinarily resident in Alberta,
 - (ii) a prohibited corporation,
 - (iii) a trade union or an employee organization that is not an Alberta trade union or Alberta employee organization, and
 - (iv) an unincorporated association or organization not operating in Alberta;
- (1.02) “prospective candidate” means a person for whose benefit a prospective candidate association is established;
- (1.03) “prospective candidate association” means an entity established by or on behalf of a person as the official association of the person for the purpose of supporting the person’s prospective campaign for election as a member of the Legislative Assembly;
- (1.1) “recorded mail” means a form of document delivery by mail or courier in which receipt of the document must be acknowledged in writing;
- (m) “registered candidate” means a candidate registered under this Act;
- (m.1) “registered charity” means a registered charity within the meaning of subsection 248(1) of the *Income Tax Act* (Canada);
- (n) “registered constituency association” means a constituency association registered under this Act;

- (n.1) “registered leadership contestant” means a leadership contestant registered under section 9.2;
- (n.2) repealed 2021 c24 s5(2);
- (o) “registered party” means a political party registered under this Act;
- (o.1) “registered predecessor party” means a registered party that is merging or intends to merge with one or more registered parties to form a successor party;
- (o.11) “registered prospective candidate association” means a prospective candidate association that is registered under section 8.1;
- (o.2) “registered successor party” means a successor party registered under this Act;
- (o.21) “Senate election” means an election conducted under the *Alberta Senate Election Act*;
- (o.3) “successor party” means a party formed by the merger of 2 or more registered predecessor parties;
- (p) “trade union” means an organization of employees that has a written constitution, rules or bylaws and has as one of its objects the regulation of relations between employers and employees;
- (q) “unincorporated association or organization” includes a trade union and an employee organization.

(1.1) Definitions of terms in Part 6.1, 6.11 or 6.12 apply, as the case may be, to those terms where used in the rest of this Act.

(2) For the purposes of this Act, a document that is required to be filed with the Chief Electoral Officer is filed when it is actually received by the Chief Electoral Officer.

(2.01) The Chief Electoral Officer may issue guidelines

- (a) to identify which documents required to be filed under this Act may be filed electronically, and
- (b) the manner in which they may be filed,

and shall publish any guidelines on the Chief Electoral Officer’s website.

(2.1) For the purposes of this Act,

- (a) a corporation is associated with another corporation if one of them is the subsidiary of the other or both are subsidiaries of the same corporation or each of them is controlled by the same person, and
- (b) if 2 corporations are associated with the same corporation at the same time, they are deemed to be associated with each other.

(2.2) For the purposes of this Act, a corporation is controlled by a person if

- (a) securities of the corporation to which are attached more than 50% of the votes that may be cast to elect directors of the corporation are held, other than by way of security only, by or for the benefit of that person, and
- (b) the votes attached to those securities are sufficient, if exercised, to elect a majority of the directors of the corporation.

(2.3) For the purposes of this Act, a corporation is a subsidiary of another corporation if

- (a) it is controlled by
 - (i) that other corporation,
 - (ii) that other corporation and one or more corporations, each of which is controlled by that other corporation, or
 - (iii) 2 or more corporations, each of which is controlled by that other corporation,

or

- (b) it is a subsidiary of a corporation that is that other corporation's subsidiary.

(3) Corporations that are associated with one another as determined under subsections (2.1) to (2.3) are considered a single corporation for the purposes of this Act.

(3.1) Repealed 2012 c5 s58.

(4) Nothing done or omitted to be done by a corporation is a contravention of this Act solely because that corporation subsequently becomes associated with any other corporation.

(5) For the purposes of subsection (1)(c), “services” does not include

- (a) volunteer labour provided by a person, so long as that person does not receive from his or her employer, or any person, compensation or paid time off to volunteer,
- (b) audit and professional services provided free of charge to the recipient for work relating to compliance with this Act,
- (c) services provided free of charge by a person acting as the chief financial officer for work relating to compliance with this Act, or
- (d) services that a candidate or leadership contestant provides in support of his or her own campaign,

but for greater certainty, “services” includes services provided by a person who is self-employed if the services are normally charged for by that person.

(6) For the purposes of subsection (1)(f.03),

- (a) the use of goods in a 2nd or subsequent election is a non-monetary contribution, and
- (b) an election expense includes an expense incurred for, or a non-monetary contribution in relation to,
 - (i) the production of advertising or promotional material,
 - (ii) the distribution, broadcast or publication of advertising or promotional material in any media or by any other means during the election period, including by the use of a capital asset,
 - (iii) the payment of remuneration and expenses to or on behalf of a person for the person’s services as a chief financial officer or in any other capacity,
 - (iv) securing a meeting space, or
 - (v) the conduct of election surveys or other surveys or research during an election period.

(7) For the purposes of subsections (1)(f.03) and (6), “expense incurred” means an expense that is incurred, whether it is paid or unpaid.

(8) If a provision of this Act authorizes the exercise of a right or power or the performance of a duty

- (a) by a prospective candidate in respect of a prospective candidate association, the application of the provision is limited to the prospective candidate association established for the benefit of the prospective candidate, or
- (b) by a prospective candidate association in respect of a prospective candidate,
 - (i) the application of the provision is limited to the prospective candidate for whose benefit the prospective candidate association was established, or
 - (ii) the authority to exercise the right or power or perform the duty, as the case may be, continues if the prospective candidate
 - (A) is endorsed by a registered party,
 - (B) becomes a registered candidate,
 - (C) becomes a member of the Legislative Assembly, or
 - (D) subject to section 12.3, ceases to be a registered candidate.

RSA 2000 cE-2 s1;2001 c28 s9;2004 c23 s83;2010 c8 s56;
2012 cE-0.3 s267;2012 c5 s58;2014 cC-10.2 s175;2015 c15 s2;
2016 c29 s2;2017 c29 s116;2019 cA-33.5 s51(2);2019 c15 s14;
2020 c20 s11(2);2021 c24 s5(2);2024 c10 s12;2025 c7 s7(2);
2025 c10 s16

Campaign expenses

1.1(1) For the purposes of this Act, a campaign expense is an expense incurred or non-monetary contribution accepted

- (a) by a registered party, registered constituency association, registered prospective candidate association or registered candidate, to the extent that the property or service for which the expense was incurred, or that was received as a non-monetary contribution, is used during a campaign period to directly promote or oppose a registered party, its leader, a registered constituency association, a registered prospective candidate association or a registered candidate, or

- (b) by a registered leadership contestant, to the extent that the property or service for which the expense was incurred, or that was received as a non-monetary contribution, is used during the campaign period of a leadership contest to directly promote or oppose a leadership contestant.

(2) For the purposes of this section, the use of goods in a 2nd or subsequent election is a non-monetary contribution.

(3) A campaign expense referred to in subsection (1) includes an expense incurred for, or a non-monetary contribution in relation to,

- (a) the production of advertising or promotional material,
- (b) the distribution, broadcast or publication of advertising or promotional material in any media or by any other means during a campaign period, including by the use of a capital asset,
- (c) the payment of remuneration and expenses to or on behalf of a person for the person's services as a chief financial officer or in any other capacity,
- (d) securing a meeting place, or
- (e) the conduct of election surveys or other surveys or research during a campaign period.

(4) In subsection (1), "expense incurred" means an expense that is incurred, whether it is paid or unpaid.

2016 c29 s3;2019 cA-33.5 s51(3);2025 c7 s7(3)

2 Repealed 2016 c29 s4.

3 Repealed 2025 c7 s7(4).

Part 1

The Chief Electoral Officer

Duties of Chief Electoral Officer

4(1) The Chief Electoral Officer, in addition to the Chief Electoral Officer's other powers and duties under this Act, the *Election Act*, the *Alberta Senate Election Act*, the *Citizen Initiative Act*, the *Recall Act* and the *Referendum Act*,

- (a) may examine all financial statements, returns or reports required to be filed with the Chief Electoral Officer;

- (b) may inquire into the financial affairs and records of
 - (i) registered parties, registered constituency associations and registered prospective candidate associations,
 - (i.1) registered successor parties, predecessor parties and constituency associations of predecessor parties,
 - (ii) registered candidates in relation to election campaigns,
 - (ii.1) registered leadership contestants in relation to leadership contests, and
 - (ii.2) repealed 2025 c7 s7(5),
 - (iii) registered third parties in relation to
 - (A) election advertising or political advertising under Part 6.1,
 - (B) Senate election advertising under Part 6.11,
 - (C) referendum advertising under Part 6.12,
 - (D) initiative advertising under the *Citizen Initiative Act*, and
 - (E) recall advertising under the *Recall Act*;
- (b.1) repealed 2017 c29 s117;
- (c) shall provide or approve forms for the purposes of this Act;
- (d) shall, with respect to a registered party, a registered constituency association and a registered prospective candidate association, publish the financial statements required to be filed with the Chief Electoral Officer under section 42;
- (d.1) with respect to a registered successor party, a predecessor party and a constituency association of a predecessor party, shall publish the financial statements required to be filed with the Chief Electoral Officer under section 11.6;
- (e) with respect to a registered party, registered constituency association and registered prospective candidate association, shall publish a statement on the Chief Electoral Officer's website within 30 days after the date on which a report is filed with the Chief Electoral Officer under section 32(3), which statement must include the name of any contributor

referred to in the report who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed;

- (f) with respect to a registered party and a registered candidate, shall publish a statement on the Chief Electoral Officer's website within 30 days after the date on which a campaign return is filed with the Chief Electoral Officer under section 43, which statement must include the name of any contributor referred to in the return who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed;
- (g) repealed 2025 c7 s7(5);
- (h) with respect to a registered leadership contestant, shall publish a statement on the Chief Electoral Officer's website within 30 days after the date on which a leadership contestant campaign return is filed with the Chief Electoral Officer under section 43.02, which statement must include the name of any contributor referred to in the return who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed;
- (i) with respect to a third party that engages in election advertising, shall publish a statement on the Chief Electoral Officer's website
 - (i) within 30 days after the date on which an election advertising return referred to in section 44.9(1) or a report referred to in section 44.9(3) is filed, which statement must include the name of any contributor referred to in the return or report who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed, and
 - (ii) as soon as reasonably possible after the date on which a report referred to in section 44.81 is filed with the Chief Electoral Officer, which statement must include the name of any contributor referred to in the report who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed;
- (i.1) with respect to a third party that engages in Senate election advertising, shall publish a statement on the Chief Electoral Officer's website
 - (i) within 30 days after the date on which an election advertising return referred to in section 44.9498(1) or a

report referred to in section 44.9498(3) is filed, which statement must include the name of any contributor referred to in the return or report who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed, and

- (ii) as soon as reasonably possible after the date on which a report referred to in section 44.9497 is filed with the Chief Electoral Officer, which statement must include the name of any contributor referred to in the report who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed;
- (i.2) with respect to a third party that engages in referendum advertising, shall publish a statement on the Chief Electoral Officer's website
 - (i) within 30 days after the date on which a referendum advertising return referred to in section 44.9499991(1) or a report referred to in section 44.9499991(2) is filed, which statement must include the name of any contributor referred to in the return or report who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed, and
 - (ii) as soon as reasonably possible after the date on which a report referred to in section 44.949999 is filed with the Chief Electoral Officer, which statement must include the name of any contributor referred to in the report who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed;
- (j) with respect to a third party that engages in political advertising, shall publish a statement on the Chief Electoral Officer's website
 - (i) within 30 days after the date on which a political advertising report is filed with the Chief Electoral Officer under section 44.82(2), which statement must include the name of any contributor referred to in the report who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed, and
 - (ii) as soon as reasonably possible after the date on which a report referred to in section 44.82(5) is filed with the Chief Electoral Officer, which statement must include the name of any contributor referred to in the report who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed.

(2) The Chief Electoral Officer shall after the end of each year prepare a report on the exercise of the Chief Electoral Officer's functions under this Act, including any recommendations for amendments to this Act, and shall transmit the report to the Standing Committee on Legislative Offices, which shall on its receipt lay the report before the Assembly if it is then sitting or, if it is not then sitting, within 15 days after the commencement of the next sitting of the Assembly.

(3) If the Chief Electoral Officer becomes aware that one or more contributions in excess of a limit set out in this Act was made to or accepted by or on behalf of a registered party, registered constituency association, registered prospective candidate association, registered candidate, registered leadership contestant or registered third party, the Chief Electoral Officer must advise the chief financial officer of the person or entity, as the case may be, to

- (a) provide the Chief Electoral Officer with information in the possession of the chief financial officer, if any, respecting the circumstances of the contribution, and
- (b) do one of the following, as applicable:
 - (i) if the identity of the contributor is known, return the portion of the contribution that exceeds the applicable limit to the contributor;
 - (ii) if the identity of the contributor cannot be determined, transfer the amount of the contribution that has been identified by the Chief Electoral Officer to exceed a limit set out in this Act to the Chief Electoral Officer.

(4) The Chief Electoral Officer must deposit the funds received under subsection (3) into the General Revenue Fund.

RSA 2000 cE-2 s4;2004 c23 s84;2010 c8 s57; 2012 c5 s61;2016 c29 s5;
2017 c29 s117;2019 cA-33.5 s51(4);2019 c15 s14;2020 c19 s15(25);
2020 c20 s11(3);2021 c24 s5(3);2025 c7 s7(5)

Powers of Chief Electoral Officer

5(1) For the purposes of carrying out an examination or inquiry referred to in section 4(1), the Chief Electoral Officer has all the powers of a commissioner under the *Public Inquiries Act* as though the examination or inquiry were an inquiry under that Act.

(2) For the purpose of carrying out an examination or inquiry referred to in section 4(1), a representative of the Chief Electoral Officer, on production of the representative's authorization from the Chief Electoral Officer, may at any reasonable time enter any premises referred to in the authorization in which books or documents of a political party, constituency association,

prospective candidate association, candidate, leadership contestant or third party relevant to the subject-matter of the examination or inquiry are kept and may examine and make copies of the books or documents or remove them temporarily for the purpose of making copies.

(2.1) Before entering a private dwelling or a part of premises used as a private dwelling to carry out the powers described in subsection (2), a representative of the Chief Electoral Officer shall

- (a) obtain the consent of the occupant or the legal representative of the occupant of the private dwelling or the part of the premises used as a private dwelling, or
- (b) obtain an order from the Court.

(3) A registered party, registered constituency association, registered prospective candidate association, registered candidate, registered leadership contestant or registered third party shall, within 30 days after receiving a written request from the Chief Electoral Officer or within an extended period that the Chief Electoral Officer may determine, provide any information or documents with respect to the financial affairs of the registered party, registered constituency association, registered prospective candidate association, registered candidate, registered leadership contestant or registered third party that is reasonably required by the Chief Electoral Officer in the course of the Chief Electoral Officer's duties under this Act.

(4) A registered successor party shall, within 30 days after receiving a written request from the Chief Electoral Officer or within an extended period that the Chief Electoral Officer may determine, provide any information or documents with respect to the financial affairs of the registered successor party, any of its predecessor parties or a constituency association of any of its predecessor parties that is reasonably required by the Chief Electoral Officer in the course of the Chief Electoral Officer's duties under this Act.

RSA 2000 cE-2 s5;2010 c8 s58;2012 c5 s62;2016 c29 s6;2017 c29 s118;
2019 c15 s14;2021 c24 s5(4);2025 c7 s7(6)

Chief Electoral Officer's advice

5.01(1) A person or entity to which this Act applies may request that the Chief Electoral Officer provide the person or entity with advice on the person's or entity's powers, duties or rights under this Act.

(2) The Chief Electoral Officer may, in writing, provide a person or entity that made a request under subsection (1) with advice that

- (a) sets out the material facts on which the request is based,
- (b) is based on the facts referred to in clause (a), and
- (c) may be based on any other considerations the Chief Electoral Officer considers appropriate.

(3) If a person or entity that made a request under subsection (1) becomes aware of a change to a material fact on which the request is based before the Chief Electoral Officer provides advice in accordance with subsection (2), the person or entity must, as soon as practicable, notify the Chief Electoral Officer of the change.

(4) Subject to subsection (5), the Chief Electoral Officer must keep confidential the advice provided to a person or entity under subsection (2) except in the following circumstances:

- (a) the person or entity, as the case may be, makes it publicly available;
- (b) the person or entity, as the case may be, provides the Chief Electoral Officer with written consent to make it publicly available or specifically available to a particular person or entity;
- (c) it is required to be disclosed for the purpose of a proceeding.

(5) The Chief Electoral Officer may make the following advice publicly available:

- (a) advice of a general nature in respect of the enforcement, interpretation or application of a provision of this Act;
- (b) advice provided under subsection (2) if identifying information about the person or entity that made the request under subsection (1) has been removed.

(6) For greater certainty, a reference to advice in subsection (2) or (5) includes the following:

- (a) the material facts set out in the advice;
- (b) other considerations on which the Chief Electoral Officer's advice is based;
- (c) a recommendation included as part of the advice.

(7) A person or entity may not be the subject of a civil or administrative proceeding or administrative penalty under this Act to the extent that the proceeding or penalty is based on the person's or entity's reliance on advice provided in accordance with subsection (2) or (5).

2025 c7 s7(7)

5.1 Repealed 2017 c29 s119.

Disclosure

5.2(1) Except as provided in subsections (2) and (3), the Chief Electoral Officer, the Election Commissioner, any former Chief Electoral Officer, any former Election Commissioner, every person who is or was employed or engaged by the Office of the Chief Electoral Officer to carry out the duties of the Chief Electoral Officer and every person who was employed by the Office of the Election Commissioner to carry out the duties of an Election Commissioner shall maintain the confidentiality of all information, complaints and allegations that come to their knowledge.

(2) Information, complaints and allegations to which subsection (1) applies may be

- (a) disclosed by the Chief Electoral Officer to the Election Commissioner for the purpose of carrying out the Election Commissioner's powers, duties and functions under this Act,
- (b) disclosed by the Election Commissioner to the Chief Electoral Officer for the purposes of carrying out the Chief Electoral Officer's powers, duties and functions under this Act,
- (c) disclosed to the person or entity whose conduct is the subject of proceedings under this Act,
- (d) disclosed to a political party if a constituency association, a registered candidate or a leadership contestant of that political party is the subject of an investigation under this Act,
- (d.1) disclosed to the prospective candidate if the prospective candidate association is the subject of an investigation under this Act,
- (e) disclosed to the Minister responsible for the *Alberta Personal Income Tax Act* where a contribution has been

made or accepted in contravention of this Act for which a receipt has been issued under section 33,

- (f) disclosed by a person conducting an investigation to the extent necessary to enable that person to obtain information from another person,
- (g) disclosed in a report made by the Chief Electoral Officer under section 44(1),
- (h) disclosed in the course of an appeal to the Court of King's Bench under section 51.03,
- (i) adduced in evidence at an inquiry, and
- (j) disclosed where the Election Commissioner believes on reasonable grounds that the disclosure is necessary for the purpose of advising the Minister of Justice or a law enforcement agency of an alleged offence under this Act or any other enactment of Alberta or an Act or regulation of Canada.

(3) The Election Commissioner must make the information set out in subsection (4) publicly available on the Chief Electoral Officer's website in the following circumstances:

- (a) the Election Commissioner receives a written request for disclosure from a person or entity that received a notice provided under section 44.97(4) or (5);
- (b) an administrative penalty is imposed or a letter of reprimand is issued under section 51 or 51.01;
- (c) a compliance agreement is entered into under section 51.04;
- (d) the Election Commissioner consents to a prosecution under section 53.

(4) For the purposes of subsection (3), the following information must be made publicly available:

- (a) in the case of a written request received in respect of a notice provided under section 44.97(4) or (5),
 - (i) the person or entity that is the subject of the notice,
 - (ii) each provision of this Act that is the subject of the notice,

- (iii) if the Election Commissioner refused to conduct an investigation under section 44.97(2), the reason for the refusal, and
- (iv) if the Election Commissioner conducted an investigation under section 44.95(a.1) or (b), the outcome of the investigation;
- (b) in the case of an administrative penalty imposed or a letter of reprimand issued under section 51 or 51.01,
 - (i) the name of the person or entity required to pay the administrative penalty or to whom the letter of reprimand was issued, as the case may be,
 - (ii) the provision of this Act that the person or entity contravened, and
 - (iii) if applicable, the amount of the administrative penalty;
- (c) in the case of a compliance agreement entered into under section 51.04,
 - (i) the name of each person or entity that entered into the agreement, and
 - (ii) the terms of the agreement that describe the compliance obligations of each person referred to in subclause (i);
- (d) in the case of the Election Commissioner's consent to a prosecution under section 53,
 - (i) the name of each person or entity that is alleged to have contravened a provision of this Act, and
 - (ii) each provision of this Act that a person or entity referred to in subclause (i) is alleged to have contravened.

(5) Nothing in this section requires the Chief Electoral Officer or Election Commissioner to disclose any information that would reveal the name of a complainant or witness except with the consent of that person or entity or if directed to do so by a court.

2012 c5 s62;2016 c29 s7;2017 c29 s120;2019 c15 s14;2021 c24 s5(5);
2022 c21 s21;AR 217/2022;2025 c7 s7(8)

Duty to provide document or information

5.3(1) On the request of the Election Commissioner, the Chief Electoral Officer shall disclose to the Election Commissioner any document or information that the Chief Electoral Officer obtained under this Act that the Election Commissioner considers necessary

for the purposes of carrying out his or her powers, duties and functions under this Act.

(2) On the request of the Chief Electoral Officer, the Election Commissioner shall disclose to the Chief Electoral Officer any document or information that the Election Commissioner obtained under this Act that the Chief Electoral Officer considers necessary for the purposes of carrying out his or her powers, duties and functions under this Act.

2017 c29 s120

**Duty to refer complaints and allegations
and to report acts or omissions**

5.4 The Chief Electoral Officer shall within a reasonable time

- (a) refer any complaint or allegation received by the Chief Electoral Officer under this Act to the Election Commissioner, and
- (b) report any act or omission that in the Chief Electoral Officer's opinion likely constitutes an offence under this Act to the Election Commissioner.

2017 c29 s120

Part 2 Registration, Requirements and Records

Qualifications for registration of political parties

6 A political party is qualified for registration in the register of political parties if the political party

- (a) held a minimum of 3 seats in the Legislative Assembly following the most recent election,
- (b) in the most recent general election, endorsed a person who was nominated for election in at least 50% of the electoral divisions,
- (c) following the issue of a writ of election for a general election, endorses people who are nominated for election in at least 50% of the electoral divisions, or
- (d) subject to section 7(2.02), at any time other than during a campaign period, provides the Chief Electoral Officer with the names, addresses and signatures of persons who

- (i) represent 0.3% of the total number of electors contained in the register of electors maintained under section 13 of the *Election Act* at the last general election,
- (ii) are currently eligible to vote in an election, and
- (iii) request the registration of that political party.

RSA 2000 cE-2 s6;2010 c8 s59;2012 c5 s63;2019 c15 s14;
2021 c24 s5(6);2025 c7 s7(9)

Registration of political parties

7(1) No political party and no person acting for a political party shall accept contributions for the political party or for any constituency association of the political party unless the political party is registered under this Act.

(1.1) The Chief Electoral Officer shall maintain a register of political parties and, subject to this section, shall register in it any political party that is qualified to be registered and that files with the Chief Electoral Officer an application for registration.

(1.2) An application for registration must set out the following:

- (a) the full name of the political party;
- (b) the political party name and the abbreviation of it to be shown in election documents;
- (c) the name of the leader of the political party;
- (d) the address of the place or places where records of the political party are maintained and of the place to which communications may be addressed;
- (e) the names of the principal officers of the political party;
- (f) the name of the chief financial officer of the political party;
- (g) the name and address of the financial institution holding the account into which contributions made to that political party are to be deposited;
- (h) the name of each signing officer responsible for the account referred to in clause (g);
- (i) an indication of the provision of section 6 under which the political party seeks to qualify for registration;
- (j) a statement by the leader of the political party that one of the political party's purposes is to participate in public affairs

by endorsing one or more of its members as candidates and supporting their election;

- (k) a statement of the assets and liabilities of the political party, as of a date not earlier than 90 days before the date of its application for registration, attested to by its chief financial officer.

(2) On receipt of an application for registration of a political party, the Chief Electoral Officer shall examine the application and determine if the political party is qualified to be registered and

- (a) if the political party is qualified to be registered, enter it in the register of political parties and so inform the political party, or
- (b) if the political party is not qualified to be registered, so inform the political party with written reasons for the determination.

(2.01) The Chief Electoral Officer shall refuse to register a political party if the political party's assets, as set out in the statement referred to in subsection (1.2)(k), exceed \$5000.

(2.02) The Chief Electoral Officer shall refuse to register a political party that seeks to be qualified under section 6(d) if the information referred to in that section is provided to the Chief Electoral Officer fewer than 60 days before the issuance of a writ of election.

(2.03) The Chief Electoral Officer shall refuse to register a political party unless it is incorporated as

- (a) a society under the *Societies Act*,
- (b) a company under Part 9 of the *Companies Act*, or
- (c) a corporation under the *Canada Not-for-profit Corporations Act* (Canada).

(2.1) Repealed 2012 c5 s64.

(3) The Chief Electoral Officer shall not register a political party if, in the Chief Electoral Officer's opinion,

- (a) the proposed name or abbreviation of the name of the political party
 - (i) so nearly resembles the name or abbreviation of the name of a registered party or local political party that the

proposed name or abbreviation of the name has the potential to be confused with the name or abbreviation of the name of that registered party or local political party, or

- (ii) uses a distinctive word or phrase that is uniquely associated with a registered party,
 - (a.1) the proposed name was the name of a registered party whose registration was cancelled or whose name was changed since the last general election,
 - (a.11) the proposed name was the name of a local political party whose registration was cancelled or whose name was changed since the last general election held under the *Local Authorities Election Act*,
 - (a.2) subject to subsection (3.2), the proposed name or abbreviation of the name of the political party
 - (i) was the name or abbreviation of the name of a predecessor party or is the name or abbreviation of the name of a registered predecessor party,
 - (ii) so nearly resembles the name or abbreviation of the name of a predecessor party or registered predecessor party that the proposed name has the potential to be confused with the name or abbreviation of the name of that predecessor party or registered predecessor party, or
 - (iii) uses a distinctive word or phrase that is uniquely associated with a predecessor party or registered predecessor party,
- or
- (b) the proposed name or abbreviation is unacceptable to the Chief Electoral Officer for any other reason.

(3.1) If a registered party changes its name, the Chief Electoral Officer shall not vary the register accordingly if, in the Chief Electoral Officer's opinion,

- (a) the proposed name or abbreviation of the name of the registered party
 - (i) so nearly resembles the name or abbreviation of the name of another registered party or a local political party that the proposed name or abbreviation of the name has the potential to be confused with the name or

abbreviation of the name of the other registered party or the local political party, or

- (ii) uses a distinctive word or phrase that is uniquely associated with another registered party,
- (b) the proposed name was the name of a registered party whose registration was cancelled or whose name was changed since the last general election,
 - (b.1) the proposed name was the name of a local political party whose registration was cancelled or whose name was changed since the last general election held under the *Local Authorities Election Act*,
 - (b.2) subject to subsection (3.2), the proposed name or abbreviation of the name of the registered party
 - (i) was the name or abbreviation of the name of a predecessor party or is the name or abbreviation of the name of a registered predecessor party,
 - (ii) so nearly resembles the name or abbreviation of the name of a predecessor party or registered predecessor party that the proposed name has the potential to be confused with the name or abbreviation of the name of that predecessor party or registered predecessor party, or
 - (iii) uses a distinctive word or phrase that is uniquely associated with a predecessor party or registered predecessor party,

or

- (c) the proposed name or abbreviation is unacceptable to the Chief Electoral Officer for any other reason.

(3.2) Subsections (3)(a.2) and (3.1)(b.2) do not apply if the proposed name or abbreviation of the name of the political party or registered party, as the case may be, is the name or abbreviation of the name, resembles the name or abbreviation of the name or uses a distinctive word or phrase that is uniquely associated with the name of a predecessor party or registered predecessor party to the political party or registered party, as the case may be.

(4) When there is any change in the information required to be provided by subsection (1.2)(a) to (i), the registered party shall notify the Chief Electoral Officer in writing within 30 days after the alteration and, subject to section 10, on receipt of the notice the

Chief Electoral Officer shall vary the register of political parties accordingly.

(5) Notice under subsection (4) may be sent by email or other electronic means approved by the Chief Electoral Officer.

(6) For the purposes of this section, a distinctive word or phrase includes the following, or a combination, abbreviation, other part of speech or other grammatical form of the following:

- (a) advantage;
- (b) communist;
- (c) conservative;
- (d) democratic;
- (e) green;
- (f) independence;
- (g) liberal;
- (h) pro-life;
- (i) reform;
- (j) republican;
- (k) solidarity;
- (l) wildrose.

RSA 2000 cE-2 s7;2004 c23 s85;2010 c8 s60;2012 c5 s64;2016 c29 s50;
2019 c15 s14;2021 c24 s5(7);2025 c7 s7(10);2025 c22 s4

Registration of constituency associations

8(1) No constituency association and no person acting for a constituency association shall accept contributions for the constituency association or for its registered party, if applicable, unless the constituency association is registered under this Act.

(2) The Chief Electoral Officer shall maintain a register of constituency associations and, subject to this section, shall register in it any constituency association of a registered party or of an independent member in an electoral division that is qualified to be registered and that files with the Chief Electoral Officer an application for registration.

(2.1) An application for registration must set out the following:

- (a) the full name of the constituency association and of the registered party or independent member endorsing the constituency association;
- (b) the address of the place or places where records of the constituency association are maintained and of the place to which communications may be addressed;
- (c) the names of the principal officers of the constituency association;
- (d) the name of the chief financial officer of the constituency association;
- (e) the name and address of the financial institution holding the account into which contributions made to that prospective candidate association are to be deposited;
- (f) the name of each signing officer responsible for the account referred to in clause (e);
- (g) a statement of the assets and liabilities of the constituency association, as of a date not earlier than 90 days prior to the date of its application for registration, attested to by the chief financial officer.

(3) On receipt of an application for registration of a constituency association, the Chief Electoral Officer shall examine the application and determine if the constituency association is qualified to be registered and

- (a) if the constituency association is qualified to be registered, enter it in the register of constituency associations and so inform the constituency association, or
- (b) if the constituency association is not qualified to be registered, so inform the constituency association with written reasons for the determination.

(4) When there is any change in the information required to be provided by subsection (2.1)(a) to (f), the registered constituency association shall notify the Chief Electoral Officer in writing within 60 days after the alteration and, subject to section 10, on receipt of the notice the Chief Electoral Officer shall vary the register of constituency associations accordingly.

(5) Notice under subsection (4) may be sent by email or other electronic means approved by the Chief Electoral Officer.

RSA 2000 cE-2 s8;2004 c23 s86;2012 c5 s65;2016 c29 s50;
2021 c24 s5(8);2025 c7 s7(11)

Registration of prospective candidate associations

8.1(1) No prospective candidate association and no person acting for a prospective candidate association shall accept contributions to the prospective candidate association unless the prospective candidate association is registered under this section.

(2) The Chief Electoral Officer must maintain a register of prospective candidate associations and, subject to this section and the regulations, if any, must register in it each prospective candidate association that is qualified to be registered and that files with the Chief Electoral Officer an application for registration.

(3) An application for registration must set out the following:

- (a) the full name of the prospective candidate association and the person establishing the prospective candidate association;
- (b) the full name of the prospective candidate on whose behalf the prospective candidate association is being established;
- (c) whether, at the time of the application,
 - (i) the prospective candidate is registered as a candidate under section 9, or
 - (ii) the prospective candidate is a member of the Legislative Assembly;
- (d) the address of each place where records of the prospective candidate association are maintained and of the place to which communications may be addressed;
- (e) the name of each principal officer of the prospective candidate association;
- (f) the name and contact information of the chief financial officer of the prospective candidate association;
- (g) the name and address of the financial institution holding the account into which contributions made to that prospective candidate association are to be deposited;
- (h) the name of each signing officer responsible for the account referred to in clause (g);
- (i) a statement of the assets and liabilities of the prospective candidate association, as of a date not earlier than 90 days before the date of its application for registration, that is attested to by the chief financial officer;

(j) any other matter prescribed by regulation.

(4) On receipt of an application for registration of a prospective candidate association, the Chief Electoral Officer must examine the application and determine if the prospective candidate association is qualified to be registered and,

- (a) if the prospective candidate association is qualified to be registered, enter it into the register of prospective candidate associations and so inform the prospective candidate association, or
- (b) if the prospective candidate association is not qualified to be registered, so inform the prospective candidate association with written reasons for the determination.

(5) If there is a change to the information required under subsection (3)(a) to (h), the registered prospective candidate association must notify the Chief Electoral Officer in writing within 60 days of the change and, subject to section 10, on receipt of the notice, the Chief Electoral Officer must update the register of prospective candidate associations as necessary.

(6) A notice under subsection (5) may be sent by email or other electronic means approved by the Chief Electoral Officer.

2025 c7 s7(12)

Registration of candidates

9(1) Subject to subsection (1.1), no candidate and no person acting on behalf of a candidate shall

- (a) accept contributions, or
- (b) incur any campaign expenses,

unless the candidate is registered under this section.

(1.1) No registered candidate and no person acting for a registered candidate shall accept contributions or incur any campaign expenses except during the campaign period.

(2) The Chief Electoral Officer shall maintain a register of candidates in relation to each election and, subject to this section, shall register in it any candidate who

- (a) is qualified to be registered,
- (b) files with the Chief Electoral Officer an application for registration, and

- (c) pays to the Chief Electoral Officer a deposit of \$500.

(2.1) An application for registration must set out the following:

- (a) that, in the case of a candidate under the *Election Act*, the candidate
 - (i) has been endorsed as the candidate of a named registered party in a named electoral division and has enclosed with the candidate's application a statement to that effect attested to by the leader of the registered party, or
 - (ii) has, after the commencement of the campaign period, declared the candidate's candidacy as an independent candidate at the election in a named electoral division;
- (b) that, in the case of a candidate under the *Alberta Senate Election Act*, the candidate
 - (i) has been endorsed as the candidate of a named registered party and has enclosed with the candidate's application a statement to that effect attested to by the leader of the registered party, or
 - (ii) has, after the commencement of the campaign period, declared the candidate's candidacy as an independent candidate at the election;
- (c) the full name and contact information of the candidate;
- (d) the political party affiliation, if any, of the candidate attested to by one of the principal officers of the constituency association;
- (d.1) if a prospective candidate association has been registered under section 8.1 for the benefit of the candidate, the full name of the prospective candidate association;
- (e) the address of the place or places where records of the candidate are maintained and of the place to which communications may be addressed;
- (f) the name of the chief financial officer of the candidate;
- (g) the name and address of the financial institution holding the account into which contributions made to that prospective candidate association are to be deposited;
- (h) the name of each signing officer responsible for the account referred to in clause (g).

(3) A candidate who files an application under subsection (2) after the issue of a writ for an election shall be registered on the date the application is approved by the Chief Electoral Officer.

(3.1) On the receipt by the Chief Electoral Officer of a statement referred to in section 9.3, the person endorsed as the candidate of the registered party is deemed to be a registered candidate and is not required to file an application for registration referred to in subsection (2).

(4) When there is any change in the information required to be provided by subsection (2.1), the registered candidate shall notify the Chief Electoral Officer in writing within 48 hours after the alteration and, subject to section 10, on receipt of the notice the Chief Electoral Officer shall vary the register of candidates accordingly.

(4.1) A person who is deemed under subsection (3.1) to be a registered candidate shall notify the Chief Electoral Officer in writing of any change in the information referred to in subsection (2.1)(c) to (h) within 48 hours of the change.

(5) Notice under subsection (4) may be sent by email or other electronic means approved by the Chief Electoral Officer.

RSA 2000 cE-2 s9;2004 c23 s87;2010 c8 s61;2012 c5 s66;2016 c29 s8;
2017 c29 s121;2019 cA-33.5 s51(5);2021 c24 s5(9);2025 c7 s7(13);
2025 c22 s4

Candidate deposit

9.01(1) Subject to subsection (3), the Chief Electoral Officer may retain the deposit paid under section 9(2)(c) as payment of the late filing fee under section 43.2 if a campaign return is not filed within the time period referred to in section 43(2).

(2) If a campaign return is filed within the required time period, the deposit paid under section 9(2)(c) must be refunded to the chief financial officer of the candidate.

(3) If a candidate dies after being registered by the Chief Electoral Officer as a candidate but prior to the closing of the voting places as defined in the *Election Act* on election day, the deposit shall be refunded to the chief financial officer of the candidate.

(4) A deposit that is not refunded under this section or retained as payment of a late filing fee must be deposited by the Chief Electoral Officer into the General Revenue Fund.

(5) A deposit paid under section 9(2)(c) is not considered a campaign expense or an election expense.

2021 c24 s5(10)

Registration of third parties

9.1(1) A third party shall apply for registration under this section

- (a) when it has incurred expenses of \$1000 or plans to incur advertising expenses of at least \$1000 for election advertising or political advertising referred to in Part 6.1, Senate election advertising referred to in Part 6.11 or referendum advertising referred to in Part 6.12, or
- (b) when it has accepted advertising contributions of \$1000 or plans to accept advertising contributions of at least \$1000.

(2) The Chief Electoral Officer shall maintain separate registers as follows:

- (a) a register of third parties who engage in election advertising,
- (b) a register of third parties who engage in political advertising,
- (c) a register of third parties who engage in Senate election advertising, and
- (d) a register of third parties who engage in referendum advertising.

(2.1) Subject to this section, the Chief Electoral Officer shall register in the appropriate register any third party who is qualified to be registered and who files with the Chief Electoral Officer an application for registration.

(2.2) An application for registration must set out the following:

- (a) the name and contact information
 - (i) if the third party is a person, of the person,
 - (ii) if the third party is a corporation, of the corporation and of the officer who has signing authority for it, and
 - (iii) if the third party is a group, of the group and of the principal officers of the group or, if there are no principal officers, of the principal members;
- (b) whether the third party will be engaging in election advertising, political advertising, Senate election advertising or referendum advertising;

- (b.1) in the case of a third party who engages or will be engaging in referendum advertising, whether the third party is for or against each question to be put to the electors;
 - (c) in the case of a third party who engages or will be engaging in election advertising, Senate advertising or referendum advertising, the address and telephone number of the place or places in Alberta where records of the third party are maintained and of the place in Alberta to which communications may be addressed;
 - (d) in the case of a third party who engages or will be engaging in political advertising, the address and telephone number of the place or places in Canada where records of the third party are maintained and of the place in Canada to which communications may be addressed;
 - (e) the name and contact information of the chief financial officer responsible for the advertising account of the third party;
 - (f) the name and address of the financial institution used by the third party for its advertising account;
 - (g) the names of the signing authorities for the advertising account;
 - (h) any additional information required by the Chief Electoral Officer concerning the advertising account.
- (2.3)** An application for registration must include a declaration, in a form satisfactory to the Chief Electoral Officer and signed by the person submitting the application, that the third party is not acting directly or indirectly on behalf of a registered party.
- (3)** If the third party has a governing body, the application must include a copy of the resolution passed by the governing body authorizing the third party to incur election advertising expenses or political advertising expenses, as the case may be.
- (4)** The Chief Electoral Officer shall not register a third party if, in the Chief Electoral Officer's opinion,
- (a) the name or the abbreviation of the name of the applicant so nearly resembles the name or abbreviation of the name or a nickname of another registered third party, or of a candidate, political party or political organization that is active anywhere in Alberta, that confusion is likely,

- (b) the proposed name of the applicant was the name of a registered party or registered third party whose registration was cancelled or whose name was changed since the last general election, or
- (c) at least one of the criteria for determining affiliation with a registered party set out in subsection (5.2) applies to the applicant.

(5) The following are not qualified to be registered in a register referred to in subsection (2)(a) or (d):

- (a) a prohibited person or entity;
- (b) a group that includes a prohibited person or entity as a member;
- (c) a registered charity;
- (d) a political party, constituency association, prospective candidate association or candidate;
- (e) a third party that the Chief Electoral Officer determines, in accordance with subsection (5.2), is affiliated with a registered party.

(5.1) The following are not qualified to be registered in a register referred to in subsection (2)(b) or (c):

- (a) a person who is not
 - (i) a Canadian citizen or permanent resident as defined in the *Immigration and Refugee Protection Act* (Canada), and
 - (ii) ordinarily resident in Canada;
- (b) a corporation, unincorporated association or organization that is incorporated, formed or otherwise organized outside Canada and
 - (i) that does not carry on business in Canada, or
 - (ii) whose only business activity in Canada consists of doing anything to influence electors to vote or refrain from voting or to vote or refrain from voting for a specific registered candidate or registered party;
- (c) a trade union that does not hold bargaining rights for employees in Canada;

- (d) an employee organization that does not hold bargaining rights for employees in Canada;
- (e) a political party, constituency association, prospective candidate association or candidate;
- (f) a third party that the Chief Electoral Officer determines in accordance with subsection (5.2) is affiliated with a registered party.

(5.2) In determining whether a third party is affiliated with a registered party, the Chief Electoral Officer shall consider all relevant information, including, as applicable, the following:

- (a) the organization of the third party, including whether a person holding any of the following positions with the third party holds the same or a similar position with the registered party:
 - (i) the chief financial officer;
 - (ii) a signing officer;
 - (iii) if the third party is a group, a principal officer of the group, or if there are no principal officers, a principal member;
- (a.1) if the third party has a governing body, whether a person holding a position on the governing body of the third party also holds a position with the registered party;
- (b) any interactions or agreements between the third party and the registered party, including interactions or agreements that may indicate that the third party is under the control of the registered party;
- (c) the extent to which the third party participates in the decision-making process of the registered party pursuant to the constitution or founding documents of the registered party;
- (d) other information that is prescribed by regulation, if any.

(6) The Chief Electoral Officer shall, as soon as possible after receiving an application,

- (a) determine whether the requirements set out in this section are met,

- (b) notify the persons who signed the application whether the applicant is accepted for registration, and
- (c) in the case of a refusal to register, give reasons for the refusal.

(7) When there is any change in the information required to be provided under this section, the registered third party shall notify the Chief Electoral Officer in writing within 30 days after the alteration and, subject to section 10, on receipt of the notice the Chief Electoral Officer shall vary the register of candidates accordingly.

(8) A notice under subsection (7) may be sent by email or other electronic means approved by the Chief Electoral Officer.

2010 c8 s62;2012 c5 s67;2015 c15 s3;2016 c29 s9;2019 cA-33.5 s51(6);
2020 c19 s15(25);2020 c20 s11(4);2021 c24 s5(11);2025 c7 s7(14)

Leadership contest and contestants

9.2(1) Before a leadership contest is held by a registered party, the chief financial officer of the registered party shall file with the Chief Electoral Officer a statement, in the form and manner approved by the Chief Electoral Officer, setting out the particulars of the leadership contest, including

- (a) the date of the official call of the leadership contest, and
- (b) the date fixed for the leadership vote or votes.
- (c) repealed 2021 c24 s5(12).

(2) If a fee or deposit is required to be paid as a condition of entering the leadership contest, the amount of the fee or deposit must be reasonable in relation to the cost of holding the leadership contest.

(3) If the Chief Electoral Officer is of the opinion that the amount of the fee or deposit is not reasonable, the registered party shall reduce the amount to an amount acceptable to the Chief Electoral Officer or comply with any direction of the Chief Electoral Officer.

(4) A person who intends to seek the leadership of a registered party shall file an application for registration with the Chief Electoral Officer under this section when the person has announced the person's intention to seek the leadership of the registered party.

(5) Repealed 2021 c24 s5(12).

(6) The application for registration must set out

- (a) the full name and contact information of the leadership contestant,
- (b) the addresses of the place or places where records of the leadership contestant are maintained and of the place to which communications may be addressed,
- (c) the name and contact information of the chief financial officer of the leadership contestant,
- (d) the name and address of the financial institution where an account has been opened to be used by or on behalf of the leadership contestant for the purpose of participating in the leadership contest,
- (e) the names of the signing authorities for the account referred to in clause (d), and
- (f) the date the person first received contributions or incurred campaign expenses for the purpose of participating in the leadership contest.

(7) The Chief Electoral Officer shall maintain a register of leadership contestants.

(8) When there is any change in the information required to be provided under subsection (6), the registered leadership contestant shall notify the Chief Electoral Officer in writing within 48 hours after the change and, subject to section 10, on receipt of the notice the Chief Electoral Officer shall vary the register of leadership contestants accordingly.

(9) Notice under subsection (8) may be sent by email or other electronic means approved by the Chief Electoral Officer.

(10) Within 10 days of the conclusion of a leadership contest, the registered party shall submit to the Chief Electoral Officer a statement setting out the full names of the leadership contestants who were considered for leadership of the registered party, the full name of the person selected as the leader and the names of any persons who withdrew as leadership contestants.

(11) This section applies with respect to a leadership contest that commences after this section comes into force.

2012 c5 s68;2016 c29 s9;2021 c24 s5(12)

Registered party candidates

9.3(1) Within 30 days after a registered party endorses a person as the candidate of the registered party for an electoral division, the registered party or its registered constituency association for the

electoral division must submit to the Chief Electoral Officer, in the form and manner approved by the Chief Electoral Officer, the following:

- (a) the full name of the person endorsed as the candidate of the registered party for the electoral division;
- (b) the address of each place where records of the endorsed candidate are to be maintained and of the place to which communications may be addressed;
- (c) the name and contact information of the endorsed candidate's chief financial officer;
- (d) the name and address of the financial institution holding the account to be used by or on behalf of the endorsed candidate for the purpose of participating in the election;
- (e) the name of each signing authority for the account referred to in clause (d);
- (f) the date on which the registered party endorsed the person as the candidate of the registered party for the electoral division.

(2) On receipt of a statement submitted under subsection (1), the Chief Electoral Officer must publish on the Chief Electoral Officer's website the following information in respect of the endorsed candidate:

- (a) the name of the person endorsed as the candidate of a registered party for an electoral division;
- (b) the name and contact information of the endorsed candidate's chief financial officer;
- (c) the date on which the registered party endorsed the person as a candidate.

(3) If there is a change to the information required under subsection (2), the candidate must notify the Chief Electoral Officer in writing within 48 hours after the change, and the Chief Electoral Officer must update the information published on the Chief Electoral Officer's website under subsection (2), as necessary.

(4) A notice under subsection (3) may be sent by email or other electronic means approved by the Chief Electoral Officer.

2016 c29 s9;2021 c24 s5(13);2025 c7 s7(15)

Cancellation of registration

10(1) The Chief Electoral Officer may cancel the registration of

- (a) a registered party on application by the registered party,
- (b) a registered constituency association on application by the registered party concerned or by the independent member, as the case may be,
- (b.1) a registered prospective candidate association on application by the registered prospective candidate association or prospective candidate, or
- (c) a registered third party on application by the third party.

(1.1) If a registered party does not endorse a candidate in a general election, the Chief Electoral Officer shall cancel the registration of that party unless that registered party had endorsed a candidate at the most recent election under the *Alberta Senate Election Act*.

(1.2) For the purposes of subsection (1.1), a registered successor party is deemed to have endorsed a candidate in a general election if a predecessor party of the registered successor party endorsed a candidate in the general election.

(2) If a registered candidate who was nominated in accordance with the *Election Act* or the *Alberta Senate Election Act* withdraws the candidate's candidacy in accordance with that Act that person shall so notify the Chief Electoral Officer in writing and the Chief Electoral Officer shall cancel the registration of that person.

(2.1) If a registered leadership contestant withdraws from the leadership contest, that person shall so notify the Chief Electoral Officer in writing and the Chief Electoral Officer shall cancel the registration of that person.

(2.2) Repealed 2021 c24 s5(14).

(3) Subject to section 43.2(3) and (3.1), if the chief financial officer of a registered party, registered constituency association or registered prospective candidate association fails to comply with section 32, 42 or 43, the Chief Electoral Officer may cancel the registration of the registered party, registered constituency association or registered prospective candidate association, as the case may be.

(3.1) If the chief financial officer of a registered successor party fails to comply with section 11.6, the Chief Electoral Officer may cancel the registration of the registered successor party.

(4) If a constituency association or prospective candidate association, or a person acting for a constituency association or prospective candidate association, accepts a contribution in respect of an election under the *Alberta Senate Election Act*, the Chief Electoral Officer may cancel the registration of the constituency association or the prospective candidate association, as the case may be.

(4.1) If the chief financial officer of a third party fails to file a report under section 44.81 or 44.82, an election advertising return or report under section 44.9 or an audited financial statement under section 44.91, the Chief Electoral Officer may cancel the registration of the third party.

(4.2) If the chief financial officer of a third party fails to file a weekly report under section 44.9497, a Senate election advertising return or report under section 44.9498 or an audited financial statement under section 44.9499, the Chief Electoral Officer may cancel the registration of the third party.

(4.3) If the chief financial officer of a third party fails to file a weekly report under section 44.949999, a referendum advertising return or report under section 44.9499991 or an audited financial statement under section 44.9499992, the Chief Electoral Officer may cancel the registration of the third party.

(4.4) If the chief financial officer of a third party fails to file a weekly report under section 40(1) of the *Citizen Initiative Act*, an initiative advertising return or expense limit report under section 41 of that Act or an audited financial statement under section 42 of that Act, the Chief Electoral Officer may cancel the registration of the third party.

(4.5) If the chief financial officer of a third party fails to file a weekly report under section 38 of the *Recall Act*, a recall advertising return or expense limit report under section 39 of that Act or an audited financial statement under section 40 of that Act, the Chief Electoral Officer may cancel the registration of the third party.

(5) If the Chief Electoral Officer is for any reason of the opinion that a registered party, registered constituency association, registered prospective candidate association, registered candidate, registered leadership contestant or registered third party

- (a) is no longer qualified to be registered, or
- (b) obtained registration on the basis of an application that was false in any material particular,

the Chief Electoral Officer may cancel the registration of the registered party, registered constituency association, registered prospective candidate association, registered candidate, registered leadership contestant or registered third party.

(5.1) If the Chief Electoral Officer determines under section 9.1(5.2) that a third party is affiliated with a registered party, the Chief Electoral Officer may cancel the registration of the third party.

(6) If the Chief Electoral Officer cancels the registration of a political party, constituency association, prospective candidate association, candidate, leadership contestant or third party, the Chief Electoral Officer shall send written notice of the cancellation, together with the Chief Electoral Officer's reasons for the cancellation, by recorded mail to

- (a) the political party, when the registration of that political party is cancelled,
- (b) the constituency association and the political party concerned or the independent member, as the case may be, when the registration of that constituency association is cancelled,
- (b.1) the prospective candidate association and prospective candidate, when the registration of that prospective candidate association is cancelled,
- (c) the candidate and the political party concerned, if any, when the registration of that candidate is cancelled,
- (d) the third party, when the registration of that third party is cancelled, or
- (d.1) repealed 2021 c24 s5(14),
- (e) the leadership contestant and the political party concerned when the registration of that leadership contestant is cancelled,

and the cancellation is effective on and after the 3rd day following the date of mailing the notice.

(7) A political party, constituency association, prospective candidate association, candidate, leadership contestant or third party notified under subsection (6) may, within 30 days after the mailing of the notice, request the Chief Electoral Officer in writing to review the cancellation.

(8) When the Chief Electoral Officer receives a written request under subsection (7), the Chief Electoral Officer shall, within 48 hours after that receipt, review the cancellation and give the political party, constituency association, prospective candidate association, candidate, leadership contestant or third party concerned an opportunity to make representations.

(9) Following the review of a cancellation, the Chief Electoral Officer may withdraw or confirm the cancellation of the registration of the political party, constituency association, prospective candidate association, candidate, leadership contestant or third party, as the case may be, and shall,

- (a) if the cancellation involves a political party, give written notification of the Chief Electoral Officer's decision to the political party,
- (b) if the cancellation involves a constituency association, give written notification of the Chief Electoral Officer's decision to the constituency association and the political party concerned,
- (b.1) if the cancellation involves a prospective candidate association, give written notification of the Chief Electoral Officer's decision to the prospective candidate association and prospective candidate,
- (c) if the cancellation involves a candidate, give written notification of the Chief Electoral Officer's decision to the candidate and registered party, if any,
- (c.1) repealed 2021 c24 s5(14),
- (c.2) if the cancellation involves a leadership contestant, give written notification of the Chief Electoral Officer's decision to the leadership contestant and the registered party concerned, or
- (d) if the cancellation involves a third party, give written notification of the Chief Electoral Officer's decision to the third party.

(10) When the registration of a political party is cancelled, the registration of the registered constituency associations of that political party is accordingly also cancelled and the Chief Electoral Officer shall forthwith give written notification of the cancellations to those constituency associations.

(11) When the registration of a political party, constituency association or prospective candidate association is cancelled under subsection (3) for failure to comply with section 42 or 43, it may not again apply for registration until the financial statements required by section 42 or the campaign return required by section 43, as the case may be, that was not filed has been filed with the Chief Electoral Officer and the late filing fee has been paid in accordance with section 43.2.

(11.01) When the registration of a registered successor party is cancelled under subsection (3.1) for failure to comply with section 11.6, the successor party may not apply for registration again until the financial statements required by section 11.6 that were not filed have been filed with the Chief Electoral Officer and the late filing fee has been paid in accordance with section 43.2.

(11.1) For the purpose of subsection (11), a political party may file the financial statement on behalf of its constituency association.

(12) When the registration of a political party, constituency association, prospective candidate association, candidate or leadership contestant is cancelled, all funds of the political party, constituency association, prospective candidate association, candidate or leadership contestant not required to pay the outstanding debts of the political party, constituency association, prospective candidate association, candidate or leadership contestant shall be paid over to the Chief Electoral Officer and held by the Chief Electoral Officer in trust for the political party, constituency association, prospective candidate association, candidate or leadership contestant and, if that political party, constituency association, prospective candidate association, candidate or leadership contestant does not again become registered under this Act within a period of one year following cancellation of the registration, the funds shall be paid into the General Revenue Fund.

(12.1) Subsection (12) does not apply to the funds of a constituency association referred to in section 11.4(1)(a) and (2).

(13) When the registration of a third party is cancelled, all funds in the advertising account, Senate election advertising account or referendum advertising account must be dealt with in accordance with section 44.92, 44.94991 or 44.9499993, as the case may be.

RSA 2000 cE-2 s10;2004 c23 s88;2006 c23 s26;2010 c8 s63;2012 c5 s69;
2016 c29 s11;2017 c29 s122;2019 cA-33.5 s51(7);2019 c15 s14;
2020 c19 s15(25);2020 c20 s11(5);2021 c24 s5(14);2025 c7 s7(16);
2025 c22 s4

Records

10.1(1) A registered party, registered constituency association, registered prospective candidate association, registered candidate, registered leadership contestant and registered third party shall retain all of the records of that registered party, registered constituency association, registered prospective candidate association, registered candidate, registered leadership contestant or registered third party for a period of 3 years following the date on which the financial statements, returns or reports required under this Act for the period to which the records relate are required to be filed.

(2) On the registration of a successor party,

- (a) the records of its predecessor parties become the records of the registered successor party, and
- (b) the records of the constituency associations of its predecessor parties become the records of the registered successor party

and the registered successor party shall retain all records for a period of 3 years following the date on which the financial statements, returns or reports required under this Act for the period to which the records relate are required to be filed.

2010 c8 s64;2012 c5 s70;2016 c29 s12;2019 c15 s14;2021 c24 s5(15);
2025 c7 s7(17)

Access to documents

11(1) All documents required to be filed with the Chief Electoral Officer under this Act are public records and may on request during normal office hours be inspected at the offices of the Chief Electoral Officer.

(2) Notwithstanding subsection (1), the home address of a registered candidate included in the register under section 9 or of a registered leadership contestant included in the register under section 9.2 is not public information.

(3) Copies of any document referred to in subsection (1) may be obtained on payment for the preparation of the copies at the rates that the Chief Electoral Officer determines.

RSA 2000 cE-2 s11;2012 c5 s71;2016 c29 s13;2021 c24 s5(16);
2025 c7 s7(18)

Part 2.1

Registration of Successor Party

Application for registration of successor party

11.1(1) A successor party may, at any time other than during the campaign period for a general election, apply to the Chief Electoral Officer for registration under section 7.

(2) An application for registration of a successor party must be filed with the Chief Electoral Officer in accordance with section 7(1.2) and must also

- (a) be signed by the leader and one principal officer of each of the registered predecessor parties of the successor party, and
- (b) be accompanied by resolutions approving the merger passed by each of the registered predecessor parties of the successor party.

2019 c15 s14;2021 c24 s5(17)

Registration for eligible successor parties

11.2(1) For the purposes of section 7(2), a successor party is not qualified to be registered if

- (a) the successor party is not qualified for registration under this Act, or
- (b) a registered predecessor party of the successor party has not discharged its obligations under this Act, including obligations to file financial statements and campaign returns and to maintain valid and up-to-date information respecting registration.

(2) A successor party may be registered under the name of one of its registered predecessor parties.

2019 c15 s14;2025 c7 s7(19)

Effect of registration of successor party

11.3 On the registration of a successor party,

- (a) the registered successor party is the successor of each of its predecessor parties,
- (b) the registered successor party becomes a registered party,
- (c) the registration of each registered predecessor party is cancelled, and
- (d) the registered successor party is responsible for the obligations of its predecessor parties and the constituency

associations of its predecessor parties to file financial statements and campaign returns for any period before the registration of the registered successor party.

2019 c15 s14

Constituency associations

11.4(1) Despite section 10(10), a registered successor party shall, in respect of each electoral division in which a constituency association was registered by a registered predecessor party, apply to the Chief Electoral Officer under section 8 to register as the constituency association of the registered successor party,

- (a) a constituency association of a predecessor party, or
- (b) a new constituency association.

(2) The registered successor party shall apply to the Chief Electoral Officer under section 10 for cancellation of the registration of the constituency associations of its predecessor parties that are not to be registered as constituency associations of the registered successor party.

2019 c15 s14

Transfers

11.5(1) Despite anything to the contrary in this Act, a registered predecessor party may transfer funds or real property, or the use of real property, to its successor party after the successor party has filed with the Chief Electoral Officer an application for registration as a registered successor party.

(2) Repealed 2021 c24 s5(18).

(3) A constituency association referred to in section 11.4(2) and the chief financial officer of such a constituency association shall transfer the following to the registered successor party within 6 months after the registration of the successor party:

- (a) all funds not required to pay the outstanding debts of the constituency association;
- (b) the real property, or the use of the real property, of the constituency association.

(4) A transfer under this section

- (a) shall be recorded as to source and amount, and any funds transferred shall be deposited in an appropriate account on record with the Chief Electoral Officer, and
- (b) is not a contribution for the purposes of this Act.

2019 c15 s14; 2021 c24 s5(18)

Financial statements

11.6 Within 6 months after the registration of a successor party, the chief financial officer of the registered successor party shall file with the Chief Electoral Officer

- (a) in respect of each of its registered predecessor parties, the documents referred to in section 42(1)(a) for
 - (i) the portion of the year that ends on the day before the date of the registration of the successor party, and
 - (ii) any earlier year for which those documents have not been provided,
 - (b) in respect of each of the constituency associations of each of its predecessor parties, the documents referred to in section 42(1)(b) for
 - (i) the portion of the year that ends on the day before the date of the registration of the successor party, and
 - (ii) any earlier year for which those documents have not been provided,
- and
- (c) in respect of the registered successor party, an audited financial statement, in the form and manner approved by the Chief Electoral Officer, setting out the assets and liabilities, including any surplus or deficit, at the date of the registration of the successor party.

2019 c15 s14;2025 c22 s4

Part 3

Contributions

Continuing use of campaign funds

12(1) Any campaign funds held by a candidate at the end of a campaign period that include contributions received by the candidate for the purpose of the candidate's campaign shall be held in trust to be expended for the candidate's candidacy at the next election.

(2) Repealed 2010 c8 s65.

(3) Funds held in trust under subsection (1) may, at the option of the candidate, be transferred or paid from time to time to one or more of the following, as applicable:

- (a) the registered party that proposed or supported the candidate's registration at the previous election;
- (b) the registered constituency associations of the registered party that proposed or supported the candidate's registration at the previous election;
- (c) the registered prospective candidate association established for the candidate;
- (d) the registered candidates of the registered party that proposed or supported the candidate's registration at the previous election;
- (e) the registered successor party or the registered constituency associations or registered candidates of the registered successor party, if the candidate's registration was proposed or supported by a registered predecessor party of the registered successor party at the previous election;
- (f) the Crown in right of Alberta if the funds cannot be transferred in accordance with clause (a), (b), (c), (d) or (e).

(4) If a candidate is not endorsed as the candidate of a registered party and does not declare the candidate's candidacy as an independent candidate for the next election on or before the nomination day for the next election appointed under the *Election Act*, the candidate must, no later than 7 days after the nomination day, transfer the funds held by the candidate in trust under subsection (1)

- (a) to one or more of the following, as applicable:
 - (i) the registered party that proposed or supported the candidate's registration at the previous election;
 - (ii) a registered constituency association or registered candidate of the registered party that proposed or supported the candidate's registration at the previous election,
- or
- (b) if the candidate's registration was proposed or supported by a registered party that has since been succeeded by a registered successor party, to one or more of the following, as applicable:
 - (i) the registered successor party;

- (ii) a registered constituency association or registered candidate of that registered successor party.

(4.1) If the funds referred to in subsection (4) cannot be transferred in accordance with that subsection, the candidate must transfer the funds to a registered charity.

(5) Subsections (1), (3) and (4) do not apply to a candidate in relation to an election under the *Alberta Senate Election Act*.

(6) Any campaign funds held by a candidate in relation to an election under the *Alberta Senate Election Act* at the end of a campaign period that include contributions received by the candidate for the purpose of the candidate's campaign shall, within the period during which a campaign return with respect to a campaign period must be filed under section 43,

- (a) be returned to the contributors who contributed to the candidate's campaign in accordance with the directions of the Chief Electoral Officer, or
- (b) be donated to a registered charity.
- (c) repealed 2025 c7 s7(20).

(7) If a candidate has not complied with subsection (6) within 30 days of the date specified for the distribution of funds, the candidate must immediately transfer those funds to the Chief Electoral Officer, who must deposit those funds in the General Revenue Fund.

RSA 2000 cE-2 s12;2004 c23 s89;2010 c8 s65;2017 c29 s123;
2019 cA-33.5 s51(8);2019 c15 s14;2020 c19 s15(2);
2021 c24 s5(19);2025 c7 s7(20)

12.1 Repealed 2025 c7 s7(21).

Surpluses — leadership contestants

12.2(1) Any campaign funds held by a leadership contestant at the end of a campaign period for the leadership contest must, at the time the leadership contestant campaign return is required to be filed under section 43.02, at the option of the leadership contestant,

- (a) be transferred to the registered party of which the leadership contestant sought the leadership, or
- (b) be returned to the contributors who contributed to the leadership contestant's campaign in accordance with the directions of the Chief Electoral Officer.

(2) A leadership contestant who has not complied with subsection (1) within 30 days after the day on which the leadership contestant campaign return is required to be filed under section 43.02 must immediately pay those funds to the Chief Electoral Officer for deposit in the General Revenue Fund.

(3) Notwithstanding subsections (1) and (2), for the purposes of any leadership contests occurring when this section comes into force, any campaign funds held by a leadership contestant at the end of a campaign period for the leadership contest must be returned to the contributors in accordance with the directions of the Chief Electoral Officer.

2016 c29 s14

Surpluses — prospective candidate associations

12.3(1) Subject to the regulations, if any, if a prospective candidate does not, on or before the nomination day for an election appointed under the *Election Act*, declare the prospective candidate's candidacy as an independent candidate, and if the prospective candidate was not endorsed as a candidate of a registered party at the previous election, the prospective candidate association established for the prospective candidate must, no later than 7 days after the nomination day for the election, transfer the funds held by the prospective candidate association

(a) to one or more of the following, as applicable:

- (i) the registered party that proposed or supported the prospective candidate at the previous election or supported the prospective candidate after the previous election;
- (ii) a registered constituency association or registered candidate of the registered party that proposed or supported the prospective candidate at the previous election,

or

- (b) if the prospective candidate was proposed or supported by a registered party that has since been succeeded by a registered successor party, to one of more of the following, as applicable:
 - (i) the registered successor party;
 - (ii) a registered constituency association or registered candidate of that registered successor party.

(2) If the funds referred to in subsection (1) cannot be transferred in accordance with that subsection, the prospective candidate association must transfer the funds to a registered charity.

(3) If a prospective candidate association has not complied with this section within 30 days of the date specified for the transfer of funds, the prospective candidate association must immediately transfer those funds to the Chief Electoral Officer, who must deposit those funds in the General Revenue Fund.

2025 c7 s7(22)

Exemptions

13(1) Funds transferred from

- (a) a trust under section 12, or
- (b) a trust under section 12 or 13(2) of chapter 18 of the Statutes of Alberta, 1977,

to a registered party, registered constituency association, registered prospective candidate association or registered candidate are not contributions for the purposes of this Act but shall be recorded as to amount and source by the recipient of the funds.

(2) Money, goods or services, or the use of goods or services, provided by any person, corporation, trade union or employee organization that do not exceed \$50 in the aggregate are not a contribution for the purposes of this Act but shall be recorded as to the gross amount by the chief financial officer of the recipient unless the person, corporation, trade union or employee organization specifically requests that the amount be considered a contribution.

(3) A fee or deposit required to be paid by a person to a registered party to enter a leadership contest is not a contribution for the purposes of this Act but must be recorded as to amount and source by the registered party.

RSA 2000 cE-2 s13;2010 c8 s66;2015 c15 s4;2016 c29 s15;
2021 c24 s5(20);2025 c7 s7(23)

Deposit of contributions

14(1) All financial contributions accepted by or on behalf of a registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant shall be paid into an appropriate account on record with the Chief Electoral Officer.

(2) When any contribution of other than money, accepted by or on behalf of a registered party, registered constituency association, registered prospective candidate association, registered candidate

or registered leadership contestant, is converted at any time into money, that amount shall be paid into an appropriate account on record with the Chief Electoral Officer.

RSA 2000 cE-2 s14;2010 c8 s67;2016 c29 ss16,50;2021 c24 s5(21);
2025 c7 s7(24)

15 Repealed 2010 c8 s68.

Responsibility of contributors

15.1 A prospective contributor is responsible for ensuring, before making a contribution under this Act, that the contributor is not prohibited from making a contribution and is not making a contribution that is in excess of the limit prescribed by section 17(1) or (1.1) or 18(1).

2012 c5 s72;2016 c29 s17;2021 c24 s5(22);2025 c7 s7(25)

Contributions prohibited

16 A person or entity, other than a permitted person or entity, must not make a contribution to a registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant.

RSA 2000 cE-2 s16;2010 c8 s69;2015 c15 s5;2016 c29 s18;
2021 c24 s5(23);2025 c7 s7(26)

Limitation on contributions

17(0.1) This section does not apply to an election under the *Alberta Senate Election Act*.

(1) A permitted person's or entity's contribution in each year to the following must not, in the aggregate, exceed \$5000, as adjusted in accordance with section 41.5:

- (a) a registered party;
- (b) a registered constituency association;
- (c) a registered prospective candidate association;
- (d) a registered candidate.

(1.1) A permitted person's or entity's contribution in each year to the following must not, in the aggregate, exceed \$5000, as adjusted in accordance with section 41.5:

- (a) a registered leadership contestant;
- (b) a combination of registered leadership contestants.

(1.2) Repealed 2025 c7 s7(27).

(2) Contributions may be made to a registered constituency association at any time except during a campaign period for an election in that electoral division.

(2.1) Contributions may be made to a registered prospective candidate association at any time except

- (a) if the prospective candidate is a registered candidate, during a campaign period for an election in the electoral division in which the prospective candidate intends to seek election, and
- (b) during the campaign period for a general election.

(3) No contributions may be made to a registered candidate except during a campaign period for a general election or by-election.

(4) Repealed 2025 c7 s7(27).

(5) No contributions may be made to a registered leadership contestant except during the campaign period for the leadership contest.

(6) Any money paid during a campaign period out of the registered candidate's or registered leadership contestant's own funds for the purposes of the campaign for which the person is not reimbursed from the person's campaign account

- (a) is a contribution for the purposes of this Act, and
- (b) must be paid into the account of the registered candidate or registered leadership contestant on record with the Chief Electoral Officer.

(7) Subject to this section, a registered candidate or registered leadership contestant may lawfully contribute to the registered candidate's or registered leadership contestant's campaign an amount from the registered candidate's or registered leadership contestant's own funds.

(8) If the registered candidate's, or registered leadership contestant's campaign expenses paid from the registered candidate's, or registered leadership contestant's own funds exceed the maximum limit allowed for a contributor under subsection (1) or (1.1), as the case may be, the excess amount must be reimbursed to the registered candidate, or registered leadership contestant from the registered candidate's, or registered leadership contestant's campaign account, as the case may be.

(9) Subsection (1) does not apply with respect to contributions made to and accepted by a leadership contestant while participating in any leadership contest occurring when this section comes into force.

RSA 2000 cE-2 s17;2004 c23 s90;2010 c8 s70;2012 c5 s73;2015 c15 s6;
2016 c29 s19;2019 cA-33.5 s51(9);2021 c24 s5(24);2025 c7 s7(27)

Limitation re Alberta Senate Election Act

18(1) A permitted person's or entity's contribution in each year to a registered candidate for an election under the *Alberta Senate Election Act* must not, in the aggregate, exceed \$5000, as adjusted in accordance with section 41.5.

(2) No contributions may be made to a registered candidate except during a campaign period.

(3) Any money paid during a campaign period out of the registered candidate's own funds for the purposes of the campaign for which the person is not reimbursed from the person's campaign account

- (a) is a contribution for the purposes of this Act, and
- (b) must be paid into the account of the registered candidate on record with the Chief Electoral Officer.

(4) Subject to this section, a registered candidate may lawfully contribute to the registered candidate's campaign an amount from the registered candidate's own funds.

(5) If the registered candidate's campaign expenses paid from the registered candidate's own funds exceed the maximum limit allowed for a contributor, the excess amount must be reimbursed to the registered candidate from the registered candidate's campaign account.

RSA 2000 cE-2 s18;2012 c5 s74;2015 c15 s7;Rep. 2017 c29 s124;
2019 cA-33.5 s51(10);2025 c7 s7(28)

Excess contributions

19(1) A registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant, or a person acting on behalf of any of them, must not accept a contribution if the person or entity knows or ought to know that the amount of the contribution would exceed a limit set out in section 17.

(2) If a chief financial officer becomes aware that a contribution in excess of a limit set out in section 17 was made to or accepted by or on behalf of a registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant for whom the chief

financial officer acts, the chief financial officer must, within 30 days after becoming aware of the contribution,

- (a) provide the Chief Electoral Officer with written notice of the contribution and circumstances, and
- (b) do one of the following, as applicable:
 - (i) if the identity of the contributor is known, return the portion of the contribution that exceeds the applicable limit to the contributor;
 - (ii) if the identity of the contributor cannot be determined, transfer the portion of the contribution that exceeds the applicable limit to the Chief Electoral Officer.

(3) The Chief Electoral Officer must deposit the funds received under subsection (2) into the General Revenue Fund.

RSA 2000 cE-2 s19;2012 c5 s75;2016 c29 s20;2021 c24 s5(25);
2025 c7 s7(29)

Excess contributions re Senate election

20(1) A registered candidate or a person acting on behalf of a registered candidate must not accept a contribution if the registered candidate or person knows or ought to know that the amount would exceed the limit set out in section 18.

(2) If a chief financial officer becomes aware that a contribution in excess of the limit set out in section 18 was made to or accepted by or on behalf of the candidate for whom the chief financial officer acts, the chief financial officer must, within 30 days after becoming aware of the contribution,

- (a) provide the Chief Electoral Officer with written notice of the contribution and circumstances, and
- (b) do one of the following, as applicable:
 - (i) if the identity of the contributor is known, return the portion of the contribution that exceeds the limit to the contributor;
 - (ii) if the identity of the contributor cannot be determined, transfer the portion of the contribution that exceeds the limit to the Chief Electoral Officer.

(3) The Chief Electoral Officer must deposit the funds received under subsection (2) into the General Revenue Fund.

RSA 2000 cE-2 s20; 2012 c5 s76;Rep. 2017 c29 s124;
2019 cA-33.5 s51(11);2020 c19 s15(3);2025 c7 s7(29)

Prohibition re Senate election

21(1) No registered party, registered constituency association or registered prospective candidate association or person acting for a registered party, registered constituency association or registered prospective candidate association may, in respect of an election under the *Alberta Senate Election Act*, accept contributions.

(2) If the chief financial officer of a registered party, registered constituency association or registered prospective candidate association learns that a contribution was accepted by the registered party, registered constituency association or registered prospective candidate association or by a person acting for the registered party, registered constituency association or registered prospective candidate association, the chief financial officer shall, within 30 days after learning of it, advise the Chief Electoral Officer in writing of the fact and circumstances.

(3) Subject to section 41.2(1.1), nothing in this section or section 38 prohibits a registered party from using funds received from contributors under section 17 or the registered party's real property, goods or services to support a registered candidate in relation to an election under the *Alberta Senate Election Act* during the campaign period for that election, but any such use must be recorded in the form and manner prescribed by the Chief Electoral Officer.

RSA 2000 cE-2 s21;Rep. 2017 c29 s124;2019 cA-33.5 s51(11);
2020 c19 s15(4);2025 c7 s7(30)

Anonymous and unauthorized contributions

21.1(1) Any anonymous contribution in excess of \$50 and any contribution or portion of a contribution made in contravention of this Act accepted by a registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant must not be used or expended, and the registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant

- (a) shall return the contribution to the contributor if the contributor's identity can be established, or
- (b) if the contributor's identity cannot be established, shall pay an amount equivalent to the contribution to the Chief Electoral Officer.

(2) Any amounts received by the Chief Electoral Officer under subsection (1)(b) must be paid into the General Revenue Fund.

2010 c8 s71;2016 c29 s21;2021 c24 s5(26);2025 c7 s7(31)

Contributions to predecessor party

21.2(1) Any contribution made to a predecessor party after the registration of its successor party as a successor party must not be used or expended, and the registered successor party of the predecessor party

- (a) shall return the contribution to the contributor if the contributor's identity can be established, or
- (b) shall pay to the Chief Electoral Officer an amount equivalent to the contribution if the contributor's identity cannot be established.

(2) Any amounts received by the Chief Electoral Officer under subsection (1)(b) must be paid into the General Revenue Fund.

2019 c15 s14

Valuing contributions other than money

22(1) The value of contributions other than money provided to a registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant is the market value of the contribution at that time.

(2) If any real property, goods or services, or the use of real property, goods or services, is provided to or for the benefit of a registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant for a price that is less than the market value at that time, the amount by which the value exceeds the price is a contribution for the purposes of this Act.

RSA 2000 cE-2 s22;2010 c8 s72;2016 c29 s22;2021 c24 s5(26);
2025 c7 s7(31)

Fund-raising functions

23(1) In this section, "fund-raising function" includes any social function held for the purpose of raising funds for the registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant by whom or on whose behalf the function is held.

(2) The gross income from any fund-raising function must be recorded by the chief financial officer of the registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant that held the function or on whose behalf the function was held.

(3) If a fund-raising function is held by the sale of tickets by or on behalf of a registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant, the amount of the contribution is to be determined under clause (a) or under clause (b), at the option of the registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant:

- (a) if the individual charge
 - (i) is \$50 or less, it is not considered to be a contribution unless the person who pays the charge specifically requests that it be so considered, in which case 1/2 of the amount is allowed for expenses and 1/2 is considered to be a contribution,
 - (ii) is more than \$50 but not more than \$100, \$25 is allowed for expenses and the balance is considered to be a contribution, and
 - (iii) is more than \$100, 25% of the amount is allowed for expenses and the balance is considered to be a contribution;
- (b) the amount of the contribution is the difference between the price of the ticket and the market value of what the ticket entitles the bearer to obtain.

(4) The price paid by a person at a fund-raising function in excess of the market value at that time for goods or services received is considered to be a contribution to the registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant, as the case may be.

(5) Repealed 2010 c8 s73.

RSA 2000 cE-2 s23;2004 c23 s91;2010 c8 s73;2012 c5 s77;
2016 c29 s23;2021 c24 s5(26);2025 c7 s7(31)

Sale of merchandise

23.1(1) In this section, “merchandise”, in respect of a registered party, means a good that

- (a) is branded in a manner that
 - (i) promotes the registered party, its leader or any of its candidates or members of the Legislative Assembly,

- (ii) opposes another registered party, the leader of a registered party, a leadership contestant, a candidate endorsed by another political party or a member of the Legislative Assembly, or
- (iii) promotes or opposes a position on an issue with which the registered party is associated,

and

- (b) is offered for sale by the registered party.

(2) If a registered party sells merchandise to a person for an amount of money that exceeds its fair market value, the amount paid to the registered party that exceeds that fair market value is a contribution to that registered party by the person.

2025 c7 s7(32)

General collections

24 If, at a meeting held in relation to the affairs of a registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant, a person in attendance gives an amount of \$50 or less in response to solicitation of funds from a person acting on behalf of the registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant,

- (a) the amount provided by the person is not a contribution for the purposes of this Act, and
- (b) the chief financial officer must record the total amount collected.

RSA 2000 cE-2 s24;2010 c8 s74;2016 c29 s24;2021 c24 s5(26);
2025 c7 s7(33)

Annual membership fees

25(1) An annual membership fee paid by a person for the membership of that person or the person's spouse, child or parent in a political party is not a contribution for the purposes of this Act if the fee paid for each membership does not exceed \$50.

(2) If the amount paid by a person for an annual membership fee referred to in subsection (1) exceeds \$50, the amount paid in excess of \$50 is a contribution to the political party by that person.

(3) Except as provided in this section, a person who pays an annual membership on behalf of another person for that person's membership in a political party has made a contribution in the amount of the membership fee.

RSA 2000 cE-2 s25;2004 c23 s92;2021 c24 s5(27);2025 c7 s7(33)

26 Repealed 2015 c15 s8.

27 Repealed 2015 c15 s9.

28 Repealed 2010 c8 s75.

Part 4

Collection of Contributions

Chief financial officers

29(1) Every political party, constituency association, prospective candidate association, candidate and leadership contestant shall, before filing an application for registration with the Chief Electoral Officer, appoint a chief financial officer.

(1.1) Repealed 2025 c7 s7(34).

(2) When a chief financial officer appointed pursuant to subsection (1) ceases for any reason to hold that office, the political party, constituency association, prospective candidate association, candidate or leadership contestant, as the case may be, shall forthwith appoint another chief financial officer.

(3) A candidate may not be appointed as chief financial officer for a candidate under this section.

(4) A person is prohibited from being a chief financial officer under this Act for a registered party, registered constituency association, registered prospective candidate association, registered candidate, registered leadership contestant or registered third party if

- (a) the Speaker has laid a report before the Assembly pursuant to section 44(1),
- (b) that person was the chief financial officer of the registered candidate referred to in the report,
- (c) the Court did not dispense with compliance with section 43(2) or 43.1, as the case may be, by an order under section 44(3), and
- (d) the date the person seeks to be a chief financial officer under this Act occurs within
 - (i) the 8-year period following the day on which the Speaker laid the report before the Assembly, or

- (ii) where the campaign return has been filed with the Chief Electoral Officer in the case of a non-compliance with section 43(2) or 43.1, as the case may be, the 5-year period following the day of filing,

whichever period expires first.

RSA 2000 cE-2 s29;2004 c23 s94;2010 c8 s76;2016 c29 s25;
2021 c24 s5(28);2025 c7 s7(34)

Duties of chief financial officers

30(1) The chief financial officer of a registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant is responsible, with respect to the affairs of the party, constituency association, prospective candidate association, candidate or leadership contestant that appointed the chief financial officer, for ensuring that

- (a) proper records are kept of all revenue, expenses, assets and liabilities, as required for the purposes of this Act,
- (b) contributions are placed in an account on record with the Chief Electoral Officer,
- (c) proper receipts are completed and dealt with in accordance with this Act,
- (c.1) every payment of more than \$25 made by the registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant or through the chief financial officer is vouched for by
 - (i) a document from the supplier that states the particulars of the expense, and
 - (ii) a receipt or other proof of payment acceptable to the Chief Electoral Officer;
- (d) the financial statements, returns and reports required to be filed under this Act are filed with the Chief Electoral Officer, and
- (e) contributions of other than money are valued and recorded in accordance with this Act.

(2) The chief financial officer of a registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant

shall make every reasonable effort to advise prospective contributors of the provisions of this Act relating to contributions.

RSA 2000 cE-2 s30;2010 c8 s77;2012 c5 s78;2016 c29 s26;
2021 c24 s5(29);2025 c7 s7(35)

Acceptance of contributions

31 A registered candidate or registered leadership contestant must not accept a contribution except through the chief financial officer of the registered candidate or registered leadership contestant.

RSA 2000 cE-2 s31;2012 c5 s79;2016 c29 s27;2021 c24 s5(29);
2025 c7 s7(36)

Records of contributions

32(1) When the chief financial officer of a registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant accepts contributions in any year on behalf of the registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant, the chief financial officer shall record all the contributions, including the names and addresses of the contributors and the dates on which the contributions were made.

(2) All contributions referred to in subsection (1) accepted on behalf of a registered party, registered candidate or registered leadership contestant during a campaign period shall be recorded separately from other contributions accepted during that year.

(3) Every registered party shall file with the Chief Electoral Officer, in the form and manner approved by the Chief Electoral Officer,

- (a) within 15 days after the end of each quarter of each year a return setting out
 - (i) the total amount of all contributions received during the quarter that did not exceed \$50 in the aggregate from any single contributor, and
 - (ii) the total amount contributed, together with the contributor's name and address, when the contribution of that contributor during the quarter exceeded an aggregate of \$50,
- and
- (b) within the period during which an annual financial statement must be filed under section 42, a return setting out for the previous year

- (i) the total amount of all contributions received that did not exceed \$50 in the aggregate from any single contributor, and
- (ii) the total amount contributed that, together with the contributor's name and address, when the contribution of that contributor during the year exceeded an aggregate of \$50.

(3.01) Every registered constituency association and registered prospective candidate association shall file with the Chief Electoral Officer, in the form and manner approved by the Chief Electoral Officer, within the period during which an annual financial statement must be filed under section 42, a return setting out for the previous year

- (a) the total amount of all contributions received that did not exceed \$50 in the aggregate from any single contributor, and
- (b) the total amount contributed, together with the contributor's name and address, when the contribution of that contributor during the year exceeded an aggregate of \$50.

(3.1) Subject to subsection (4.1), the name of a contributor referred to in subsection (3)(a)(ii) and (b)(ii) who did not contribute more than \$250 in a quarter shall not be disclosed in a statement published on the Chief Electoral Officer's website under section 4(1)(e).

(4) Subject to subsection (4.01), every registered party and registered candidate shall file with the Chief Electoral Officer, in the form and manner approved by the Chief Electoral Officer, within the period during which a campaign return must be filed relating to a campaign period under section 43, a report setting out

- (a) the total amount of all contributions received during the campaign period that did not exceed \$250 in the aggregate from any single contributor, and
- (b) the total amount contributed, together with the contributor's name and address, when the contribution of that contributor during the campaign period exceeded an aggregate of \$250.

(4.01) Contributions received by a registered party during the campaign period for a by-election shall only be included in a report prepared under subsection (4) if those contributions relate to the by-election.

(4.1) A report under subsection (3)(a) for the 2nd, 3rd and final quarters must also include the total amounts contributed by a contributor when the contributions of that contributor exceeded \$250 in the aggregate on a year-to-date basis, together with the contributor's name and address.

(4.2) Repealed 2025 c7 s7(37).

(4.3) Every registered leadership contestant shall file with the Chief Electoral Officer a report setting out, in the form and manner approved by the Chief Electoral Officer,

- (a) the total amount of all contributions received during the campaign period for the leadership contest that did not exceed \$250 in the aggregate from any single contributor, and
- (b) the total amount contributed, together with the contributor's name and address, when the contribution of that contributor during the campaign period for the leadership contest exceeded \$250 in the aggregate.

(5) Separate reports must be filed for contributions made in respect of an election under the *Election Act* or under the *Alberta Senate Election Act*.

(6) For the purpose of subsection (3), the ends of each quarter of a year are as follows:

- (a) for the first quarter, March 31 of the year;
- (b) for the 2nd quarter, June 30 of the year;
- (c) for the 3rd quarter, September 30 of the year;
- (d) for the final quarter, December 31 of the year.

RSA 2000 cE-2 s32;2010 c8 s78;2012 c5 s80;2016 c29 s28;
2017 c29 s125;2018 c4 s2;2019 cA-33.5 s51(12);
2021 c24 s5(30);2025 c7 s7(37)

Receipts

33 Every registered party, registered constituency association, registered prospective candidate association, registered candidate and registered leadership contestant shall issue a receipt in the form and manner approved by the Chief Electoral Officer for every contribution accepted, and the receipt must indicate

- (a) whether it has been issued in respect of an election under the *Election Act*, an election under the *Alberta Senate Election Act* or a leadership contest,

- (b) that the contributor acknowledges that the contribution is made in compliance with this Act, and
- (c) where information about the making of contributions can be found.

RSA 2000 cE-2 s33;2010 c8 s79;2012 c5 s81;2016 c29 s29;
2019 cA-33.5 s51(13);2021 c24 s5(31);2025 c7 s7(38)

Contributions not belonging to contributor

34(1) A person or entity must not contribute to a registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant

- (a) funds not belonging to the person or entity, or
- (b) funds given to the person or entity for the purpose of making a contribution to that registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant.

(2) A person or entity must not give funds to another person or entity for the purpose of having that person or entity make a contribution to a registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant.

(3) A registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant or a person acting on behalf of any of them must not solicit or accept a contribution if the registered party, registered constituency association, registered candidate, registered leadership contestant or person, as the case may be, knows or ought to know that the contribution consists of funds described in subsection (1).

(4) If a chief financial officer becomes aware that a contribution referred to in subsection (1) was made to or accepted by or on behalf of a registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant for whom the chief financial officer acts, the chief financial officer must, within 30 days after becoming aware of the contribution,

- (a) provide the Chief Electoral Officer with written notice of the contribution and circumstances, and
- (b) do one of the following, as applicable:

- (i) if the identity of the contributor is known, return the contribution to the contributor;
- (ii) if the identity of the contributor cannot be determined, transfer the amount of the contribution to the Chief Electoral Officer.

(5) The Chief Electoral Officer must deposit the funds received under subsection (4) into the General Revenue Fund.

RSA 2000 cE-2 s34;2012 c5 s82;2015 c15 s10;2016 c29 s30;
2021 c24 s5(32);2025 c7 s7(39)

Prohibited contributions

35(1) No registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant shall, directly or indirectly,

- (a) solicit or accept a contribution if the registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant knows or ought to know that the prospective contributor is a prohibited person or entity, or
- (b) contribute or transfer funds to any political party, constituency association or candidate not registered under this Act.

(1.1) For greater certainty, a registered party may not contribute or transfer to a federal political party any funds that were contributed in respect of an election under the *Alberta Senate Election Act*.

(2) If the chief financial officer learns that a contribution from a prohibited person or entity was accepted by or on behalf of the political party, constituency association, prospective candidate association, candidate or leadership contestant for whom the chief financial officer acts, the chief financial officer shall, within 30 days after learning of it, advise the Chief Electoral Officer in writing of the fact and circumstances.

RSA 2000 cE-2 s35;2010 c8 s80;2012 c5 s83;2015 c15 s11;2016 c29 s31;
2019 cA-33.5 s51(14);2021 c24 s5(33);2025 c7 s7(40)

Transfer of funds re elections and contests

36 A registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant must not accept funds in respect of an election under the *Election Act* or a leadership contest under this Act from

- (a) a federal political party, electoral district association or candidate registered under the *Canada Elections Act* (Canada), or
- (b) a local political party or slate under the *Local Authorities Election Act*.

RSA 2000 cE-2 s36;2004 c23 s95;2012 c5 s84;2016 c29 s32;
2021 c24 s5(33);2025 c7 s7(41)

Transfer of funds re Senate elections

37 A registered party or registered candidate must not accept funds in respect of an election under the *Alberta Senate Election Act* from

- (a) a federal political party, electoral district association or candidate registered under the *Canada Elections Act* (Canada), or
- (b) a local political party or slate under the *Local Authorities Election Act*.

RSA 2000 cE-2 s37;2004 c23 s96;2012 c5 s84;Rep. 2017 c29 s124;
2019 cA-33.5 s51(15);2025 c7 s7(41)

Authorized transfers

38(1) A registered party, its registered constituency associations and its registered candidates may, as between themselves, transfer or accept any of the following:

- (a) funds or real property;
- (b) the use of real property;
- (c) debts incurred during a campaign period for the purpose of eliminating a campaign deficit under section 43.1.

(2) A registered party, its registered constituency associations, registered candidates and registered leadership contestants may, as between themselves, transfer or accept

- (a) goods or services, or
- (b) the use of goods or services.

(3) Subject to the regulations, if any, the prospective candidate association established for the benefit of a prospective candidate who meets at least one of the following requirements may engage in the activities set out in subsection (5) as between the registered prospective candidate association, the registered party and its registered constituency associations, its registered candidates and another registered prospective candidate association established for

the benefit of another prospective candidate who also meets at least one of the following requirements with the same registered party:

- (a) the prospective candidate is endorsed as a candidate of the registered party;
- (b) the prospective candidate is elected and is a member of the registered party.

(4) Subject to the regulations, if any, if a prospective candidate is elected as an independent member and, as an independent member, registers a constituency association, the registered prospective candidate association and the registered constituency association may, as between themselves, engage in any of the activities set out in subsection (5).

(5) For the purposes of subsections (3) and (4), the activities are the transfer or acceptance of any of the following:

- (a) funds or real property;
- (b) the use of real property;
- (c) goods or services;
- (d) the use of goods or services;
- (e) debts incurred during a campaign period for the purpose of eliminating a campaign deficit under section 43.1.

(6) Subject to the regulations, if any, if a prospective candidate is not elected, the registered prospective candidate association may, in accordance with the prospective candidate's direction, transfer any of the funds or real property in its possession or debts incurred during a campaign period for the purpose of eliminating a campaign deficit under section 43.1, as follows:

- (a) in the case of a prospective candidate who was an independent candidate, to a registered charity;
- (b) in the case of a prospective candidate who was endorsed as a candidate of a registered party, to one or more of the following:
 - (i) the registered party that proposed or supported the prospective candidate's registration at the previous election;
 - (ii) one or more registered constituency associations of the registered party that proposed or supported the

prospective candidate's registration at the previous election;

- (iii) one or more registered candidates of the registered party that proposed or supported the prospective candidate's registration at the previous election;
- (iv) if the funds or real property cannot be transferred in accordance with subclauses (i) to (iii), to a registered charity.

(7) Each debt, fund, real property or use of real property transferred or accepted in accordance with subsection (1), (3), (4) or (6)(b)(i), (ii) or (iii)

- (a) is not a contribution,
- (b) must be recorded as to source and amount, and
- (c) in the case of funds, must be deposited in an appropriate account on record with the Chief Electoral Officer.

(8) A good or service or the use of a good or service accepted under subsection (2), (3) or (4) is not considered a contribution but the source and amount must be recorded by the recipient.

(9) A registered candidate who acquired funds or real property, or the beneficial use of real property, in relation to an election under the *Alberta Senate Election Act* must not transfer or use those funds or real property in relation to a general election or by-election under the *Election Act*.

(10) A registered constituency association or registered prospective candidate association must not transfer to or accept from a registered party or registered candidate in respect of an election under the *Alberta Senate Election Act* any funds, real property or goods, or the beneficial use of real property or goods.

(11) A transfer under this section is not an election expense for the purpose of Part 5.1.

RSA 2000 cE-2 s38;2010 c8 s81;2012 c5 s85;2016 c29 s33;
2019 cA-33.5 s51(16);2020 c19 s15(5);2021 c24 s5(34);
2025 c7 s7(41)

39 Repealed 2017 c29 s126.

39.1 Repealed 2016 c29 s34.

**Monetary claims against candidate, nomination
contestant or leadership contestant**

39.2(1) Subject to subsections (2) and (3), unless a person who has a monetary claim against a candidate for or in respect of an election or a leadership contestant for or in respect of a leadership contest sends in the claim to the chief financial officer of the candidate or leadership contestant, as the case may be, not later than the date determined under section 43.1(6), the right to recover the claim is barred.

(2) In the case of the death of a person having a monetary claim under subsection (1) on or before the date determined under section 43.1(6), unless the person's legal representative sends in the claim within one year after the death of the person, the right to recover the claim is barred.

(3) In the case of the death or incapacity of the chief financial officer of a candidate or leadership contestant, and if no other chief financial officer has been appointed, a claim may be delivered to the candidate's or leadership contestant's respective official agent under the *Election Act*.

(4) No claim may be paid without the authority of the candidate or leadership contestant or the chief financial officer of the candidate or leadership contestant.

2010 c8 s83;2021 c24 s5(35);2025 c7 s7(42)

Payment of late claim

39.3 Notwithstanding section 39.2, any claim that would have been payable if sent on or before the date determined under section 43.1(6) may be paid by the candidate through the candidate's chief financial officer after that time if the claim is approved by a judge.

2010 c8 s83

Part 5

Loans and Guarantees

Borrowing

40(1) A registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant

- (a) may borrow money only from a financial institution other than a treasury branch, and
- (b) shall record all loans and their terms and shall report accordingly to the Chief Electoral Officer.

(2) Only a permitted person or entity may make a payment on behalf of the borrower in respect of a loan to which subsection (1) applies.

(3) Any payment in respect of a loan to which subsection (1) applies made by a person or entity referred to in subsection (2) becomes, for the purposes of this Act, including, without limitation, sections 16, 17 and 35,

- (a) a contribution by that person or entity, and
- (b) a contribution accepted by the borrower,

if the person or entity is not reimbursed by the borrower before the borrower is next required to file the applicable financial statement or return.

(4) This section does not apply to the borrowing of money by a registered candidate or registered leadership contestant for purposes unrelated to the candidate's or leadership contestant's campaign.

(5) to (7) Repealed 2021 c24 s5(36).

RSA 2000 cE-2 s40;2010 c8 s84;2015 c15 s12;2016 c29 s35;
2021 c24 s5(36);2025 c7 s7(43)

Guarantees

41(1) Only a permitted person or entity may sign, co-sign or otherwise guarantee or provide collateral security for a loan, monetary obligation or indebtedness on behalf of or in the interest of a registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant.

(2) Only a permitted person or entity may make a payment on behalf of the guarantor or the provider of the collateral security to which subsection (1) applies.

(3) The making of a guarantee or provision of collateral security under subsection (1)

- (a) is a contribution for the year in which it is made or provided and is subject to the limits in section 17, and
- (b) is not a contribution for the purposes of section 24 of the *Alberta Personal Income Tax Act*.

(4) A payment made by the guarantor when acting on a guarantee referred to in this section

- (a) is not a contribution for the purposes of section 17, and
 - (b) may be considered a contribution in respect of section 24 of the *Alberta Personal Income Tax Act* for the year in which the payment was made.
- (5) A payment referred to in subsection (2) is, for the purposes of this Act, including sections 16, 17 and 35,
- (a) a contribution provided by that person or entity, and
 - (b) a contribution accepted by the borrower to which the payment relates.
- (6) Subsection (5) does not apply if the person or entity is reimbursed by the borrower before the next time the borrower is required to file an applicable financial statement or return.
- (7) Notwithstanding anything in this section,
- (a) a registered candidate may sign, co-sign or otherwise guarantee or provide collateral security for a loan, monetary obligation or indebtedness on behalf of or in the interest of the registered candidate's registered party for amounts that, in the aggregate, do not exceed \$25 000, as adjusted in accordance with section 41.5, and
 - (b) the signing, co-signing, guaranteeing or providing of collateral security, or the making of a payment by the registered candidate when acting on the guarantee or collateral security, is not a contribution by the registered candidate to the registered party.
- (8) In respect of an activity referred to in subsection (1),
- (a) the activity must be recorded by the registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant to which the activity relates, and
 - (b) the details of the activity must be included in a financial statement filed under section 42 or a campaign return filed under sections 43 and 43.02, as applicable, for the year in which the activity occurred.
- (9) This section does not apply to payments made on behalf of or in the interest of a registered candidate or registered leadership contestant for purposes unrelated to the candidate's or leadership contestant's campaign.

RSA 2000 cE-2 s41;2015 c15 s13;2016 c29 s35;2021 c24 s5(37);
2025 c7 s7(44)

Part 5.1

Maximum Expense Limits

41.1 Repealed 2025 c7 s7(45).

Election expense limits — registered parties

41.2(1) A registered party and a chief financial officer of the registered party, acting on behalf of the registered party, must not incur election expenses that, in the aggregate in each year, exceed \$5 000 000, as adjusted in accordance with section 41.5.

(1.1) With respect to an election under the *Alberta Senate Election Act*, no registered party and no chief financial officer of a registered party shall, with respect to each registered candidate that it has officially endorsed, incur election expenses that exceed in the aggregate 20% of the amount of the registered candidate's expense limit.

(2) No registered party and no chief financial officer of a registered party shall incur election expenses in respect of a by-election for an electoral division that exceed in the aggregate \$75 000 as adjusted in accordance with section 41.5.

(3) The following expenses are not election expenses for the purposes of subsections (1), (1.1) and (2):

- (a) audit and professional fees necessary for compliance with this Act by the registered party;
- (b) expenses incurred to hold a conference or convention of a registered party;
- (c) expenses incurred by a registered party to operate a permanent office, including the salaries and wages paid to permanent staff members working in the office during the election period;
- (d) reasonable incidental expenses incurred by or on behalf of volunteers.

(4) The chief financial officer of the registered party shall prepare an expense limit report for the purpose of a return required to be filed under section 43 relating to the election expenses incurred by the registered party in relation to the election period.

(4.1) Where an election under the *Alberta Senate Election Act* is held in conjunction with a general election, a separate expense limit report shall be filed under section 43 relating to the election

expenses incurred by the registered party in relation to the election under the *Alberta Senate Election Act* for the election period.

(5) For the purposes of subsections (1), (1.1) and (2),

- (a) an election expense incurred by a registered party on behalf of 2 or more registered candidates is an election expense incurred by the registered party,
- (b) an election expense incurred by a registered constituency association on behalf of its registered party is an election expense incurred by the registered party, and
- (c) an election expense incurred by a registered prospective candidate association on behalf of a registered party that has endorsed the prospective candidate is an election expense incurred by the registered party.

(6) If, after completing an investigation referred to in section 44.95(a.1), the Election Commissioner decides that registered parties are associated registered parties, those registered parties shall be considered a single registered party for the purposes of subsections (1), (1.1) and (2).

(7) Registered parties are associated registered parties if they are so closely connected that electoral fairness requires that they be subject to a single, combined expense limit.

(8) In determining whether registered parties are closely connected for the purposes of subsection (7), the Election Commissioner shall consider all information relevant to determining whether registered parties are closely connected, including, as applicable, the following:

- (a) the organization of the registered parties, including
 - (i) whether the registered parties have the same
 - (A) leader,
 - (B) executive director or person in a position similar to an executive director, or
 - (C) chief financial officer,
 - and
 - (ii) whether any of the principal officers or employees of the registered parties are the same person;

- (b) any interactions or agreements between the registered parties, including interactions or agreements that may indicate that any one of the registered parties is under the control of any of the other registered parties;
- (c) the activities of the registered parties and their registered constituency associations, registered prospective candidate associations and candidates, including the extent to which the registered parties have been involved in electoral campaigns or made public statements in support of any other registered party or registered parties, or of a candidate of any of the other registered parties;
- (d) the registered parties' political programs, advertising material and policy statements.

2016 c29 s36;2018 c4 s2;2019 cA-33.5 s51(17);2021 c24 s5(38);
2025 c7 s7(46)

Election expense limits — registered candidates

41.3(1) No registered candidate and no chief financial officer of a registered candidate,

- (a) with respect to an election under the *Election Act*, shall incur election expenses in respect of an election in an electoral division that exceed in the aggregate \$75 000 as adjusted in accordance with section 41.5, and
- (b) with respect to an election under the *Alberta Senate Election Act*, shall incur election expenses in respect of the election that exceed in the aggregate \$500 000 as adjusted in accordance with section 41.5.

(2) The following expenses are not election expenses for the purposes of subsection (1):

- (a) a registered candidate's travel expenses reasonably related to the election, including meals and accommodation;
- (b) a registered candidate's child care expenses;
- (c) expenses relating to the provision of care for a person with a physical or mental incapacity for whom the registered candidate normally provides such care;
- (d) in the case of a registered candidate who has a disability, additional expenses that are related to the disability;
- (e) audit and professional fees necessary for compliance with this Act by the registered candidate;

- (f) reasonable incidental expenses incurred by or on behalf of volunteers.

(3) For the purposes of subsection (1),

- (a) an election expense incurred by a registered party on behalf of a specific registered candidate is an election expense incurred by the registered candidate, and
- (b) an election expense incurred by a registered constituency association or registered prospective candidate association on behalf of a registered candidate is an election expense incurred by the registered candidate.

(4) The chief financial officer of the registered candidate shall prepare an expense limit report for the purpose of a return required to be filed under section 43 relating to the election expenses incurred by the registered candidate in relation to the election period.

2016 c29 s36;2019 cA-33.5 s51(18);2025 c7 s7(47)

41.4 Repealed 2025 c7 s7(48).

Activities by third parties

41.41(1) A third party must not incur expenses for any of the following activities:

- (a) selling memberships for a registered party;
- (b) fund-raising for a registered party, registered candidate or registered leadership contestant;
- (c) collecting or compiling information about electors or potential electors, including data and lists, if that information is shared with registered parties, registered candidates or registered leadership contestants;
- (d) any other activity that would normally be part of the administrative activity of a registered party, registered candidate or registered leadership contestant.

(2) For greater certainty, subsection (1) does not apply to

- (a) a person who does not have decision-making authority in a third party or registered party and is providing volunteer labour without compensation,
- (b) advertising

- (i) in relation to a petition tabled in the Legislative Assembly under the Standing Orders of the Legislative Assembly of Alberta,
- (ii) in support of or in opposition to a candidate seeking a position within a registered party's governing body, or
- (iii) in support of or in opposition to resolutions proposed for adoption by a registered party,
- (c) a contribution by a third party that is not prohibited from making the contribution under section 16,
- (d) another activity if the expense incurred for that activity is an election expense under this Part, or
- (e) the distribution of publicly available information.

2017 c29 s127;2021 c24 s5(40);2025 c7 s7(49)

Collusion

41.42(1) A registered party, registered prospective candidate association, registered candidate or registered leadership contestant shall not circumvent, or attempt to circumvent, an expense limit set out in this Part or a contribution limit under Part 3 by colluding with a third party.

(2) A third party shall not collude with a registered party, registered prospective candidate association, registered candidate or registered leadership contestant to circumvent, or attempt to circumvent, an expense limit set out in this Part or a contribution limit under Part 3.

(3) A registered party shall not circumvent, or attempt to circumvent, an expense limit set out in this Part by colluding with any other registered party.

2017 c29 s127;2018 c4 s2;2021 c24 s5(41);2025 c7 s7(50)

Avoidance of expense limit

41.43 A political party shall not apply to become a registered party or use its status as a registered party for the purpose of circumventing, or attempting to circumvent, an expense limit set out in this Part.

2018 c4 s2

Inflation adjustment/indexing

41.5(1) In this section, "consumer price index" means the "All-items" Consumer Price Index for Alberta as published monthly by Statistics Canada.

(2) Effective January 1 after election day of the first general election following the coming into force of this section, the Chief Electoral Officer shall adjust each of the amounts referred to in sections 17, 18, 41(6), 41.2, 41.3, 44.11, 44.201(1), (2) and (3), 44.943(2), 44.94994(1) and 44.94995(2) by the percentage increase, if any, to the consumer price index for the period beginning January 1, 2017 and ending on December 31 of the year in which the general election was held.

(3) After each subsequent general election, the Chief Electoral Officer shall further adjust each of the amounts referred to in sections 17, 18, 41(6), 41.2, 41.3, 44.11, 44.201(1), (2) and (3), 44.943(2), 44.94994(1) and 44.94995(2) by the percentage increase, if any, to the consumer price index for the period beginning on the effective date of the prior adjustment and ending on December 31st of the year the general election was held.

(4) Amounts adjusted under this section shall be rounded up to the nearest hundred dollars.

(5) The effective date of an adjustment under subsection (3) is January 1 of the year following the general election.

(6) The amounts adjusted under this section shall be published on the Chief Electoral Officer's website as soon as reasonably possible after January 1.

2016 c29 s36;2019 cA-33.5 s51(19);2020 c20 s11(6);2021 c24 s5(42)

Part 6

Financial Statements

Filing of annual financial statements

42(1) On or before March 31 of each year,

- (a) the chief financial officer of each registered party shall file with the Chief Electoral Officer an audited financial statement, in the form and manner approved by the Chief Electoral Officer, setting out for the previous year the revenue, expenses, assets and liabilities, excluding revenue and campaign expenses that relate to an election during a campaign period, and
- (b) the chief financial officer of each registered constituency association and registered prospective candidate association shall file with the Chief Electoral Officer a financial statement, in the form and manner approved by the Chief Electoral Officer, setting out for the previous year the revenue, expenses, assets and liabilities, including a nil return where applicable.

(1.1) Unless otherwise directed by the Chief Electoral Officer, a registered party is not required to file an audited financial statement in respect of the registered party if the revenue and expenses of the registered party do not each exceed \$25 000.

(1.2) Where under subsection (1.1) a registered party is not required to file an audited financial statement, the registered party is required to file a non-audited financial statement on or before March 31 of the year in which the filing is required, including a nil return where applicable.

(2) Repealed 2018 c4 s2.

(2.1) If the registration of a constituency association is cancelled because of the establishment of new electoral divisions, that constituency association must file its financial statements within 6 months after the date the registration was cancelled.

(3) The chief financial officer of each registered party shall file separate audited financial statements relating to the *Election Act* and the *Alberta Senate Election Act*.

RSA 2000 cE-2 s42;2010 c8 s85;2012 c5 s86;2016 c29 s37;2018 c4 s2;
2019 cA-33.5 s51(20);2021 c24 s5(43);2025 c7 s7(51)

Filing of campaign return

43(1) Subject to subsection (8), within 6 months after election day the chief financial officer of a registered party shall file with the Chief Electoral Officer a campaign return with respect to the campaign period, which must include

- (a) a financial statement,
- (b) the contribution report referred to in section 32(4),
- (c) a campaign expense report setting out the campaign expenses incurred by the registered party,
- (d) an expense limit report referred to in section 41.2(4) and (4.1), and
- (e) any supporting information and documents relating to the campaign return.

(2) Subject to subsection (9), within 4 months after election day the chief financial officer of a registered candidate shall file with the Chief Electoral Officer a campaign return, which must include

- (a) a financial statement,
- (b) the contribution report referred to in section 32(4),

- (c) a campaign expense report setting out the campaign expenses incurred by the registered candidate,
- (d) an expense limit report referred to in section 41.3(4), and
- (e) any supporting information and documents relating to the campaign return.

(3) The Chief Electoral Officer may issue guidelines relating to the preparation and contents of the campaign returns referred to in subsections (1) and (2) and shall publish any guidelines on the Chief Electoral Officer's website.

(4) In relation to a by-election, subsection (1) applies only to registered parties that received contributions or made payments or transfers in relation to that by-election and subsection (2) applies only to registered candidates at that by-election.

(5) This section also applies to any registered candidate who withdraws the candidate's candidacy or is not nominated under the *Election Act*.

(6) Subject to subsection (7), an audited financial statement and a copy of the auditor's report shall accompany each financial statement of a registered party submitted pursuant to subsection (1).

(7) Unless otherwise directed by the Chief Electoral Officer, an audited financial statement is not required to accompany a financial statement filed under subsection (1) if the revenue and campaign expenses of the registered party do not each exceed \$25 000, but a non-audited financial statement must be filed, including a nil return where applicable.

(8) If the election day for a general election occurs within 6 months after the election day for the previous general election, the time for compliance with subsection (1) in respect of the previous general election is extended to the expiration of the 6-month period after the 2nd general election.

(9) If a by-election is held for an electoral division and the election day for that by-election occurs within 4 months after the election day for the previous election in the same electoral division, the time for compliance with subsection (2) in respect of the previous election is extended to the expiration of the 4-month period after the by-election.

(10) If an election is held under the *Alberta Senate Election Act* and the election day for that election occurs within 4 months after the election day for the previous election under the *Alberta Senate*

Election Act, the time for compliance with subsection (2) in respect of the previous election is extended to the expiration of the 4-month period after the 2nd election.

(11) The chief financial officer referred to in subsection (1) shall file separate financial statements relating to an election under the *Election Act* and an election under the *Alberta Senate Election Act*.

RSA 2000 cE-2 s43;2010 c8 s86;2012 c5 s87;2016 c29 s38;
2019 cA-33.5 s51(21);2021 c24 s5(44)

43.01 Repealed 2025 c7 s7(52).

Leadership contestant campaign return

43.02(1) Within 4 months after the date fixed for the leadership vote, the chief financial officer of a registered leadership contestant shall file with the Chief Electoral Officer a leadership contestant campaign return, which must include

- (a) a financial statement,
- (b) the contribution report referred to in section 32(4.3),
- (c) a campaign expense report setting out the campaign expenses incurred by the registered leadership contestant, and
- (d) any supporting information and documents relating to the leadership campaign return.

(2) An audited financial statement and a copy of the auditor's report shall accompany each financial statement of a registered leadership contestant required to be filed under subsection (1) if the campaign expenses of the leadership contestant exceed \$25 000.

(3) This section also applies to any registered leadership contestant who withdraws from the leadership contest.

(4) The Chief Electoral Officer may issue guidelines relating to the preparation and contents of the leadership contestant campaign return and shall publish any guidelines on the Chief Electoral Officer's website.

2016 c29 s39

Campaign deficits

43.1(1) In this section, "revenue" means the total of

- (a) contributions received by a registered candidate or registered leadership contestant made in accordance with this Act,

- (b) other income, including fund-raising revenue and interest on deposits,
- (c) amounts transferred in accordance with this Act to a registered candidate by a registered party, a registered constituency association, registered prospective candidate association or another registered candidate, and
- (d) campaign funds held in trust under section 12(1).

(2) For the purpose of this section, a registered candidate or registered leadership contestant has a campaign deficit if, at the end of the campaign period,

- (a) any liabilities relating to the campaign remain outstanding, or
- (b) campaign expenses exceed revenue.

(3) Where a registered candidate or registered leadership contestant has a campaign deficit, the registered candidate or registered leadership contestant shall eliminate the deficit within 3 months after the date that the campaign return is next required to be filed or such further period approved under subsection (4).

(4) The Chief Electoral Officer may, on the request of a registered candidate or registered leadership contestant or the registered candidate's or registered leadership contestant's chief financial officer received before the expiry of the 3-month period referred to in subsection (3), extend the 3-month period referred to in subsection (3) for a further period not exceeding 3 months.

(5) For the purpose of eliminating a campaign deficit,

- (a) a registered candidate's or registered leadership contestant's chief financial officer may, notwithstanding section 17(3) and (5), accept contributions in accordance with this Act during the period referred to in subsection (3) or (4), as applicable,
- (b) a registered party or registered constituency association of the registered candidate may transfer funds to the candidate or may pay any outstanding liabilities during the period referred to in subsection (3) or (4), as applicable, and
- (c) a registered prospective candidate association may, subject to the regulations, if any, transfer funds to its registered prospective candidate or may pay any outstanding liabilities during the period referred to in subsections (3) and (4), as applicable.

(6) The chief financial officer of the registered candidate or registered leadership contestant shall, within one month after the expiration of the period referred to in subsection (3) or (4), as applicable, file an amended campaign return showing any contributions accepted and any transfers received to eliminate the deficit.

2010 c8 s87;2016 c29 s40;2021 c24 s5(46);2025 c7 s7(53)

Late filing fee

43.2(1) In this section, “filing deadline” means the day by which a financial statement referred to in section 11.6 or 42 is required to be filed with the Chief Electoral Officer or the date by which a return referred to in section 43, 43.02 or 43.1 is required to be filed with the Chief Electoral Officer.

(2) A registered party, registered constituency association, registered prospective candidate association, registered candidate or registered leadership contestant that is required to file a financial statement under section 42 or a return under section 43, 43.02 or 43.1, and fails to file that document by the filing deadline must pay a late filing fee of \$500 to the Chief Electoral Officer.

(2.1) A registered successor party that is required to file a financial statement under section 11.6 and fails to file that document by the filing deadline must pay a late filing fee of \$500 to the Chief Electoral Officer.

(3) The Chief Electoral Officer shall not cancel the registration of the registered party, registered successor party or registered constituency association under section 10(3) if the financial statement or return is filed in the case of a financial statement referred to in section 11.6 or 42 or a return referred to in section 43, no later than 30 days after the filing deadline.

(3.1) The Chief Electoral Officer may not cancel the registration of a registered prospective candidate association under section 10(3) as it relates to the chief financial officer not meeting the filing requirements under section 42 if the required financial statement is filed with the Chief Electoral Officer no later than 30 days after the applicable deadline.

(4) The Chief Electoral Officer shall not transmit a report in relation to a registered candidate or registered leadership contestant under section 44(1) if the return is filed no later than 10 days after the filing deadline.

(5) The following persons are jointly and severally liable for payment of the fee referred to in subsection (2) or (2.1):

- (a) in the case of a registered party, the registered party and the chief financial officer of the registered party;
 - (a.1) in the case of a registered successor party, the registered successor party and the chief financial officer of the registered successor party;
 - (b) in the case of a registered constituency association, the registered constituency association and the chief financial officer of the registered constituency association;
 - (b.1) in the case of a registered prospective candidate association, the registered prospective candidate association and the chief financial officer of the registered prospective candidate association;
 - (c) in the case of a registered candidate or registered leadership contestant, the registered candidate or registered leadership contestant and the chief financial officer of the registered candidate or registered leadership contestant.
- (6) If the late filing fee is not paid within 30 days after the date the fee was payable, the Chief Electoral Officer shall send a notice to the persons referred to in subsection (5), as applicable, indicating the amount of the late filing fee that is required to be paid.
- (7) If the persons who are sent notices by the Chief Electoral Officer under subsection (6) fail to pay the late filing fee set out in the notice, the Chief Electoral Officer may file a copy of the notice with the clerk of the Court of King's Bench, and on being filed, the notice has the same force and effect and may be enforced as if it were a judgment of the Court.

2016 c29 s41; 2019 c15 s14; 2021 c24 s5(47); AR 217/2022;
2025 c7 s7(54)

Effect of non-compliance

- 44(1)** Subject to section 43.2(4), if the chief financial officer of a registered candidate or registered leadership contestant fails to file a return as required by section 43 or 43.02 or a revised return under section 43.1, as the case may be, the Chief Electoral Officer shall transmit a report to that effect to the Speaker of the Assembly, who shall on its receipt lay the report before the Assembly if it is then sitting or, if it is not then sitting, within 15 days after the commencement of the next sitting.
- (2)** After the Chief Electoral Officer transmits the report under subsection (1), the Chief Electoral Officer may publish the name of the chief financial officer of the registered candidate or registered leadership contestant who failed to file the return and the name of

the registered candidate or registered leadership contestant on the Chief Electoral Officer's website.

(3) If the Speaker lays a report before the Assembly under subsection (1), the registered candidate or registered leadership contestant concerned or his or her chief financial officer, or both, may, within the 60-day period following the date on which the report was laid before the Assembly, apply to the Court of King's Bench for relief.

(4) On hearing the application, the Court may

- (a) dispense with compliance with section 43, 43.02 or 43.1, or any provision of the relevant section, if it considers that the non-compliance is due to circumstances beyond the control of the registered candidate, registered leadership contestant or chief financial officer, and that it is not reasonably possible to comply with the section,
- (b) extend the time for compliance with section 43, 43.02 or 43.1, or any provision of the relevant section, if it finds mitigating reasons for non-compliance with the section,
- (c) make any order that it considers appropriate to secure compliance with so much of section 43, 43.02 or 43.1 as it considers reasonable in the circumstances, or
- (d) refuse the application.

(5) An application to the Court under this section must name the Chief Electoral Officer as respondent.

(6) The decision of the Court is final and not subject to appeal.

RSA 2000 cE-2 s44;2009 c53 s53;2010 c8 s88;2016 c29 s42;
2021 c24 s5(48);AR 217/2022;2025 c7 s7(55)

Part 6.1

Third Party Advertising

Definitions

44.1(1) In this Part and in section 9.1,

- (a) "advertising account" means, as applicable,
 - (i) the account on record with the Chief Electoral Officer for the purpose of accepting advertising contributions for election advertising and for the payment of advertising expenses for election advertising, and

- (ii) the account on record with the Chief Electoral Officer for the purpose of accepting advertising contributions for political advertising and for the payment of advertising expenses for political advertising;
- (b) “advertising contribution” means, subject to subsection (2),
 - (i) money provided to or for the benefit of a third party, or
 - (ii) real property, goods or services, or the use of real property, goods or services, provided to or for the benefit of a third party,

without compensation from that third party, for the purpose of election advertising or political advertising, whether provided before or after the third party becomes registered under section 9.1;
- (c) “advertising expense” means an expense incurred in relation to
 - (i) the production of an election advertising message or political advertising message in the format in which the message is to be transmitted, and
 - (ii) the acquisition of the means of transmission to the public of an election advertising message or a political advertising message;
- (d) “election advertising” means, subject to subsection (1.1), the transmission to the public by any means during an election advertising period of an advertising message that promotes or opposes a registered party or the election of a registered candidate, including an advertising message that takes a position on an issue with which a registered party or registered candidate is associated, and 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 or the communication directly by a corporation or a group to its members, employees or shareholders, as the case may be,

- (iv) the transmission by a person, corporation or group, on a non-commercial basis on the Internet, of the political views of that person, corporation or group,
 - (v) the making of telephone calls to electors only to encourage them to vote, or
 - (vi) advertising by the Government in any form;
- (d.1) “election advertising period” means
- (i) in the case of a general election held in accordance with section 38.1(2) of the *Election Act*, the period commencing on the fourth Monday in May in the year in which the general election is held and ending at the end of the election day,
 - (ii) in the case of a general election held other than in accordance with section 38.1(2) of the *Election Act*, the period commencing with the issue of a writ for the election and ending at the end of the election day, or
 - (iii) in the case of a by-election, the period commencing with the issue of a writ for the by-election and ending at the end of the election day;
- (e) “expenses” means
- (i) amounts paid,
 - (ii) liabilities incurred,
 - (iii) subject to subsection (2)(a), the market value of real property, goods and services that are donated or provided, and
 - (iv) subject to subsection (2)(a), amounts that represent the difference between an amount paid or a liability incurred for real property, goods or services and the market value of the real property, goods or services, when they are provided at less than their market value;
- (f) “group” means an unincorporated group of persons or corporations acting in consort for a common purpose and includes a trade union and an employee organization or any combination of persons, corporations, trade unions or employee organizations;
- (g) “political advertising” means, subject to subsection (1.3), the transmission to the public by any means, at any time

other than during an election advertising period, of an advertising message that promotes or opposes a registered party, the leader of a registered party, a member of the Legislative Assembly, a nomination contestant, a registered leadership contestant or the election of a registered candidate and 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,
- (iii) the transmission of a document or the communication directly by a corporation or a group to its members, employees or shareholders, as the case may be,
- (iv) the transmission by a person, corporation or group, on a non-commercial basis on the Internet, of the political views of that person, corporation or group,
- (v) the making of telephone calls to electors only to encourage them to vote, or
- (vi) advertising by the Government in any form;
- (h) “registered third party” means a third party registered under section 9.1;
- (i) “third party” means a person, corporation or group, but does not include the following:
 - (i) a registered party;
 - (ii) a registered constituency association;
 - (ii.1) a registered prospective candidate association;
 - (iii) a registered candidate or member of the Legislative Assembly;
 - (iv) a nomination contestant;
 - (v) a registered leadership contestant.

(1.1) For the purposes of subsection (1)(d), “election advertising” includes

- (a) canvassing for the benefit of a registered party or registered candidate, and
- (b) organizing events where a significant purpose of the event is to promote or oppose a registered party or registered candidate.

(1.2) In determining a significant purpose of an event under subsection (1.1)(b), the following factors, in addition to any other relevant information, shall be used:

- (a) whether it is reasonable to conclude that the event was specifically planned to coincide with an election;
- (b) whether the formatting or branding of promotional materials for the event is similar to the formatting, branding or election material used by a registered party or registered candidate;
- (c) the extent to which an election or any registered party or registered candidate is referred to, either directly or indirectly, in promotional materials for the event or at the event;
- (d) whether the event is consistent with previous events held by that third party;
- (e) whether messages conveyed at the event are political messages associated with a registered party or registered candidate.

(1.3) For the purposes of subsection (1)(g), “political advertising” includes

- (a) canvassing for the benefit of a registered party, the leader of a registered party, a member of the Legislative Assembly, a nomination contestant, a registered leadership contestant or a registered candidate, and
- (b) organizing events where a significant purpose of the event is to promote or oppose a registered party, the leader of a registered party, a member of the Legislative Assembly, a nomination contestant, a registered leadership contestant or a registered candidate.

(1.4) In determining a significant purpose of an event under subsection (1.3)(b), the following factors, in addition to any other relevant information, shall be used:

- (a) whether it is reasonable to conclude that the event was specifically planned to coincide with an election;
- (b) whether the formatting or branding of promotional materials for the event is similar to the formatting, branding or election material used by a registered party, the leader of a registered party, a member of the Legislative Assembly, a nomination contestant, a registered leadership contestant or a registered candidate;
- (c) the extent to which an election or any registered party, the leader of a registered party, member of the Legislative Assembly, nomination contestant, registered leadership contestant or registered candidate is referred to, either directly or indirectly, in promotional materials for the event or at the event;
- (d) whether the event is consistent with previous events held by that third party;
- (e) whether messages conveyed at the event are political messages associated with a registered party, the leader of a registered party, a member of the Legislative Assembly, a nomination contestant, a registered leadership contestant or a registered candidate.

(2) For the purposes of subsection (1)(b), “services” does not include

- (a) volunteer labour provided by a person, so long as that person does not receive from his or her employer, or any person, compensation or paid time off to volunteer,
- (b) audit and professional services provided free of charge for work relating to compliance with this Act,
- (c) services provided free of charge by a person acting as the chief financial officer of the recipient of the services for work relating to compliance with this Act, or
- (d) services that a third party provides in support of its own campaign,

but for greater certainty “services” include services provided by a person who is self-employed if the services are normally charged for by that person.

(3) The Chief Electoral Officer may issue guidelines respecting the application of this Part and shall publish any guidelines on the Chief Electoral Officer's website.

2010 c8 s89;2012 c5 s88;2016 c29 s43;2017 c29 ss128,131;
2018 c4 s2;2021 c24 s5(49);2024 c9 s3;2025 c7 s7(56)

Election advertising spending limit

44.11(1) A registered third party shall not incur election advertising expenses,

- (a) if the general election is held in accordance with section 38.1(2) of the *Election Act*,
 - (i) in an amount of more than \$500 000 in the aggregate, as adjusted in accordance with section 41.5, in relation to the period commencing on the 4th Monday in May in the year in which the general election is held and ending at the end of the day preceding the day the writ is issued, and
 - (ii) in an amount of more than \$500 000 in the aggregate, as adjusted in accordance with section 41.5 in relation to the period commencing on the day the writ is issued and ending at the end of the election day, and
- (b) if the general election is held other than in accordance with section 38.1(2) of the *Election Act*, in an amount of more than \$500 000 in the aggregate, as adjusted in accordance with section 41.5 in relation to the period commencing on the day the writ is issued and ending at the end of the election day.

(2) A registered third party shall not incur election advertising expenses to promote or oppose the election of one or more registered candidates in a given electoral division that exceed the following, as adjusted in accordance with section 41.5:

- (a) in the case of a general election held in accordance with section 38.1(2) of the *Election Act*, \$10 000 of the amount referred to in subsection (1)(a)(i) and \$10 000 of the amount referred to in subsection (1)(a)(ii), or
- (b) in the case of a general election held other than in accordance with section 38.1(2) of the *Election Act*, \$10 000 of the amount referred to in subsection (1)(b).

(2.1) For the purpose of subsection (2), promoting or opposing the election of a registered candidate in a given electoral division includes

- (a) naming that candidate,
- (b) showing that candidate's likeness,
- (c) identifying that candidate by political affiliations, or
- (d) taking a position on an issue with which that candidate is particularly associated.

(3) The limits set out in subsection (2)(a) and (b) apply to an amount incurred with respect to the leader of a registered party only to the extent that it is incurred to promote or oppose his or her election in a given electoral division.

(4) A registered third party shall not incur election advertising expenses in a total amount of more than \$10 000, as adjusted in accordance with section 41.5, in relation to a by-election in a given electoral division.

(5) A third party shall not circumvent, or attempt to circumvent, a limit set out in this section in any manner, including by splitting itself into 2 or more third parties for the purpose of circumventing a limit or acting in collusion with another third party so that their combined election advertising expenses exceed a limit.

(5.1) A registered third party shall not circumvent, or attempt to circumvent, an expense limit set out in this Part by colluding with a registered party or registered candidate.

(5.2) A registered party, registered candidate or registered leadership contestant shall not collude with a third party to circumvent, or attempt to circumvent, an expense limit set out in this Part.

(6) For greater certainty, for the purposes of this section, if election advertising is transmitted during an election advertising period, the expense incurred for that advertising is considered to be an election advertising expense, regardless of when it was incurred.

(7) The chief financial officer of a registered third party shall prepare an election advertising expense limit report for the purposes of a return required to be filed under section 44.9 relating to third party advertising expenses in relation to election advertising.

2016 c29 s43; 2017 c29 ss129,131; 2021 c24 s5(50); 2024 c9 s3;
2025 c7 s7(57)

Eligibility to make advertising contributions

44.2(1) A person or entity, other than a permitted person or entity, must not make an election advertising contribution.

(2) No political advertising contribution shall be made to a third party by any of the following:

- (a) a person who is not
 - (i) a Canadian citizen or permanent resident as defined in the *Immigration and Refugee Protection Act* (Canada), and
 - (ii) ordinarily resident in Canada;
- (b) a corporation, unincorporated association or organization that is incorporated, formed or otherwise organized outside Canada and
 - (i) that does not carry on business in Canada, or
 - (ii) whose only business activity in Canada consists of doing anything to influence electors to vote or refrain from voting or to vote or refrain from voting for a specific registered candidate or registered political party;
- (c) a prohibited corporation;
- (d) a trade union that does not hold bargaining rights for employees in Canada;
- (e) an employee organization that does not hold bargaining rights for employees in Canada;
- (f) a registered charity;
- (g) a political party, constituency association, prospective candidate association or candidate;
- (h) a group that includes a person referred to in clauses (a) to (g) as a member.

2010 c8 s89;2012 c5 s89;2015 c15 s14;2016 c29 s43;2021 c24 s5(51);
2025 c7 s7(58);2025 c22 s4

Restrictions on advertising contributions and expenses

44.201(1) The amount of election advertising contributions made to a third party in any year by a contributor who is eligible to make election advertising contributions and who makes only election advertising contributions in that year shall not exceed \$5000, as adjusted in accordance with section 41.5, in the aggregate.

(2) The amount of political advertising contributions made to a third party in any year by a contributor that is eligible to make political advertising contributions and that makes only political

advertising contributions in that year shall not exceed \$5000, as adjusted in accordance with section 41.5, in the aggregate.

(3) The combined amount of election advertising contributions and political advertising contributions made to a third party in any year by a contributor who is eligible to make both election advertising contributions and political advertising contributions shall not exceed \$5000, as adjusted in accordance with section 41.5, in the aggregate.

(4) No contributor shall make an election advertising contribution or political advertising contribution to a third party unless the third party

(a) is registered under section 9.1, or

(b) is not required to be registered under section 9.1.

(5) No third party required to be registered under section 9.1 and no person acting for a third party required to be registered under section 9.1 shall accept an election advertising contribution or political advertising contribution or incur an election advertising expense or political advertising expense unless the third party is registered under section 9.1.

(6) No third party shall incur election advertising expenses in a total amount of \$1000 or more if the third party is not qualified to be registered under section 9.1.

(7) No third party or person acting on behalf of a third party shall accept or use, directly or indirectly, an election advertising contribution or political advertising contribution if the third party knows or ought to know that

(a) the contribution was made in contravention of section 44.2, or

(b) the amount of the contribution would cause the contributor to exceed the limit prescribed by subsection (1), (2) or (3), as applicable.

(8) A prospective contributor must ensure, before making an election advertising contribution or political advertising contribution to a third party, that the contributor is not prohibited from making the contribution and is not making a contribution that is in excess of the limit prescribed by subsection (1), (2) or (3), as applicable.

(9) If a chief financial officer becomes aware that an election advertising contribution or political advertising contribution in

contravention of section 44.2 or this section was made to or accepted by or on behalf of a third party for whom the chief financial officer acts, the chief financial officer must, within 30 days after becoming aware of the contribution,

- (a) provide the Chief Electoral Officer with written notice of the contribution and circumstances, and
- (b) do one of the following, as applicable:
 - (i) if the contribution was a contribution in excess of a limit set out in subsection (1), (2) or (3) and the identity of the contributor is known, return the portion of the contribution that exceeds the applicable limit to the contributor;
 - (ii) if the contribution was a contribution in excess of a limit set out in subsection (1), (2) or (3) and the identity of the contributor cannot be determined, transfer the amount of the contribution that exceeds the applicable limit to the Chief Electoral Officer;
 - (iii) if the contribution was in contravention of section 44.2 or this section, other than subsection (1), (2) or (3), and the identity of the contributor is known, return the contribution to the contributor;
 - (iv) if the contribution was in contravention of section 44.2 or this section, other than subsection (1), (2) or (3), and the identity of the contributor cannot be determined, transfer the amount of the contribution to the Chief Electoral Officer.

(10) The Chief Electoral Officer must deposit the funds received under subsection (9) into the General Revenue Fund.

2021 c24 s5(51);2025 c7 s7(59)

Payments made by third party

44.21 Any money paid by a third party from its own funds

- (a) for election advertising is an advertising contribution of the third party for the purposes of this Part, and
- (b) for political advertising is a political advertising contribution of the third party for the purposes of this Part.

2010 c8 s89;2016 c29 s43

Deposit of advertising contributions

44.22(1) Advertising contributions for election advertising or political advertising accepted by or on behalf of a registered third party shall be paid into the appropriate advertising account.

(2) When any advertising contribution, other than money, accepted by or on behalf of a registered third party is converted at any time into money, that amount shall be paid into the appropriate advertising account.

2016 c29 s43

Additional rules for groups

44.3 The following rules apply where a group wishes to make an advertising contribution to a third party or wishes to use funds collected to pay for advertising expenses:

- (a) an advertising contribution from funds collected from a group's members may be attributed to its members only if
 - (i) the amounts paid by its members were made on a voluntary basis,
 - (ii) it was made explicit whether the amounts being collected were for election advertising or for political advertising, and
 - (iii) the names of the members who made the payments, and the amounts they each paid, are recorded by the group and, if applicable, provided to the third party;
- (b) a group other than a trade union or employee organization may make advertising contributions only from funds collected from its members in accordance with clause (a);
- (c) advertising contributions by a trade union or employee organization from funds collected from its members but not in accordance with clause (a) are deemed to be advertising contributions of the trade union or employee organization and cannot be attributed to its members;
- (d) amounts making up advertising contributions that are attributed to members under clause (a) are advertising contributions of those members for the purposes of this Part.

2010 c8 s89;2016 c29 s43

Valuing contributions other than money

44.31(1) The value of advertising contributions, other than money, provided to a third party is the market value of the advertising contributions at that time.

(2) If any real property, goods or services or the use of real property, goods or services is provided to a third party for a price that is less than the market value at that time, the amount by which the value exceeds the price is an advertising contribution for the purposes of this Part.

2010 c8 s89;2016 c29 s43

Fund-raising functions

44.32(1) In this section, “fund-raising function” includes any social function held for the purpose of raising funds for a third party required to be registered under section 9.1 by whom or on whose behalf the function is held.

(2) The gross income from any fund-raising function must be recorded by the chief financial officer of the third party that held the function or on whose behalf the function was held.

(3) If a fund-raising function is held by the sale of tickets by or on behalf of a third party, the amount of the advertising contribution is to be determined under clause (a) or under clause (b), at the option of the third party:

- (a) if the individual charge
 - (i) is \$50 or less, it is not considered to be an advertising contribution unless the person who pays the charge specifically requests that it be so considered, in which case 1/2 of the amount is allowed for expenses and 1/2 is considered to be an advertising contribution,
 - (ii) is more than \$50 but not more than \$100, \$25 is allowed for expenses and the balance is considered to be an advertising contribution, and
 - (iii) is more than \$100, 25% of the amount is allowed for expenses and the balance is considered to be an advertising contribution;
- (b) the amount of the advertising contribution is the difference between the price of the ticket and the market value of what the ticket entitles the bearer to obtain.

(4) The price paid by a person at a fund-raising function in excess of the market value at that time for goods or services received is considered to be an advertising contribution to the third party.

(5) This section does not apply to a fund-raising function for purposes unrelated to election advertising or political advertising.

2010 c8 s89;2012 c5 s90;2016 c29 s43

Advertising contributions less than \$50

44.33(1) When, at a meeting held on behalf of or in relation to the affairs of a third party, money is given in response to a general collection of money solicited from the persons in attendance at the meeting, individual amounts given of \$50 or less shall not be considered to be advertising contributions, but the chief financial officer of the third party shall record the aggregate amount received.

(2) Subsection (1) does not apply to funds raised for or on behalf of a third party for purposes unrelated to election advertising or political advertising.

2010 c8 s89;2016 c29 s43

Loans

44.4(1) A third party

- (a) may borrow money only from a financial institution other than a treasury branch, and
- (b) shall record all loans and their terms and shall report accordingly to the Chief Electoral Officer.

(2) Any payment in respect of a loan to which subsection (1) applies is considered an advertising contribution by the person, corporation or group that made the payment unless that person, corporation or group is reimbursed by the borrower prior to the filing by the borrower of the applicable advertising report or return next required to be filed pursuant to section 44.82 or 44.9.

(3) This section does not apply to the borrowing of money by a third party for purposes unrelated to election advertising or political advertising.

2010 c8 s89;2016 c29 s43

**Anonymous contributions and
unauthorized contributions**

44.5(1) Any anonymous advertising contribution in excess of \$50 and any advertising contribution or portion of a contribution made in contravention of this Part accepted by a registered third party must not be used or expended, and the registered third party

- (a) shall return the advertising contribution or the portion, as the case may be, to the contributor if the contributor's identity can be established, or
- (b) if the contributor's identity cannot be established, shall pay an amount equivalent to the advertising contribution to the Chief Electoral Officer.

(2) Any amounts received by the Chief Electoral Officer under subsection (1)(b) must be paid into the General Revenue Fund.

2010 c8 s89;2012 c5 s91;2016 c29 s43

Contributions not belonging to contributor

44.51(1) A person or entity that is eligible to make an election advertising contribution under section 44.2(1) or a political advertising contribution under section 44.2(2) must not contribute to a third party that is registered or required to be registered under section 9.1

- (a) funds not belonging to the person or entity, or
- (b) funds given to the person or entity for the purpose of making an advertising contribution to the third party.

(2) A third party registered or required to be registered under section 9.1 or a person acting on its behalf must not solicit or accept an advertising contribution if the third party or person, as the case may be, knows or ought to know that the contribution consists of funds described in subsection (1).

(3) If the chief financial officer becomes aware that an advertising contribution referred to in subsection (1) was made to or accepted by or on behalf of the third party for whom the chief financial officer acts, the chief financial officer must, within 30 days after becoming aware of the contribution,

- (a) provide the Chief Electoral Officer with written notice of the contribution and circumstances, and
- (b) do one of the following, as applicable:
 - (i) if the identity of the contributor is known, return the contribution to the contributor;
 - (ii) if the identity of the contributor cannot be determined, transfer the amount of the contribution to the Chief Electoral Officer.

(4) The Chief Electoral Officer must deposit the funds received under subsection (3) into the General Revenue Fund.

2016 c29 s43;2021 c24 s5(52);2025 c7 s7(60)

Receipts

44.6 A third party shall issue receipts in the form and manner approved by the Chief Electoral Officer for every advertising contribution accepted by the third party.

2010 c8 s89;2016 c29 s43

Third party advertising expenses

44.7(1) All election advertising expenses or political advertising expenses, as the case may be, must be paid from the third party's applicable advertising account.

(2) Every registered third party shall appoint a chief financial officer.

(3) Every election advertising expense or political advertising expense that is incurred by or on behalf of a registered third party must be authorized by its chief financial officer.

(4) No advertising contribution shall be accepted by a registered third party otherwise than through the third party's chief financial officer.

(5) The chief financial officer may delegate a function described in subsection (3) or (4) to another person, but the delegation does not limit the chief financial officer's responsibility.

(6) Subject to the requirements of this Part, a registered third party that operates an advertising account may transfer amounts

- (a) from its election advertising account to the election advertising accounts of other registered third parties,
- (b) from its political advertising account to the political advertising accounts of other registered third parties,
- (c) from its election advertising account to its political advertising account, or
- (d) from its election advertising account to the political advertising accounts of other registered third parties,

and any amounts transferred shall not be considered as advertising contributions for the purposes of this Part, but must be recorded as to source and amount.

(7) Funds held in a political advertising account shall not

- (a) be transferred to the third party's election advertising account, if the third party has such an account, or
- (b) to the election advertising account of another third party.

(8) All election advertising expenses or political advertising expenses paid for by a third party from its advertising account must be recorded in its applicable advertising report.

2010 c8 s89;2016 c29 s43

Identification of third parties

44.8(1) A third party, or a person acting on a third party's behalf, must ensure that election advertising or political advertising sponsored by the third party complies with the following in accordance with the guidelines of the Chief Electoral Officer:

- (a) the election advertising and political advertising must include the third party's name and contact information and must indicate whether the third party authorizes the election advertising or political advertising;
- (b) subject to clause (c), in the case of election advertising or political advertising that is broadcast or is made available through electronic media, the information referred to in clause (a) must be stated at the beginning of the election advertising or political advertising;
- (c) in the case of election advertising or political advertising transmitted to a telephone, whether in the form of a live call or an automated pre-recorded call,
 - (i) the telephone number of the third party must be capable of being displayed on the call display of called parties who subscribe to call display, and must not be blocked from being displayed,
 - (ii) the name of the third party must be stated at the beginning of the election advertising or political advertising,
 - (iii) the election advertising or political advertising must state whether the third party authorizes the election advertising or political advertising, and
 - (iv) the telephone number of the third party at which the third party can be contacted must be stated at the end of the election advertising or political advertising.

(2) The Chief Electoral Officer shall establish guidelines respecting the requirements referred to in subsection (1).

(3) The guidelines established under subsection (2) must be published on the Chief Electoral Officer's website.

(4) If election advertising or political advertising is not in compliance with this section, the Chief Electoral Officer may cause it to be removed or discontinued, and in the case of election advertising or political advertising displayed on a sign, poster or other similar format, neither the Chief Electoral Officer nor any

person acting under the Chief Electoral Officer's instructions is liable for trespass or damage resulting from or occasioned by the removal.

2010 c8 s89;2012 c5 s92;2016 c29 s43;2026 c4 s2

**Disclosure of contributions for
election advertising**

44.81(1) This section applies only to advertising contributions provided for the purpose of election advertising.

(2) In addition to the report referred to in section 44.9, every registered third party who engages in election advertising shall file with the Chief Electoral Officer, in the form and manner and within the time determined by the Chief Electoral Officer, weekly reports about advertising contributions received during the election advertising period, setting out

- (a) the total amount of all advertising contributions received during each week of the election advertising period that did not exceed \$250 in the aggregate from any single contributor, and
- (b) for each contributor who made advertising contributions during that week totalling more than \$250, the total amount contributed, together with the contributor's name and address and the amount and date of each advertising contribution.

(3) The reports under subsection (2) for the weeks following the first week must also include the total amounts contributed by a contributor when the advertising contributions of that contributor exceeded \$250 in the aggregate from the beginning of the election advertising period to the end of the particular week for which the report is being prepared, together with the contributor's name and address.

2016 c29 s43;2017 c29 ss130,131

**Disclosure of contributions for
political advertising**

44.82(1) This section applies only to advertising contributions provided for the purpose of political advertising.

(2) The chief financial officer of a registered third party shall file with the Chief Electoral Officer, in the form and manner approved by the Chief Electoral Officer, within 15 days after the end of each quarter of each year, a report setting out

- (a) the total amount of all advertising contributions received during the quarter that did not exceed \$250 in the aggregate from any single contributor, and
 - (b) for each contributor who made advertising contributions during the quarter totalling more than \$250, the total amount contributed, together with the contributor's name and address and the amount and date of each advertising contribution.
- (3) The reports under subsection (2) for the 2nd, 3rd and final quarters must also include the total amounts contributed by a contributor when the advertising contributions of that contributor exceeded \$250 in the aggregate on a year-to-date basis, together with the contributor's name and address.
- (4) For the purpose of subsection (2), the ends of each quarter of a year are as follows:
- (a) for the first quarter, March 31;
 - (b) for the 2nd quarter, June 30;
 - (c) for the 3rd quarter, September 30;
 - (d) for the final quarter, December 31.
- (5) The chief financial officer of a registered third party shall, on or before March 31 of each year, file an annual report in the form and manner approved by the Chief Electoral Officer respecting advertising contributions received in respect of political advertising for the preceding calendar year.
- (6) A report under subsection (2) must be filed for the final quarter of 2016 for the period commencing November 28, 2016, and ending December 31, 2016, but an annual report referred to in subsection (5) is not required to be filed for 2016.

2016 c29 s43

Third party election advertising return

44.9(1) Subject to subsection (2), within 6 months after election day the chief financial officer of a third party who is registered under section 9.1(2)(a) shall file with the Chief Electoral Officer a third party election advertising return, which must include

- (a) a financial statement,
- (b) a list of all advertising contributions received during the election advertising period,

- (c) an election advertising spending limit report referred to in section 44.11(7),
 - (d) the time and place of broadcast or publication of the advertisements to which the election advertising expenses relate, and
 - (e) any supporting information and documents relating to the election advertising return.
- (2) If the election day for a general election occurs within 6 months after the election day for a previous general election, the time for compliance with subsection (1) in respect of the previous general election is extended to the expiration of the 4-month period after the 2nd general election.
- (3) The chief financial officer of a registered third party that accepts election advertising contributions or incurs election advertising expenses outside of the return period in subsection (1) shall file a report with the Chief Electoral Officer on or before March 31 of each year for the preceding calendar year.
- (4) If a registered third party has not incurred election advertising expenses, that fact shall be indicated in its election advertising return.
- (5) For the purposes of subsection (1)(b), the list of contributions received shall set out, for each contributor who made election advertising contributions totalling more than \$250, the contributor's name and address and the amount and date of each advertising contribution.
- (6) A chief financial officer shall, at the request of the Chief Electoral Officer, provide the original of any bill, voucher or receipt for an election advertising expense of more than \$50.
- (7) The Chief Electoral Officer may issue guidelines relating to the preparation and contents of the election advertising return referred to in this section and shall publish any guidelines on the Chief Electoral Officer's website.

2010 c8 s89;2012 c5 s93;2016 c29 s43;2017 c29 s131;
2021 c24 s5(53)

Audited financial statements

44.91(1) The chief financial officer of a third party whose election advertising expenses are \$100 000 or more shall file an audited financial statement with the Chief Electoral Officer within 6 months after election day.

(2) The Chief Electoral Officer may determine what information is to be provided in the audited financial statement required under subsection (1).

2010 c8 s89;2016 c29 s43;2021 c24 s5(53)

Disposition of advertising account funds

44.92(1) Subject to subsection (2), any funds held by a registered third party in its election advertising account with respect to an election advertising period shall continue to be held in the election advertising account to be expended for election advertising during a subsequent election advertising period.

(2) If a registered third party decides not to expend funds for election advertising during the next election advertising period for a general election or does not engage in election advertising during the next election advertising period for a general election, the registered third party shall, within 6 months after that period, deal with the funds remaining in the election advertising account in accordance with subsection (4).

(3) If a registered third party decides not to engage in political advertising, the registered third party shall deal with the funds remaining in its political advertising account in accordance with subsection (4) by the time the report for the next quarter is required to be filed, as referred to in section 44.82.

(4) Funds remaining in the advertising accounts referred to in subsections (2) and (3) must be dealt with in one or more of the following ways:

- (a) by transferring the funds in accordance with section 44.7;
- (b) by donating the funds to a registered charity;
- (c) by returning the funds to the third party's contributors if they can be identified;
- (d) if the funds or any portion of the funds cannot be dealt with in accordance with clauses (a) to (c), by paying the funds or that portion of the funds, as the case may be, to the Chief Electoral Officer for deposit into the General Revenue Fund.

(5) A registered third party to which subsection (2) or (3) applies shall notify the Chief Electoral Officer of its decisions under this section and shall apply to the Chief Electoral Officer under section 10 to cancel its registration.

(6) The chief financial officer of a registered third party that has not dealt with the funds remaining in the respective advertising accounts referred to in subsection (2) or (3) shall file an election

advertising return with the Chief Electoral Officer on or before March 31 of each year until such time as the funds have been disposed of completely.

2010 c8 s89;2012 c5 s93;2016 c29 s43;2017 c29 s131

Late filing fee

44.93(1) In this section, “filing deadline” means the day by which a report and return under this Part are required to be filed with the Chief Electoral Officer.

(2) A third party that is required to file a report and return under this Part and fails to file that report or return by the filing deadline must pay a late filing fee of \$500 to the Chief Electoral Officer.

(3) The Chief Electoral Officer shall not cancel the registration of the third party under section 10(4.1) if the report or return is filed no later than 30 days after the filing deadline.

(4) The third party and the chief financial officer of the third party are jointly and severally liable for payment of the fee referred to in subsection (2).

(5) If the late filing fee is not paid within 30 days after the date the fee was payable, the Chief Electoral Officer shall send a notice to the third party and the chief financial officer referred to in subsection (4) indicating the amount of the late filing fee that is required to be paid.

(6) If the third party and the chief financial officer who are sent notices by the Chief Electoral Officer under subsection (5) fail to pay the late filing fee set out in the notice, the Chief Electoral Officer may file a copy of the notice with the clerk of the Court of King’s Bench, and on being filed, the notice has the same force and effect and may be enforced as if it were a judgment of the Court.

2010 c8 s89;2015 c15 s15;2016 c29 s43;AR 217/2022

Application

44.94 This Part applies

- (a) on and after January 1, 2017, with respect to third parties that engage in election advertising, and
- (b) on and after the day the Bill to enact the *Fair Elections Financing Act* received first reading, with respect to third parties that engage in political advertising.

2010 c8 s89;2015 c15 s16;2016 c29 s43

Part 6.11

Third Party Advertising — Senate Elections

Definitions

44.941(1) In this Part,

- (a) repealed 2020 c19 s15(7);
- (b) “expenses” means
 - (i) amounts paid,
 - (ii) liabilities incurred,
 - (iii) subject to subsection (1.1), the market value of real property, goods and services that are donated or provided, and
 - (iv) subject to subsection (1.1), amounts that represent the difference between an amount paid or a liability incurred for real property, goods or services and the market value of the real property, goods or services, when they are provided at less than their market value;
- (c) “group” means an unincorporated group of persons or corporations acting in consort for a common purpose and includes a trade union and an employee organization or any combination of persons, corporations, trade unions or employee organizations;
- (d) “registered third party” means a third party registered under section 9.1;
- (e) “Senate election advertising” means, subject to subsection (3), the transmission to the public by any means during the Senate election advertising period of an advertising message that promotes or opposes the election of a registered candidate for Senate election, and 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 a Senate election,

- (iii) the transmission of a document or the communication directly by a corporation or a group to its members, employees or shareholders, as the case may be,
- (iv) the transmission by a person, corporation or group, on a non-commercial basis on the Internet, of the political views of that person, corporation or group,
- (v) the making of telephone calls to electors only to encourage them to vote, or
- (vi) advertising by the Government in any form;
- (f) “Senate election advertising account” means the account on record with the Chief Electoral Officer for the purpose of accepting Senate election advertising contributions and for the payment of Senate election advertising expenses;
- (g) “Senate election advertising contribution” means, subject to subsection (2),
 - (i) money provided to or for the benefit of a third party, or
 - (ii) real property, goods or services, or the use of real property, goods or services, provided to or for the benefit of a third party,

without compensation from that third party, for the purpose of Senate election advertising, whether provided before or after the third party becomes registered under section 9.1;
- (g.1) “Senate election advertising expense” means an expense incurred in relation to
 - (i) the production of a Senate election advertising message in the format in which the message is to be transmitted, and
 - (ii) the acquisition of the means of transmission to the public of a Senate election advertising message;
- (h) “Senate election advertising period” means
 - (i) in the case of an election under the *Alberta Senate Election Act* to be held in conjunction with a general election under the *Election Act* or a stand-alone order, the period commencing at the beginning of the campaign period for that election and ending on election day, and

- (ii) in the case of an election under the *Alberta Senate Election Act* to be held in conjunction with a general election under the *Local Authorities Election Act*, the period commencing May 1 in the year in which the general election is held and ending at the end of the election day;
- (i) “third party” means a person, corporation or group, but does not include the following:
 - (i) a registered party;
 - (ii) a registered constituency association;
 - (ii.1) a registered prospective candidate association;
 - (iii) a registered candidate or member of the Legislative Assembly;
 - (iv) a nomination contestant;
 - (v) a registered leadership contestant.

(1.1) For the purposes of subsection (1)(b)(iii) and (iv), “services” does not include volunteer labour provided by a person, so long as that person does not receive from his or her employer, or any person, compensation or paid time off to volunteer but, for greater certainty, does include services provided by a person who is self-employed if the services are normally charged for by that person.

(2) For the purposes of subsection (1)(g), “services” does not include

- (a) volunteer labour provided by a person, so long as that person does not receive from his or her employer, or any person, compensation or paid time off to volunteer,
- (b) audit and professional services provided free of charge for work relating to compliance with this Act,
- (b.1) the distribution of publicly available information,
- (c) services provided free of charge by a person acting as the chief financial officer of the recipient of the services for work relating to compliance with this Act, or
- (d) services that a third party provides in support of its own campaign,

but for greater certainty “services” include services provided by a person who is self-employed if the services are normally charged for by that person.

(3) For the purposes of subsection (1)(e), “Senate election advertising” includes

- (a) canvassing for the benefit of a registered party or registered candidate, and
- (b) organizing events where a significant purpose of the event is to promote or oppose a registered candidate for Senate election.

(4) The Chief Electoral Officer may issue guidelines respecting the application of this Part and shall publish any guidelines on the Chief Electoral Officer’s website.

2019 cA-33.5 s51(22); 2020 c19 s15(7),(25); 2021 c24 s5(54);
2025 c7 s7(61)

Election advertising spending limit

44.942(1) A registered third party shall not incur Senate election advertising expenses in an amount of more than \$30 000 in the aggregate, as adjusted in accordance with section 41.5, in relation to a Senate election advertising period.

(2) A third party shall not circumvent, or attempt to circumvent, a limit set out in this section in any manner, including by splitting itself into 2 or more third parties for the purpose of circumventing a limit or acting in collusion with another third party so that their combined Senate election advertising expenses exceed a limit.

(3) A registered third party shall not circumvent, or attempt to circumvent, an expense limit set out in this Part by colluding with a registered party or registered candidate.

(4) A registered party or registered candidate shall not collude with a third party to circumvent, or attempt to circumvent, an expense limit set out in this Part.

(5) For greater certainty, for the purposes of this section, if Senate election advertising is transmitted during a Senate election advertising period, the expense incurred for that advertising is considered to be an Senate election advertising expense under this Part, regardless of when it was incurred.

(6) The chief financial officer of a registered third party shall prepare a Senate election advertising expense limit report for the purposes of a return required to be filed under section 44.9498.

(7) Subject to this Part, a registered third party that operates a Senate election advertising account may transfer amounts from its account to the Senate election advertising accounts of other registered third parties.

2019 cA-33.5 s51(22);2020 c19 s15(8),(25)

Restrictions on advertising contributions and expenses

44.943(1) A person or entity, other than a permitted person or entity, must not make a Senate election advertising contribution.

(2) A permitted person's or entity's Senate election advertising contribution in each year to a third party must not, in the aggregate, exceed \$5000, as adjusted in accordance with section 41.5.

(3) No person or entity shall make a Senate election advertising contribution to a third party unless the third party

(a) is registered under section 9.1, or

(b) is not required to be registered under section 9.1.

(4) No third party required to be registered under section 9.1 and no person acting on behalf of a third party required to be registered under section 9.1 shall accept a Senate election advertising contribution or incur a Senate election advertising expense unless the third party is registered under section 9.1.

(5) No third party shall incur Senate election advertising expenses in a total amount of \$1000 or more if the third party is not eligible to be registered under section 9.1.

(6) No third party or person acting on behalf of a third party shall accept or use, directly or indirectly, a Senate election advertising contribution if the third party knows or ought to know that

(a) the contribution was made in contravention of subsection (1), or

(b) the amount of the contribution would cause the contributor to exceed the limit prescribed by subsection (2).

(7) A prospective contributor must ensure, before making a Senate election advertising contribution to a third party, that the contributor is not prohibited from making the Senate election advertising contribution and is not making a Senate election advertising contribution that is in excess of the limit prescribed by subsection (2).

(8) If a chief financial officer becomes aware that a Senate election advertising contribution in contravention of this section was made

to or accepted by or on behalf of the third party for whom the chief financial officer acts, the chief financial officer must, within 30 days after becoming aware of the contribution,

- (a) provide the Chief Electoral Officer with written notice of the contribution and circumstances, and
- (b) do one of the following, as applicable:
 - (i) if the contribution was a contribution in excess of the limit set out in subsection (2) and the identity of the contributor is known, return the portion of the contribution that exceeds the limit set out in subsection (2) to the contributor;
 - (ii) if the contribution was a contribution in excess of the limit set out in subsection (2) and the identity of the contributor cannot be determined, transfer the amount of the contribution that exceeds the limit set out in subsection (2) to the Chief Electoral Officer;
 - (iii) if the contribution was in contravention of this section, other than subsection (2) and the identity of the contributor is known, return the contribution to the contributor;
 - (iv) if the contribution was in contravention of this section, other than subsection (2), and the identity of the contributor cannot be determined, transfer the amount of the contribution to the Chief Electoral Officer.

(9) The Chief Electoral Officer must deposit the funds received under subsection (8) into the General Revenue Fund.

2019 cA-33.5 s51(22);2020 c19 s15(9),(25);2021 c24 s5(55);
2025 c7 s7(62)

Payments made by third party

44.944 Any money paid by a third party from its own funds for Senate election advertising is a Senate election advertising contribution of the third party for the purposes of this Part.

2019 cA-33.5 s51(22);2020 c19 s15(10),(25)

Deposit of advertising contributions

44.945(1) Advertising contributions for Senate election advertising accepted by or on behalf of a registered third party shall be paid into the Senate election advertising account.

(2) When any advertising contribution for a Senate election, other than money, accepted by or on behalf of a registered third party is

converted at any time into money, that amount shall be paid into the Senate election advertising account.

2019 cA-33.5 s51(22);2020 c19 s15(11),(25)

44.946 Repealed 2021 c24 s5(56).

Valuing contributions other than money

44.947(1) The value of Senate election advertising contributions, other than money, provided to a third party is the market value of the Senate election advertising contributions at that time.

(2) If any real property, goods or services or the use of real property, goods or services is provided to a third party for a price that is less than the market value at that time, the amount by which the value exceeds the price is a Senate election advertising contribution for the purposes of this Part.

2019 cA-33.5 s51(22);2020 c19 s15(13)

Fund-raising functions

44.948(1) In this section, “fund-raising function” includes any social function held for the purpose of raising funds for a third party required to be registered under section 9.1 by whom or on whose behalf the function is held.

(2) The gross income from any fund-raising function must be recorded by the chief financial officer of the third party that held the function or on whose behalf the function was held.

(3) If a fund-raising function is held by the sale of tickets by or on behalf of a third party, the amount of the Senate election advertising contribution is to be determined under clause (a) or under clause (b), at the option of the third party:

- (a) if the individual charge
 - (i) is \$50 or less, it is not considered to be a Senate election advertising contribution unless the person who pays the charge specifically requests that it be so considered, in which case 1/2 of the amount is allowed for expenses and 1/2 is considered to be a Senate election advertising contribution,
 - (ii) is more than \$50 but not more than \$100, \$25 is allowed for expenses and the balance is considered to be a Senate election advertising contribution, and
 - (iii) is more than \$100, 25% of the amount is allowed for expenses and the balance is considered to be a Senate election advertising contribution;

(b) the amount of the Senate election advertising contribution is the difference between the price of the ticket and the market value of what the ticket entitles the bearer to obtain.

(4) The price paid by a person at a fund-raising function in excess of the market value at that time for goods or services received is considered to be a Senate election advertising contribution to the third party.

(5) This section does not apply to a fund-raising function for purposes unrelated to Senate election advertising.

2019 cA-33.5 s51(22);2020 c19 s15(14),(25)

Advertising contributions less than \$50

44.949(1) When, at a meeting held on behalf of or in relation to the affairs of a third party, money is given in response to a general collection of money solicited from the persons in attendance at the meeting, individual amounts given of \$50 or less will not be considered to be Senate election advertising contributions, but the chief financial officer of the third party must record the aggregate amount received.

(2) Subsection (1) does not apply to funds raised for or on behalf of a third party for purposes unrelated to Senate election advertising.

2019 cA-33.5 s51(22);2020 c19 s15(15),(25)

Loans

44.949(1) A third party

(a) may borrow money only from a financial institution other than a treasury branch, and

(b) shall record all loans and their terms and shall report accordingly to the Chief Electoral Officer.

(2) Any payment in respect of a loan to which subsection (1) applies is considered a Senate election advertising contribution by the person, corporation or group that made the payment unless that person, corporation or group is reimbursed by the borrower prior to the filing by the borrower of the applicable advertising report or return next required to be filed pursuant to section 44.9498.

(3) This section does not apply to the borrowing of money by a third party for purposes unrelated to Senate election advertising.

2019 cA-33.5 s51(22);2020 c19 s15(16),(25)

**Anonymous contributions and
unauthorized contributions**

44.9492(1) Any anonymous Senate election advertising contribution in excess of \$50 and any Senate election advertising contribution or portion of a contribution made in contravention of this Part accepted by a registered third party must not be used or expended, and the registered third party

- (a) shall return the Senate election advertising contribution or the portion, as the case may be, to the contributor if the contributor's identity can be established, or
- (b) if the contributor's identity cannot be established, shall pay an amount equivalent to the Senate election advertising contribution to the Chief Electoral Officer.

(2) Any amounts received by the Chief Electoral Officer under subsection (1)(b) must be paid into the General Revenue Fund.
2019 cA-33.5 s51(22);2020 c19 s15(17)

Contributions not belonging to contributor

44.9493(1) A person or entity must not contribute to a third party that is registered or required to be registered under section 9.1

- (a) funds not belonging to the person or entity, or
- (b) funds given to the person or entity for the purpose of making a Senate election advertising contribution to the third party.

(1.1) A person or entity must not give funds to another person or entity for the purpose of having that person or entity make a Senate election advertising contribution.

(2) No third party that is registered or is required to be registered under section 9.1 and no person on its behalf shall solicit or accept any Senate election advertising contribution if the third party or person knows or ought to know that the contribution is contrary to subsection (1).

(3) If the chief financial officer becomes aware that a Senate election advertising contribution in contravention of subsection (1) was made to or accepted by or on behalf of the third party for whom the chief financial officer acts, the chief financial officer must, within 30 days after becoming aware of the contribution,

- (a) provide the Chief Electoral Officer with written notice of the contribution and circumstances, and
- (b) do one of the following, as applicable:

- (i) if the identity of the contributor is known, return the contribution to the contributor;
- (ii) if the identity of the contributor cannot be determined, transfer the amount of the contribution to the Chief Electoral Officer.

(4) The Chief Electoral Officer must deposit the funds received under subsection (3) into the General Revenue Fund.
2019 cA-33.5 s51(22);2020 c19 s15(18);2021 c24 s5(57);
2025 c7 s7(63)

Receipts

44.9494 A third party shall issue receipts in the form and manner approved by the Chief Electoral Officer for every Senate election advertising contribution accepted by the third party under this Part.
2019 cA-33.5 s51(22);2020 c19 s15(19)

Third party advertising expenses

44.9495(1) All Senate election advertising expenses must be paid from the third party's Senate election advertising account.

(2) Every registered third party shall appoint a chief financial officer.

(3) Every Senate election advertising expense that is incurred by or on behalf of a registered third party must be authorized by its chief financial officer.

(4) No Senate election advertising contribution shall be accepted by a registered third party otherwise than through the third party's chief financial officer.

(5) The chief financial officer may delegate a function described in subsection (3) or (4) to another person, but the delegation does not limit the chief financial officer's responsibility.

(6) All Senate election advertising expenses paid for by a third party from its Senate election advertising account must be recorded in its applicable advertising report.

2019 cA-33.5 s51(22);2020 c19 s15(20),(25)

Identification of third parties

44.9496(1) A third party, or a person acting on a third party's behalf, must ensure that the Senate election advertising sponsored by the third party complies with the following in accordance with the guidelines of the Chief Electoral Officer:

- (a) the advertising must include the third party's name and contact information and must indicate whether the third party authorizes the advertising;
- (b) subject to clause (c), in the case of advertising that is broadcast or is made available through electronic media, the information referred to in clause (a) must be stated at the beginning of the advertising;
- (c) in the case of advertising transmitted to a telephone, whether in the form of a live call or an automated pre-recorded call,
 - (i) the telephone number of the third party must be capable of being displayed on the call display of called parties who subscribe to call display, and must not be blocked from being displayed,
 - (ii) the name of the third party must be stated at the beginning of the advertising,
 - (iii) the advertising must state whether the third party authorizes the advertising, and
 - (iv) the telephone number of the third party at which the third party can be contacted must be stated at the end of the advertising.

(2) The Chief Electoral Officer shall establish guidelines respecting the requirements referred to in subsection (1).

(3) The guidelines established under subsection (2) must be published on the Chief Electoral Officer's website.

(4) If the Senate election advertising is not in compliance with this section, the Chief Electoral Officer may cause it to be removed or discontinued, and in the case of the advertising displayed on a sign, poster or other similar format, neither the Chief Electoral Officer nor any person acting under the Chief Electoral Officer's instructions is liable for trespass or damage resulting from or occasioned by the removal.

2019 cA-33.5 s51(22);2020 c19 s15(25);2026 c4 s2

Disclosure of advertising contributions

44.9497(1) In addition to the return referred to in section 44.9498, every registered third party who engages in Senate election advertising shall file with the Chief Electoral Officer, in the form and manner and within the time determined by the Chief Electoral Officer, weekly reports about Senate election advertising contributions received during the Senate election advertising period, setting out

- (a) the total amount of all Senate election advertising contributions received during each week of the advertising period that did not exceed \$250 in the aggregate from any single contributor, and
- (b) for each contributor who made Senate election advertising contributions during that week totalling more than \$250, the total amount contributed, together with the contributor's name and address and the amount and date of each Senate election advertising contribution.

(2) The reports under subsection (1) for the weeks following the first week must also include the total amounts contributed by a contributor when the Senate election advertising contributions of that contributor exceeded \$250 in the aggregate from the beginning of the Senate election advertising period to the end of the particular week for which the report is being prepared, together with the contributor's name and address.

2019 cA-33.5 s51(22);2020 c19 s15(21),(25)

Third party advertising return

44.9498(1) Subject to subsection (2), within 6 months after election day in relation to an election under the *Alberta Senate Election Act* the chief financial officer of a third party who is registered under section 9.1(2)(c) shall file with the Chief Electoral Officer a third party Senate election advertising return, which must include

- (a) a financial statement,
- (b) a list of all Senate election advertising contributions received during the Senate election advertising period,
- (c) an Senate election advertising expense limit report referred to in section 44.942(6),
- (d) the time and place of broadcast or publication of the advertisements to which the Senate election advertising expenses relate, and
- (e) any supporting information and documents relating to the advertising return.

(2) If the election day for an election under the *Alberta Senate Election Act* occurs within 6 months after the election day for a previous election under that Act, the time for compliance with subsection (1) in respect of that previous election is extended to the expiration of the 4-month period after the 2nd election.

(3) The chief financial officer of a registered third party that accepts Senate election advertising contributions or incurs Senate election advertising expenses outside of the return period in subsection (1) shall file a report with the Chief Electoral Officer on or before March 31 of each year for the preceding calendar year.

(4) If a registered third party has not incurred Senate election advertising expenses, that fact shall be indicated in its Senate election advertising return.

(5) For the purposes of subsection (1)(b), the list of Senate election advertising contributions received shall set out, for each contributor who made Senate election advertising contributions totalling more than \$250, the contributor's name and address and the amount and date of each Senate election advertising contribution.

(6) A chief financial officer shall, at the request of the Chief Electoral Officer, provide the original of any bill, voucher or receipt for an Senate election advertising expense of more than \$50.

(7) The Chief Electoral Officer may issue guidelines relating to the preparation and contents of the Senate election advertising return referred to in this section and shall publish any guidelines on the Chief Electoral Officer's website.

2019 cA-33.5 s51(22);2020 c19 s15(22),(25);
2021 c24 s5(58)

Audited financial statements

44.9499(1) The chief financial officer of a third party whose Senate election advertising expenses are \$20 000 or more shall file an audited financial statement with the Chief Electoral Officer within 6 months after election day.

(2) The Chief Electoral Officer may determine what information is to be provided in the audited financial statement required under subsection (1).

2019 cA-33.5 s51(22);2020 c19 s15(23);
2021 c24 s5(59)

Disposition of advertising account funds

44.9499(1) Subject to subsection (2), any funds held by a registered third party in its Senate election advertising account with respect to a Senate election advertising period shall continue to be held in the account to be expended for advertising during a subsequent Senate election advertising period.

(2) If a registered third party decides not to expend funds for advertising during the next Senate election advertising period for an election under the *Alberta Senate Election Act*, or does not

engage in advertising during the next Senate election advertising period, the registered third party shall, within 6 months after that period, deal with the funds remaining in the advertising account in accordance with subsection (3).

(3) Funds remaining in the advertising account referred to in subsection (2) must be dealt with in one or more of the following ways:

- (a) by donating the funds to a registered charity;
- (b) by returning the funds to the third party's contributors if they can be identified;
- (c) if the funds or any portion of the funds cannot be dealt with in accordance with clauses (a) and (b), by paying the funds or that portion of the funds, as the case may be, to the Chief Electoral Officer for deposit into the General Revenue Fund.

(4) A registered third party to which subsection (2) applies must notify the Chief Electoral Officer of its decisions under this section and must apply to the Chief Electoral Officer under section 10 to cancel its registration.

(5) The chief financial officer of a registered third party that has not dealt with the funds remaining in the advertising account referred to in subsection (2) must file a Senate election advertising return with the Chief Electoral Officer on or before March 31 of each year until such time as the funds have been disposed of completely.

2019 cA-33.5 s51(22);2020 c19 s15(24),(25)

Late filing fee

44.94992(1) In this section, "filing deadline" means the day by which a report and return under this Part are required to be filed with the Chief Electoral Officer.

(2) A third party that is required to file a report and return under this Part and fails to file that report or return by the filing deadline must pay a late filing fee of \$500 to the Chief Electoral Officer.

(3) The Chief Electoral Officer shall not cancel the registration of the third party under section 10(4.2) if the report or return is filed no later than 30 days after the filing deadline.

(4) The third party and the chief financial officer of the third party are jointly and severally liable for payment of the fee referred to in subsection (2).

(5) If the late filing fee is not paid within 30 days after the date the fee was payable, the Chief Electoral Officer shall send a notice to the third party and the chief financial officer referred to in subsection (4) indicating the amount of the late filing fee that is required to be paid.

(6) If the third party and the chief financial officer who are sent notices by the Chief Electoral Officer under subsection (5) fail to pay the late filing fee set out in the notice, the Chief Electoral Officer may file a copy of the notice with the clerk of the Court of King's Bench, and on being filed, the notice has the same force and effect and may be enforced as if it were a judgment of the Court.

2019 cA-33.5 s51(22);AR 217/2022

Part 6.12

Third Party Advertising — Referendum Act

Definitions

44.94993(1) In this Part,

- (a) “expenses” means
 - (i) amounts paid,
 - (ii) liabilities incurred,
 - (iii) subject to subsection (2), the market value of real property, goods and services that are donated or provided, and
 - (iv) subject to subsection (2), amounts that represent the difference between an amount paid or a liability incurred for real property, goods or services and the market value of the real property, goods or services, when they are provided at less than their market value;
- (b) “group” means an unincorporated group of persons or corporations acting in consort for a common purpose and includes a trade union and an employee organization or any combination of persons, corporations, trade unions or employee organizations;
- (c) “referendum advertising” means, subject to subsection (3), the transmission to the public by any means during the referendum advertising period of an advertising message that promotes or opposes a question in a referendum, and 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 a referendum,
 - (iii) the transmission of a document or the communication directly by a corporation or a group to its members, employees or shareholders, as the case may be,
 - (iv) the transmission by a person, corporation or group, on a non-commercial basis on the Internet, of the political views of that person, corporation or group,
 - (v) the making of telephone calls to electors only to encourage them to vote, or
 - (vi) advertising by the Government in any form;
- (d) “referendum advertising account” means the account on record with the Chief Electoral Officer for the purpose of accepting advertising contributions for referendum advertising and for the payment of referendum advertising expenses for referendum advertising;
- (e) “referendum advertising contribution” means, subject to subsection (4),
- (i) money provided to or for the benefit of a third party, or
 - (ii) real property, goods or services, or the use of real property, goods or services, provided to or for the benefit of a third party,
- without compensation from that third party, for the purpose of referendum advertising, whether provided before or after the third party becomes registered under section 9.1;
- (f) “referendum advertising expense” means an expense incurred in relation to
- (i) the production of a referendum advertising message in the format in which the message is to be transmitted, and
 - (ii) the acquisition of the means of transmission to the public of a referendum advertising message;

- (g) “referendum advertising period” means
- (i) in the case of a referendum under the *Referendum Act* ordered to be held in conjunction with a general election under the *Election Act* or as a stand-alone referendum on a date provided in the order, the period commencing when the order is issued and ending at the end of election day, and
 - (ii) in the case of a referendum under the *Referendum Act* ordered to be held in conjunction with a general election under the *Local Authorities Election Act*, the period commencing when the order is issued and ending at the end of election day;
- (h) “registered third party” means a third party registered under section 9.1;
- (i) “third party” means a person, entity or group, but does not include the following:
- (i) a registered party;
 - (ii) a registered constituency association;
 - (iii) a registered prospective candidate association;
 - (iv) a registered candidate or member of the Legislative Assembly;
 - (v) a nomination contestant;
 - (vi) a registered leadership contestant.
- (2)** For the purposes of subsection (1)(a)(iii) and (iv), “services” does not include volunteer labour provided by a person, so long as that person does not receive from the person’s employer, or any other person, compensation or paid time off to volunteer but, for greater certainty, does include services provided by a person who is self-employed if the services are normally charged for by that person.
- (3)** For the purposes of subsection (1)(c), “referendum advertising” includes organizing events where a significant purpose of the event is to promote or oppose a referendum question.
- (4)** For the purposes of subsection (1)(e), “services” does not include

- (a) volunteer labour provided by a person, so long as that person does not receive from the person's employer, or any other person, compensation or paid time off to volunteer,
- (b) audit and professional services provided free of charge for work relating to compliance with this Act,
- (c) services provided free of charge by a person acting as the chief financial officer of the recipient of the services for work relating to compliance with this Act, or
- (d) services that a third party provides in support of its own campaign,

but, for greater certainty, does include services provided by a person who is self-employed if the services are normally charged for by that person.

(5) The Chief Electoral Officer may issue guidelines respecting the application of this Part and shall publish any guidelines on the Chief Electoral Officer's website.

2020 c20 s11(7);2021 c24 s5(60);2025 c7 s7(64)

Referendum advertising spending limit

44.94994(1) A registered third party shall not incur referendum advertising expenses in an amount of more than \$500 000 in the aggregate, as adjusted in accordance with section 41.5, in relation to a referendum advertising period.

(2) A third party shall not circumvent, or attempt to circumvent, a limit set out in this section in any manner, including by splitting itself into 2 or more third parties for the purpose of circumventing a limit or acting in collusion with another third party so that their combined referendum advertising expenses exceed a limit.

(3) A registered third party shall not circumvent, or attempt to circumvent, an expense limit set out in this Part by colluding with a registered party or registered candidate.

(4) A registered party or registered candidate shall not collude with a third party to circumvent, or attempt to circumvent, an expense limit set out in this Part.

(5) For greater certainty, for the purposes of this section, if referendum advertising is transmitted during a referendum advertising period, the expense incurred for that advertising is considered to be a referendum advertising expense under this Part, regardless of when it was incurred.

(6) The chief financial officer of a registered third party shall prepare a referendum advertising expense limit report for the purposes of a return required to be filed under section 44.9499991.

(7) Subject to this Part, a registered third party that operates a referendum advertising account may transfer amounts from its account to the referendum advertising accounts of other registered third parties.

2020 c20 s11(7)

**Restrictions on referendum advertising
contributions and expenses**

44.94995(1) A person or entity, other than a permitted person or entity, must not make a referendum advertising contribution.

(2) A permitted person or entity's referendum advertising contribution in each year to a third party must not, in the aggregate, exceed \$5000, as adjusted in accordance with section 41.5.

(3) A person or entity must not make a referendum advertising contribution to a third party unless the third party

(a) is registered under section 9.1, or

(b) is not required to be registered under section 9.1.

(4) No third party required to be registered under section 9.1 and no person acting on behalf of a third party required to be registered under section 9.1 shall accept a referendum advertising contribution or incur a referendum advertising expense unless the third party is registered under section 9.1.

(5) No third party shall incur referendum advertising expenses in a total amount of \$1000 or more if the third party is not eligible to be registered under section 9.1.

(6) No third party or person acting on behalf of a third party shall accept or use, directly or indirectly, a referendum advertising contribution if the third party knows or ought to know that

(a) the contribution was made in contravention of subsection (1), or

(b) the amount of the contribution would cause the contributor to exceed the limit prescribed by subsection (2).

(7) A prospective contributor must ensure, before making a referendum advertising contribution to a third party, that the contributor is not prohibited from making the referendum advertising contribution and is not making a referendum

advertising contribution that is in excess of the limit prescribed by subsection (2).

(8) If a chief financial officer becomes aware that a referendum advertising contribution in contravention of this section was made to or accepted by or on behalf of the third party for whom the chief financial officer acts, the chief financial officer must, within 30 days after becoming aware of the contribution,

- (a) provide the Chief Electoral Officer with written notice of the contribution and circumstances, and
- (b) do one of the following, as applicable:
 - (i) if the contribution was a contribution in excess of the limit set out in subsection (2) and the identity of the contributor is known, return the portion of the contribution that exceeds the limit set out in subsection (2) to the contributor;
 - (ii) if the contribution was a contribution in excess of the limit set out in subsection (2) and the identity of the contributor cannot be determined, transfer the amount of the contribution that exceeds the limit set out in subsection (2) to the Chief Electoral Officer;
 - (iii) if the contribution was in contravention of this section, other than subsection (2) and the identity of the contributor is known, return the contribution to the contributor;
 - (iv) if the contribution was in contravention of this section, other than subsection (2), and the identity of the contributor cannot be determined, transfer the amount of the contribution to the Chief Electoral Officer.

(9) The Chief Electoral Officer must deposit the funds received under subsection (8) into the General Revenue Fund.

2020 c20 s11(7);2021 c24 s5(61);2025 c7 s7(65)

Payments made by third party

44.94996 Any money paid by a third party from its own funds for referendum advertising is a referendum advertising contribution of the third party for the purposes of this Part.

2020 c20 s11(7)

Deposit of referendum advertising contributions

44.94997(1) Referendum advertising contributions for referendum advertising accepted by or on behalf of a registered third party shall be paid into the referendum advertising account.

(2) When any referendum advertising contribution, other than money, accepted by or on behalf of a registered third party is converted at any time into money, that amount shall be paid into the referendum advertising account.

2020 c20 s11(7)

44.94998 Repealed 2021 c24 s5(62).

Valuing contributions other than money

44.94999(1) The value of referendum advertising contributions, other than money, provided to a third party is the market value of the referendum advertising contributions at that time.

(2) If any real property, goods or services or the use of real property, goods or services is provided to a third party for a price that is less than the market value at that time, the amount by which the value exceeds the price is a referendum advertising contribution for the purposes of this Part.

2020 c20 s11(7)

Fund-raising functions

44.94999(1) In this section, “fund-raising function” includes any social function held for the purpose of raising funds for a third party required to be registered under section 9.1 by whom or on whose behalf the function is held.

(2) The gross income from any fund-raising function must be recorded by the chief financial officer of the third party that held the function or on whose behalf the function was held.

(3) If a fund-raising function is held by the sale of tickets by or on behalf of a third party, the amount of the referendum advertising contribution is to be determined under clause (a) or under clause (b), at the option of the third party:

- (a) if the individual charge
 - (i) is \$50 or less, it is not considered to be a referendum advertising contribution unless the person who pays the charge specifically requests that it be so considered, in which case 1/2 of the amount is allowed for expenses and 1/2 is considered to be a referendum advertising contribution,
 - (ii) is more than \$50 but not more than \$100, \$25 is allowed for expenses and the balance is considered to be a referendum advertising contribution, and

- (iii) is more than \$100, 25% of the amount is allowed for expenses and the balance is considered to be a referendum advertising contribution;
 - (b) the amount of the referendum advertising contribution is the difference between the price of the ticket and the market value of what the ticket entitles the bearer to obtain.
- (4) The price paid by a person at a fund-raising function in excess of the market value at that time for goods or services received is considered to be a referendum advertising contribution to the third party.
- (5) This section does not apply to a fund-raising function for purposes unrelated to referendum advertising.

2020 c20 s11(7)

Advertising contributions less than \$50

44.949992(1) When, at a meeting held on behalf of or in relation to the affairs of a third party, money is given in response to a general collection of money solicited from the persons in attendance at the meeting, individual amounts given of \$50 or less will not be considered to be referendum advertising contributions, but the chief financial officer of the third party must record the aggregate amount received.

(2) Subsection (1) does not apply to funds raised for or on behalf of a third party for purposes unrelated to referendum advertising.

2020 c20 s11(7)

Loans

44.949993(1) A third party

- (a) may borrow money only from a financial institution other than a treasury branch, and
- (b) shall record all loans and their terms and shall report accordingly to the Chief Electoral Officer.

(2) Any payment in respect of a loan to which subsection (1) applies is considered a referendum advertising contribution by the person, corporation or group that made the payment unless that person, corporation or group is reimbursed by the borrower prior to the filing by the borrower of the applicable referendum advertising report or return next required to be filed pursuant to section 44.9499991.

(3) This section does not apply to the borrowing of money by a third party for purposes unrelated to referendum advertising.

2020 c20 s11(7)

Anonymous contributions and unauthorized contributions

44.949994(1) Any anonymous referendum advertising contribution in excess of \$50 and any referendum advertising contribution or portion of a contribution made in contravention of this Part accepted by a registered third party must not be used or expended, and the registered third party

- (a) shall return the referendum advertising contribution or the portion, as the case may be, to the contributor if the contributor's identity can be established, or
- (b) if the contributor's identity cannot be established, shall pay an amount equivalent to the referendum advertising contribution to the Chief Electoral Officer.

(2) Any amounts received by the Chief Electoral Officer under subsection (1)(b) must be paid into the General Revenue Fund.

2020 c20 s11(7)

Contributions not belonging to contributor

44.949995(1) A person or entity must not contribute to a third party that is registered or required to be registered under section 9.1

- (a) funds not belonging to the person or entity, or
- (b) funds given to the person or entity for the purpose of making a referendum advertising contribution to the third party.

(1.1) A person or entity must not give funds to any person or entity for the purpose of having that person or entity make a referendum advertising contribution.

(2) No third party that is registered or is required to be registered under section 9.1 and no person on its behalf shall solicit or accept any referendum advertising contribution if the third party or person knows or ought to know that the contribution is contrary to subsection (1).

(3) If a chief financial officer becomes aware that a referendum advertising contribution in contravention of subsection (1) was made to or accepted by or on behalf of the third party for whom the chief financial officer acts, the chief financial officer must, within 30 days after becoming aware of the contribution,

- (a) provide the Chief Electoral Officer with written notice of the contribution and circumstances, and
- (b) do one of the following, as applicable:

- (i) if the identity of the contributor is known, return the contribution to the contributor;
- (ii) if the identity of the contributor cannot be determined, transfer the amount of the contribution to the Chief Electoral Officer.

(4) The Chief Electoral Officer must transfer any funds received under subsection (3) into the General Revenue Fund.

2020 c20 s11(7);2021 c24 s5(63);2025 c7 s7(66)

Receipts

44.949996 A third party shall issue receipts in the form and manner approved by the Chief Electoral Officer for every referendum advertising contribution accepted by the third party under this Part.

2020 c20 s11(7)

Third party referendum advertising expenses

44.949997(1) All referendum advertising expenses must be paid from the third party's referendum advertising account.

(2) Every registered third party shall appoint a chief financial officer.

(3) Every referendum advertising expense that is incurred by or on behalf of a registered third party must be authorized by its chief financial officer.

(4) No referendum advertising contribution shall be accepted by a registered third party otherwise than through the third party's chief financial officer.

(5) The chief financial officer may delegate a function described in subsection (3) or (4) to another person, but the delegation does not limit the chief financial officer's responsibility.

(6) All referendum advertising expenses paid for by a third party from its referendum advertising account must be recorded in its applicable advertising report.

2020 c20 s11(7)

Identification of third parties

44.949998(1) A third party, or a person acting on a third party's behalf, must ensure that the referendum advertising sponsored by the third party complies with the following in accordance with the guidelines of the Chief Electoral Officer:

- (a) the referendum advertising must include the third party's name and contact information, indicate whether the third

party authorizes the referendum advertising and whether the third party is for or against each question to be put to the electors;

- (b) subject to clause (c), in the case of referendum advertising that is broadcast or is made available through electronic media, the information referred to in clause (a) must be stated at the beginning of the referendum advertising;
- (c) in the case of referendum advertising transmitted to a telephone, whether in the form of a live call or an automated pre-recorded call,
 - (i) the telephone number of the third party must be capable of being displayed on the call display of called parties who subscribe to call display, and must not be blocked from being displayed,
 - (ii) the name of the third party must be stated at the beginning of the referendum advertising,
 - (iii) the referendum advertising must state whether the third party authorizes the referendum advertising,
 - (iii.1) the referendum advertising must indicate whether the third party is for or against each question to be put to the electors, and
 - (iv) the telephone number of the third party at which the third party can be contacted must be stated at the end of the referendum advertising.

(2) The Chief Electoral Officer shall establish guidelines respecting the requirements referred to in subsection (1).

(3) The guidelines established under subsection (2) must be published on the Chief Electoral Officer's website.

(4) If the referendum advertising is not in compliance with this section, the Chief Electoral Officer may cause it to be removed or discontinued, and in the case of the referendum advertising displayed on a sign, poster or other similar format, neither the Chief Electoral Officer nor any person acting under the Chief Electoral Officer's instructions is liable for trespass or damage resulting from or occasioned by the removal.

2020 c20 s11(7);2025 c7 s7(67);2026 c4 s2

Disclosure of referendum advertising contributions

44.949999(1) In addition to the return referred to in section 44.9499991, every registered third party who engages in

referendum advertising shall file with the Chief Electoral Officer, in the form and manner and within the time determined by the Chief Electoral Officer, weekly reports about referendum advertising contributions received during the referendum advertising period, setting out

- (a) the total amount of all referendum advertising contributions received during each week of the referendum advertising period that did not exceed \$250 in the aggregate from any single contributor, and
- (b) for each contributor who made referendum advertising contributions during that week totalling more than \$250, the total amount contributed, together with the contributor's name and address and the amount and date of each referendum advertising contribution.

(2) The reports under subsection (1) for the weeks following the first week must also include the total amounts contributed by a contributor when the referendum advertising contributions of that contributor exceeded \$250 in the aggregate from the beginning of the referendum advertising period to the end of the particular week for which the report is being prepared, together with the contributor's name and address.

2020 c20 s11(7)

Third party advertising return

44.9499991(1) Within 6 months after election day in relation to a referendum under the *Referendum Act*, the chief financial officer of a third party who is registered under section 9.1(2)(d) shall file with the Chief Electoral Officer a third party referendum advertising return, which must include

- (a) a financial statement,
- (b) a list of all referendum advertising contributions received during the referendum advertising period,
- (c) a referendum advertising expense limit report referred to in section 44.94994(6),
- (d) the time and place of broadcast or publication of the referendum advertisements to which the referendum advertising expenses relate, and
- (e) any supporting information and documents relating to the referendum advertising return.

(2) The chief financial officer of a registered third party that accepts referendum advertising contributions or incurs referendum

advertising expenses outside of the return period in subsection (1) shall file a report with the Chief Electoral Officer on or before March 31 of each year for the preceding calendar year.

(3) If a registered third party has not incurred referendum advertising expenses, that fact shall be indicated in its referendum advertising return.

(4) For the purposes of subsection (1)(b), the list of referendum advertising contributions received shall set out, for each contributor who made referendum advertising contributions totalling more than \$250, the contributor's name and address and the amount and date of each referendum advertising contribution.

(5) A chief financial officer shall, at the request of the Chief Electoral Officer, provide the original of any bill, voucher or receipt for a referendum advertising expense of more than \$50.

(6) The Chief Electoral Officer may issue guidelines relating to the preparation and contents of the referendum advertising return referred to in this section and shall publish any guidelines on the Chief Electoral Officer's website.

2020 c20 s11(7);2021 c24 s5(64)

Audited financial statements

44.9499992(1) The chief financial officer of a third party whose referendum advertising expenses are \$350 000 or more shall file an audited financial statement with the Chief Electoral Officer within 6 months after election day.

(2) The Chief Electoral Officer may determine what information is to be provided in the audited financial statement required under subsection (1).

2020 c20 s11(7);2021 c24 s5(65)

Disposition of referendum advertising account funds

44.9499993(1) If a registered third party does not expend all funds for referendum advertising during the referendum advertising period for a referendum under the *Referendum Act*, the registered third party shall, within 6 months after that period, deal with the funds remaining in the referendum advertising account in accordance with subsection (2).

(2) Funds remaining in the referendum advertising account must be dealt with in one or more of the following ways:

- (a) by donating the funds to a registered charity;
- (b) by returning the funds to the third party's contributors if they can be identified;

(c) if the funds or any portion of the funds cannot be dealt with in accordance with clauses (a) and (b), by paying the funds or that portion of the funds, as the case may be, to the Chief Electoral Officer for deposit into the General Revenue Fund.

(3) A registered third party to which subsection (1) applies must notify the Chief Electoral Officer of its decisions under this section and must apply to the Chief Electoral Officer under section 10 to cancel its registration.

(4) The chief financial officer of a registered third party that has not dealt with the funds remaining in the referendum advertising account must file a referendum advertising return with the Chief Electoral Officer on or before March 31 of each year until such time as the funds have been disposed of completely.

2020 c20 s11(7)

Late filing fee

44.9499994(1) In this section, “filing deadline” means the day by which a report and return under this Part are required to be filed with the Chief Electoral Officer.

(2) A third party that is required to file a report and return under this Part and fails to file that report or return by the filing deadline must pay a late filing fee of \$500 to the Chief Electoral Officer.

(3) The Chief Electoral Officer shall not cancel the registration of the third party under section 10(4.3) if the report or return is filed no later than 30 days after the filing deadline.

(4) The third party and the chief financial officer of the third party are jointly and severally liable for payment of the fee referred to in subsection (2).

(5) If the late filing fee is not paid within 30 days after the date the fee was payable, the Chief Electoral Officer shall send a notice to the third party and the chief financial officer referred to in subsection (4) indicating the amount of the late filing fee that is required to be paid.

(6) If the third party and the chief financial officer who are sent notices by the Chief Electoral Officer under subsection (5) fail to pay the late filing fee set out in the notice, the Chief Electoral Officer may file a copy of the notice with the clerk of the Court of King’s Bench, and on being filed, the notice has the same force and effect and may be enforced as if it were a judgment of the Court.

2020 c20 s11(7);AR 217/2022

Part 6.2 Repealed 2016 c29 s44.

Part 6.21 Deepfakes

Deepfakes

44.9499995(1) In this Part,

- (a) “deepfake” means a depiction in a video, audio, photographic, digital or other medium of a leader of a political party, leadership contestant, Minister, member of the Legislative Assembly, candidate, nomination contestant, Chief Electoral Officer, Election Commissioner, election officer as defined in the *Election Act*, person who is or was employed or engaged by the Office of the Chief Electoral Officer to carry out the duties of the Chief Electoral Officer or person who is or was employed or engaged by the Office of the Election Commissioner to carry out the duties of the Election Commissioner that
 - (i) is so realistic that a reasonable person would believe it depicts speech or conduct of the depicted person when the depicted person did not engage in the speech or conduct, and
 - (ii) is created in a manner that substantially depends on technological means rather than the ability of another person to physically or verbally impersonate the depicted person;
- (b) “depicted person” means the person whose speech or conduct is depicted in a deepfake and who did not engage in the speech or conduct.

(2) Subject to subsection (3), a person or entity must not

- (a) create a deepfake that, if distributed or published by the creator, is likely to mislead electors about speech by or the conduct of the depicted person, or
- (b) distribute or publish a deepfake that is likely to mislead electors about speech by or the conduct of the depicted person if the person or entity distributing or publishing the deepfake has the intent to mislead electors.

(3) Subsection (2) does not apply if the depicted person consented to the creation, distribution or publication of the deepfake, as the case may be.

(4) If a deepfake is created, distributed or published in contravention of this section, the Chief Electoral Officer may cause it to be removed or discontinued, and if the deepfake is displayed

on a sign, poster or similar medium, neither the Chief Electoral Officer nor any person acting under the Chief Electoral Officer's instructions is liable for trespass or damage resulting from or occasioned by the removal.

2026 c4 s2

Part 6.3

Election Commissioner

Duties of Election Commissioner

44.95 The Election Commissioner, in addition to the Election Commissioner's powers and duties under the *Election Act*,

- (a) may conduct periodic investigations of the financial affairs and records of
 - (i) registered parties and registered constituency associations,
 - (i.1) registered successor parties, predecessor parties and constituency associations of predecessor parties,
 - (i.2) registered prospective candidate associations,
 - (ii) registered candidates in relation to election campaigns,
 - (iii) registered leadership contestants in relation to leadership contests, and
 - (iv) repealed 2025 c7 s7(68),
 - (v) registered third parties in relation to
 - (A) election advertising or political advertising under Part 6.1,
 - (B) Senate election advertising under Part 6.11,
 - (C) referendum advertising under Part 6.12,
 - (D) initiative advertising under the *Citizen Initiative Act*, and
 - (E) recall advertising under the *Recall Act*,
- (a.1) may, at any time, conduct an investigation into whether 2 or more registered parties are associated registered parties on the Election Commissioner's own initiative or at the request of
 - (i) the Chief Electoral Officer,

- (ii) an elector, or
- (iii) a registered party,
- and
- (b) may conduct an investigation into a matter that the Election Commissioner has reasonable grounds to believe is an offence under this Act in the following circumstances:
 - (i) if the Election Commissioner receives a complaint from a person or entity;
 - (ii) at the request of the Chief Electoral Officer;
 - (iii) on the Election Commissioner's own initiative.
2017 c29 s132;2018 c4 s1;2019 cA-33.5 s51(23);2019 c15 s14;
2020 c19 s15(25);2020 c20s11(8);2021 c24 s5(66);
2025 c7 s7(68);2025 c22 s4

Identification and investigation of excess contribution

44.951 The Election Commissioner must conduct an investigation into a matter if

- (a) the Election Commissioner has reasonable grounds to believe that a person or entity has made one or more contributions that exceed a limit set out in this Act, and
- (b) the excess contributions, if established, are reasonably likely to be greater than the amount specified in the regulations.
2025 c7 s7(69)

Powers of Election Commissioner

44.96(1) Subject to subsections (3.1) and (3.2), for the purpose of conducting an investigation referred to in section 44.95, the Election Commissioner has all the powers of a commissioner under the *Public Inquiries Act* as though the investigation were an inquiry under that Act.

(2) For the purpose of conducting an investigation referred to in section 44.95, a representative of the Election Commissioner, on production of the representative's authorization from the Election Commissioner, may at any reasonable time enter any premises referred to in the authorization in which books or documents of a political party, constituency association, prospective candidate association, candidate, leadership contestant or third party relevant to the subject-matter of the investigation are kept and may examine and make copies of the books or documents or remove them temporarily for the purpose of making copies.

(3) Before entering a private dwelling or a part of premises used as a private dwelling to carry out the powers described in subsection (2), a representative of the Election Commissioner shall

- (a) obtain the consent of the occupant or the legal representative of the occupant of the private dwelling or the part of the premises used as a private dwelling, or
- (b) obtain an order from the Court.

(3.1) If, for the purpose of conducting an investigation referred to in section 44.95, the Election Commissioner summons a person as a witness to provide evidence in respect of the investigation, the Election Commissioner

- (a) may require the person to appear before the Election Commissioner within 30 days of the date on which the summons is served on the individual or a longer period specified by the Election Commissioner, and
- (b) must reasonably accommodate the person as it relates to compelling the person to personally appear before the Election Commissioner.

(3.2) For the purpose of conducting an investigation under this Act,

- (a) unless notice of an investigation has been provided in accordance with section 44.97(1), the Election Commissioner may not compel a person or entity
 - (i) to participate in the investigation, or
 - (ii) to provide a response to a complaint that is the subject of the investigation,

and

- (b) the Election Commissioner must allow the following in respect of a person being interviewed by the Election Commissioner:
 - (i) the person's legal counsel to be present when the person is being interviewed;
 - (ii) the person to record the interview.

(4) If, for the purposes of the Election Commissioner's performance of duties under this Act, the Election Commissioner requests, in writing, a registered party, registered constituency

association, registered prospective candidate association, registered candidate, registered leadership contestant or registered third party to produce information or a document that relates to the person's or entity's financial affairs, the registered party, registered constituency association, registered prospective candidate association, registered candidate, registered leadership contestant or registered third party, as the case may be, must provide the information or document to the Election Commissioner within 30 days of receiving the request unless an extension of that period has been granted under subsection (5).

(5) The Election Commissioner must grant a request to extend the applicable period under subsection (3.1)(a) or (4) if the Election Commissioner determines that the request is reasonable in consideration of

- (a) the basis on which it is made, and
- (b) the impact of the extension to timely completion of the investigation.

(6) If, during an election period, the Election Commissioner is conducting or commences an investigation under section 44.95, the Election Commissioner

- (a) may request, in writing, that a person to whom a summons has been issued under subsection (3.1)(a) personally appear within a shorter period than the applicable period under that subsection,
- (b) may request, in writing, that a registered party, registered constituency association, registered prospective candidate association, registered candidate, registered leadership contestant or registered third party to whom a request has been made under subsection (4) produce the information or document subject to the request within a shorter period than the applicable period under that subsection, and
- (c) must complete the investigation before election day unless the Election Commissioner determines that there is no reasonable chance of completing the investigation before election day in consideration of
 - (i) the subject-matter of the investigation, and
 - (ii) the amount of time to conduct the investigation before election day.

2017 c29 s132;2021 c24 s5(67);2025 c7 s7(70)

Notice of investigation and conclusion

44.97(1) On commencing an investigation under section 44.95(a.1), the Election Commissioner shall notify any registered party who is a subject of the investigation that the registered party is being investigated to determine whether it is associated with any other registered party.

(1.1) On commencing an investigation under section 44.95(b), unless the Election Commissioner determines that providing notice could reasonably compromise the investigation, the Election Commissioner must, as soon as practicable, provide notice of the following to each person or entity that is the subject of the investigation:

- (a) the fact that the person or entity is the subject of an investigation under section 44.95(b);
- (b) the substance of the allegations on which the investigation is based;
- (c) the grounds for the Election Commissioner's belief that the matter being investigated is an offence under this Act.

(2) The Election Commissioner may refuse to conduct an investigation under section 44.95(a.1) or (b) if the Election Commissioner is of the opinion that

- (a) the substance of the allegations set out in the complaint are frivolous or vexatious, or
- (b) there are no grounds to warrant the investigation.

(3) The Election Commissioner shall not make any adverse finding against a person or entity unless that person or entity has had reasonable notice of the substance of the allegations and a reasonable opportunity to make submissions and present evidence to the Election Commissioner.

(4) If the Election Commissioner refuses to conduct an investigation under subsection (2), the Election Commissioner must provide notice of that refusal to

- (a) each person or entity that would have been the subject of the investigation, and
- (b) each person or entity that made a complaint on which the investigation would have been based.

(5) On the completion of an investigation referred to in subsection (1) or (1.1), the Election Commissioner

- (a) must provide notice of the outcome of the investigation to
 - (i) each person or entity that was the subject of the investigation, and
 - (ii) each person or entity that made a complaint on which the investigation was based,and
- (b) may provide notice of the outcome of the investigation to any other person involved in a matter referred to in section 44.95(a.1) or (b), as the Election Commissioner considers appropriate.

(6) In this section, “person or entity” means an individual, a prohibited person or entity, a corporation, an Alberta trade union, an Alberta employee organization, a group as defined in section 44.1(1), a political party, a constituency association, a prospective candidate association or a third party.

2017 c29 s132;2018 c4 s1;2021 c24 s5(68);2025 c7 s7(71)

Powers re deepfakes

44.971(1) In this section, “deepfake” has the same meaning as in Part 6.21.

(2) If the Election Commissioner has reason to believe that a person or entity has contravened section 44.9499995(2), the Election Commissioner may issue a written direction to the person or entity to stop creating, distributing or publishing a deepfake and, if applicable, to destroy the deepfake.

(3) The direction must contain the following information:

- (a) the particulars of the contravention;
- (b) the actions that must be taken;
- (c) the deadline for taking the directed actions;
- (d) that the person or entity may request an extension of the deadline for taking the directed actions;
- (e) that an administrative penalty may be imposed if the person or entity fails to comply with the direction;
- (f) that the matter may be referred to prosecution if the person or entity fails to comply with the direction.

(4) The Election Commissioner may, on request, grant an extension of the deadline for complying with the direction if the Election Commissioner determines that the request is reasonable.

(5) A person or entity who fails to comply with a direction issued under subsection (2) is guilty of an offence and is liable to a fine not exceeding

- (a) \$10 000 for each day on which the offence occurs or continues, if the offence is committed by a person, and
- (b) \$100 000 for each day on which the offence occurs or continues, if the offence is committed by an entity other than a person.

2026 c4 s2

Part 7

Prohibitions, Offences and Prosecutions

Definitions

44.98 In this Part,

- (a) “contracting party” means a person or entity with whom the Election Commissioner enters into a compliance agreement under section 51.04;
- (b) “person or entity” means a person, a prohibited person or entity, a corporation, a prohibited corporation, a trade union, an employee organization, a political party, a constituency association, a prospective candidate association or a third party.

2021 c24 s5(69);2025 c7 s7(72)

Obstruction

45 A person or entity must not obstruct any person carrying out an inquiry, investigation or examination under this Act or withhold from that person or conceal or destroy any books, papers, documents or things relevant to the subject-matter of the investigation or examination.

RSA 2000 cE-2 s45;2012 c5 s96;2025 c7 s7(73)

False documents

46 A person or entity must not knowingly make a false statement in any application, return, financial statement, report or other document filed with the Chief Electoral Officer under this Act.

RSA 2000 cE-2 s46;2016 c29 s45;2025 c7 s7(73)

False statements

47 A person or entity must not knowingly give false information to a chief financial officer or other person authorized to accept contributions.

RSA 2000 cE-2 s47;2025 c7 s7(73)

Failure to provide financial statements and returns

48(1) The chief financial officer of a registered party, registered successor party, registered constituency association, registered prospective candidate association or registered candidate who contravenes section 11.6, 42 or 43 is guilty of an offence and liable to a fine of not more than \$1000.

(2) If a chief financial officer is guilty of an offence referred to in subsection (1), the registered party, registered successor party, registered constituency association, registered prospective candidate association or registered candidate for which the chief financial officer acts is to be considered as guilty of the same offence and liable,

- (a) in the case of a registered party or registered successor party, to a fine of not more than \$5000, and
- (b) in the case of a registered constituency association, registered prospective candidate association or registered candidate, to a fine of not more than \$1000.

(3) The chief financial officer of a registered leadership contestant who contravenes section 43.02 is guilty of an offence and liable to a fine of not more than \$1000.

(4), (5) Repealed 2025 c7 s7(74).

(6) If the chief financial officer of a registered leadership contestant is guilty of having contravened section 43.02, the registered leadership contestant for whom the chief financial officer acts is also guilty of the offence and is liable to a fine of not more than \$1000.

RSA 2000 cE-2 s48;2012 c5 s97;2016 c29 s46;2019 c15 s14;
2021 c24 s5(70);2025 c7 s7(74)

Prohibition — expenses more than maximum

48.1(1) A registered party, or the chief financial officer of a registered party, who contravenes section 41.2 is guilty of an offence and liable to a fine of not more than \$100 000.

(1.1) Registered parties that are considered a single registered party under section 41.2(6), or the chief financial officers of those

registered parties, who contravene section 41.2 are guilty of an offence and liable to a fine of not more than \$100 000.

(2) A registered candidate, or the chief financial officer of a registered candidate, who contravenes section 41.3 is guilty of an offence and liable to a fine of not more than \$10 000.

(3) Repealed 2025 c7 s7(75).

2016 c29 s47;2018 c4 s2;2021 c24 s5(70);2025 c7 s7(75)

Circumvention of expense limits

48.11(1) A registered party, registered candidate, registered leadership contestant or third party who contravenes section 41.42 is guilty of an offence and liable to a fine of not more than \$100 000.

(2) A political party that contravenes section 41.43 is guilty of an offence and liable to a fine of not more than \$100 000.

2018 c4 s2;2021 c24 s5(70);2025 c7 s7(76)

Failure to comply with directions

48.2 A registered party, registered successor party, registered constituency association, registered prospective candidate association, registered candidate, registered leadership contestant or registered third party who fails to comply with a direction of the Chief Electoral Officer or the Election Commissioner is guilty of an offence and liable to a fine of not more than \$1000.

2016 c29 s47;2017 c29 s133;2019 c15 s14;2021 c24 s5(70);2025 c7 s7(77)

Offences by corporations, etc.

49(1) A corporation, trade union, employee organization, unincorporated organization or association or prohibited corporation that contravenes this Act is guilty of an offence and liable to a fine of not more than \$10 000.

(2) Subsection (1) does not apply to a contravention of section 45, 46 or 47 by a person that constitutes a corrupt practice under section 176 of the *Election Act*.

RSA 2000 cE-2 s49;2015 c15 s17;2025 c7 s7(78)

Third party election advertising offences

49.1 A third party that contravenes a provision of this Act is guilty of an offence and liable to a fine not exceeding

(a) \$10 000 if the third party is a person;

(b) \$100 000 if the third party is a trade union, employee organization or other entity.

2010 c8 s90;2012 c5 s98;2016 c29 s48;2025 c7 s7(79)

General offences

50 A person, political party, constituency association or prospective candidate association that contravenes any of the provisions of this Act, for which contravention no fine is otherwise provided, is guilty of an offence and liable to a fine of not more than \$10 000.

RSA 2000 cE-2 s50;2012 c5 s99;2025 c7 s7(80)

Contravention of compliance agreement

50.1 A contracting party who enters into a compliance agreement under this Act and

- (a) failed to disclose all material facts when the compliance agreement was entered into, or
- (b) fails to comply with the compliance agreement

is guilty of an offence and liable to a fine of not more than \$5000.

2017 c29 s134

Penalties — transitional

51(1) When the Election Commissioner is satisfied that any person, corporation, trade union or employee organization has made one or more contributions in excess of an amount permitted under this Act, the Election Commissioner may by written notice require that person, corporation, trade union or employee organization to pay a penalty in an amount named in the notice not exceeding the amount by which the contribution or contributions exceeded the amount permitted under this Act or may issue a letter of reprimand to the person, corporation, trade union or employee organization.

(2) When the Election Commissioner is satisfied that a prohibited corporation has made a contribution in contravention of section 16, the Election Commissioner may by written notice require the prohibited corporation to pay a penalty in an amount named in the notice not exceeding the amount contributed or may issue a letter of reprimand to the person, corporation, trade union or employee organization.

(3) All penalties collected under this section shall be paid into the General Revenue Fund.

(4) This section applies in respect of contributions made before this subsection comes into force.

RSA 2000 cE-2 s51;2006 c23 s26; 2010 c8 s91;
2012 c5 s100;2017 c29 s135

Administrative penalties

51.01(1) Repealed 2021 c24 s5(71).

(2) After completing an investigation referred to in section 44.97, if the Election Commissioner is of the opinion that

- (a) a person or entity has made one or more contributions in excess of the limit set out in section 17(1) or (1.1) or 18(1),
- (b) a person or entity has made a contribution in contravention of section 16,
- (b.1) a person, a political party, a constituency association, a prospective candidate association or a third party fails to comply with a direction of the Election Commissioner,
- (c) a person or entity has made an election advertising contribution in contravention of section 44.2(1), a political advertising contribution in contravention of section 44.2(2), a Senate election advertising contribution in contravention of section 44.943(1) or a referendum advertising contribution in contravention of section 44.94995,
- (c.1) a person or entity has contravened section 44.9499995,
- (c.2) a person or entity has failed to comply with a direction issued under section 44.971(2), or
- (d) a person or entity has contravened a provision of this Act, otherwise than as referred to in clauses (a) to (c.2),

the Election Commissioner may serve on the person or entity either a notice of administrative penalty requiring the person or entity to pay to the Crown the amount set out in the notice, or a letter of reprimand.

(2.1) Notwithstanding subsection (2), the Election Commissioner must not serve on the person or entity a notice of administrative penalty or a letter of reprimand if the Election Commissioner is of the opinion that

- (a) a person or entity made a contribution referred to in subsection (2)(a) that did not exceed the amount specified in the regulations, and
- (b) the over-contribution was inadvertent.

(3) A notice of administrative penalty must contain the following information:

- (a) the name of the person or entity required to pay the administrative penalty;
- (b) the particulars of the contravention;
- (c) the amount of the administrative penalty and the date by which it must be paid;
- (d) a statement of the right to appeal the imposition or the amount of the administrative penalty to the Court of King's Bench.

(4) In determining the amount of an administrative penalty required to be paid or whether a letter of reprimand is to be issued, the Election Commissioner must take into account the following factors:

- (a) the severity of the contravention;
- (b) the degree of wilfulness or negligence in the contravention;
- (c) whether or not there were any mitigating factors relating to the contravention;
- (d) whether or not steps have been taken to prevent reoccurrence of the contravention;
- (e) whether or not the person or entity has a history of non-compliance;
- (f) whether or not the person or entity reported the contravention on discovery of the contravention;
- (g) any other factors that, in the opinion of the Election Commissioner, are relevant.

(5) The amount of an administrative penalty that may be imposed under subsection (2) must not exceed

- (a) in the case of a contravention referred to in subsection (2)(a), twice the amount by which the contribution or contributions exceed the limit prescribed by section 17(1) or (1.1) or 18(1), as the case may be, and in no case may the amount of the administrative penalty exceed \$10 000 for each contravention;
- (b) in the case of a contravention of section 16, 44.2(1), 44.943(1) or 44.94995(1), twice the amount that was contributed in contravention of that provision, and in no

case may the amount of the administrative penalty exceed \$10 000 for each contravention;

- (b.1) in the case of a contravention of section 44.9499995,
 - (i) \$10 000 if the contravention is committed by a person, and
 - (ii) \$100 000 if the contravention is committed by an entity other than a person;
- (b.2) in the case of a contravention referred to in section 44.971(5),
 - (i) \$10 000 for each day on which the contravention occurs or continues, if the contravention is committed by a person, and
 - (ii) \$100 000 for each day on which the contravention occurs or continues, if the contravention is committed by an entity other than a person;
- (c) in the case of a contravention referred to in section 48(1), (2)(b) or (3), \$1000;
- (d) in the case of a contravention referred to in section 49.1,
 - (i) \$10 000 if the third party is a person, and
 - (ii) \$100 000, if the third party is a trade union, employee organization or other entity;
- (e) in the case of any other contravention, \$10 000.

(6) A person or entity who pays an administrative penalty in respect of a contravention shall not be charged under this Act with an offence in respect of the same contravention that is described in the notice of administrative penalty.

(7) A person or entity who has been served with a notice of administrative penalty shall pay the amount of the administrative penalty within 30 days from the date of service of the notice.

(8) Subject to the right to appeal, where a person or entity fails to pay the administrative penalty in accordance with a notice of administrative penalty, the Election Commissioner may file a copy of the notice of administrative penalty with the clerk of the Court of King's Bench, and on being filed, the notice has the same force and effect and may be enforced as if it were a judgment of the Court.

2012 c5 s100;2015 c15 s18;2016 c29 s49;2017 c29 s136;
2019 cA-33.5 s51(24);2020 c19 s15(25);2021 c24 s5(71);
AR 217/2022;2025 c7 s7(81);2026 c4 s2

Time limit

51.02(1) A letter of reprimand or a notice of administrative penalty may not be served more than

- (a) one year after the date on which the Election Commissioner received a complaint in accordance with section 44.95(b)(i), or
- (b) 2 years after the date on which the Election Commissioner knew or ought to have known of a matter that permits the Election Commissioner to conduct an investigation under section 44.95(b)(ii) or (iii),

whichever is earlier.

(1.1) If the Election Commissioner receives more than one complaint respecting substantially the same subject-matter, the date referred to in subsection (1)(a) must be calculated with respect to the first of those complaints received by the Election Commissioner.

(2) A disclosure under section 5.2(3)(a) may be made with respect to an alleged contravention that occurred before the coming into force of this section, but may not be made with respect to an alleged contravention that occurred more than 3 years before the coming into force of this section.

2012 c5 s100;2025 c7 s7(82)

Appeal of administrative penalty

51.03(1) A person or entity who is served with a notice of administrative penalty under section 51.01 may appeal the Election Commissioner's decision.

(2) An appeal may be commenced under this section within 30 days after the date the notice of administrative penalty was served by

- (a) filing an application with the Court of King's Bench, and

(b) serving a filed copy of the application on the Election Commissioner.

(3) The application must be filed with a copy of the notice of administrative penalty and state the reasons for the appeal.

(4) The Court may, on application either before or after the time referred to in subsection (2), extend that time if the Court considers it appropriate to do so.

(5) On hearing the appeal, the Court may confirm, rescind or vary the amount of the administrative penalty, or remit the decision back to the Election Commissioner for reconsideration.

(6) The appeal must be based on the evidence considered by the Election Commissioner as part of an investigation under section 44.97, including any submissions made or evidence presented under section 44.97(3), the notice referred to in section 44.97(3) and the notice of administrative penalty served under section 51.01(2).

(6.1) In an appeal under this section, the onus is on the Election Commissioner to establish that

(a) the person who was served the notice of administrative penalty contravened the provision of this Act to which the notice of administrative penalty applies, and

(b) the amount of the administrative penalty is appropriate based on the subject-matter of the contravention.

(7) For greater certainty, the Election Commissioner is not required to disclose any records or information that, if disclosed, would cause the Election Commissioner to contravene section 5.2(1) with respect to a person or entity other than the person or entity on whom the notice of administrative penalty was served.

(8) Section 51.02(1) does not apply with respect to an administrative penalty served as a result of the Election Commissioner's reconsideration of a decision that was remitted back to the Election Commissioner.

2012 c5 s100; 2017 c29 s137; 2021 c24 s5(72);
AR 217/2022; 2025 c7 s7(83)

Compliance agreements

51.04(1) If the Election Commissioner believes on reasonable grounds that a person or entity has committed, is about to commit or is likely to commit an act or omission that could constitute a contravention of this Act, the Election Commissioner may enter

into a compliance agreement with the person or entity for the purpose of ensuring compliance with this Act.

(2) Repealed 2021 c24 s5(73).

(3) A compliance agreement may contain any terms and conditions that the Election Commissioner considers necessary to ensure compliance with this Act.

(4) Before entering into a compliance agreement, the Election Commissioner shall require the consent of the prospective contracting party to the publication of a notice under section 5.2(4).

(5) A compliance agreement may include a statement by the contracting party that the contracting party admits responsibility for the act or omission that constitutes a contravention of this Act.

(6) The fact that a compliance agreement was entered into, and any statement referred to in subsection (5), is not admissible in evidence against the contracting party in any civil or criminal proceedings.

(7) When a compliance agreement is entered into, a prosecution of the contracting party for an act or omission that led to the agreement shall not be instituted and any prosecution already instituted is suspended.

(8) The Election Commissioner and the contracting party may renegotiate the terms of the compliance agreement at the request of the Election Commissioner or contracting party at any time before it is fully executed.

2017 c29 s138;2021 c24 s5(73);2025 c7 s7(84)

Notice of compliance agreement

51.05(1) When, in the opinion of the Election Commissioner, the compliance agreement has been complied with, the Election Commissioner shall give a notice to that effect to the contracting party.

(2) On the giving of a notice under subsection (1), any prosecution of the contracting party that is based on the act or omission in question terminates and no further prosecution shall be instituted based on that act or omission.

2017 c29 s138

Failure to comply

51.06 If the Election Commissioner is of the opinion that a contracting party

- (a) failed to disclose all material facts when the compliance agreement was entered into, or
- (b) has failed to comply with a term of the compliance agreement,

the Election Commissioner shall give notice of the failure to the contracting party, informing the contracting party that the Election Commissioner may serve a notice of administrative penalty or a letter of reprimand under section 51.01, or may consent to a prosecution in respect of the original act or omission or, if a prosecution has been suspended by section 51.04(7), that those proceedings are no longer suspended.

2017 c29 s138

51.07 Repealed 2025 c7 s7(85).

Application for injunction

51.08(1) If the Election Commissioner has reasonable grounds to believe that a person has committed or is likely to commit an act or omission that is contrary to this Act, the Election Commissioner may, during an election period, after taking into account the nature and seriousness of the act or omission, the need to ensure fairness of the electoral process and the public interest, apply by originating application to the Court for an injunction described in subsection (2).

(2) If the Court, on application by the Election Commissioner under subsection (1), is satisfied that there are reasonable grounds to believe that a person has committed or is likely to commit an act or omission that is contrary to this Act, and that the nature and seriousness of the act or omission, the need to ensure fairness of the electoral process and the public interest justify the issuing of an injunction, the Court may issue an injunction ordering any person named in the application to do one or both of the following:

- (a) refrain from committing any act that appears to the Court to be contrary to this Act;
- (b) do any act that appears to the Court to be required by this Act.

(3) No injunction may be issued under subsection (2) unless at least 48 hours' notice is given to each person named in the application, or the urgency of the situation is such that service of notice would not be in the public interest.

2017 c29 s138

Election Commissioner's orders

51.1(1) Where a contribution has been made or accepted in contravention of this Act, the Election Commissioner may order that the amount of the contribution that was made or accepted in contravention of this Act be returned to the contributor.

(2) If it cannot be determined who made the contribution that was made or accepted in contravention of this Act, the amount ordered under subsection (1) must be paid into the General Revenue Fund.

2010 c8 s92;2012 c5 s101;2017 c29 s139

Prosecution

52(1) A prosecution for an offence under this Act may be instituted against a political party, constituency association, prospective candidate association or unincorporated organization or association in the name of the political party, constituency association, prospective candidate association or unincorporated organization or association and for the purposes of prosecution, a political party, constituency association, prospective candidate association or unincorporated organization or association is deemed to be a person.

(2) Any act or thing done or omitted by an officer, official or agent of a political party, constituency association, prospective candidate association or unincorporated organization or association within the scope of the officer's, official's or agent's authority to act on behalf of the political party, constituency association, prospective candidate association or unincorporated organization or association is deemed to be an act or thing done or omitted by the political party, constituency association, prospective candidate association or unincorporated organization or association.

(3) A prosecution under this Act may be commenced within one year of the commission of the alleged offence but not afterwards.

RSA 2000 cE-2 s52;2004 c23 s97;2010 c8 s93;2015 c15 s19;
2025 c7 s7(86)

Consent to prosecute

53(1) No prosecutions shall be instituted under this Act without the consent of the Election Commissioner.

(2) The Election Commissioner must not consent to a prosecution if the Election Commissioner is of the opinion that

- (a) a person or entity made a contribution in excess of a limit set out in section 17(1) or (1.1) or 18(1) that did not exceed the amount specified in the regulations, and

- (b) the over-contribution was inadvertent.

RSA 2000 cE-2 s53;2017 c29 s140;2019 c15 s14;2021 c24 s5(75);
2025 c7 s7(87)

Judicial review

54 An application for judicial review of a decision or order of the Chief Electoral Officer or the Election Commissioner under this Act must be filed with the Court of King's Bench and served on the Chief Electoral Officer or the Election Commissioner, as the case may be, no later than 30 days from the date of the decision or order.

2017 c29 s141;AR 217/2022

Part 7.1 Regulations

Regulations

54.1 The Lieutenant Governor in Council may make regulations

- (a) designating a corporation as a prohibited corporation;
- (b) designating a class of corporation, a corporation within which is a prohibited corporation;
- (c) defining “publicly funded corporation” for the purpose of section 1(1)(l)(vi.4);
- (d) defining an expression used but not defined in this Act or further defining an expression defined in this Act;
- (e) respecting prospective candidate associations, including
 - (i) the establishment, qualification for registration and registration of a prospective candidate association,
 - (ii) the rights, powers and duties of prospective candidate associations and registered prospective candidate associations,
 - (iii) the cancellation of the registration of a registered prospective candidate association,
 - (iv) the prospective candidate association's and registered prospective candidate association's interaction with and relationship to other entities to which this Act applies, including prescribing rules of interpretation in addition to those under section 1(6),
 - (v) transfers between a registered prospective candidate association and any other person or entity registered under this Act authorized by section 38,

- (vi) respecting the raising, collecting and use of funds by a registered prospective candidate association, and
- (vii) any other matter necessary to give effect to the provisions of this Act relating to prospective candidate associations or registered prospective candidate associations;
- (f) prescribing other information the Chief Electoral Officer may consider in determining an affiliation of a third party under section 9.1(5.2);
- (g) prescribing a contribution limit for the purposes of sections 44.951, 51.01(2.1) and 53(2).

RSA 2000 cE-2 s3;2012 c5 s60;2025 c7 s7(88)

Part 8

Transitional Provisions

Transitional — foundations

55(1) In this section, “foundation” means a foundation referred to in section 6 as it read immediately before the coming into force of this section.

(2) No foundation established by a political party, other than a predecessor party, shall transfer the funds held by the foundation to the political party or any other political party or to the foundation of any other political party on or after the date on which this section comes into force.

(3) No foundation established by a predecessor party shall transfer the funds held by the foundation to the predecessor party, its successor party, any other political party or to the foundation of its successor party or any other political party on or after the date on which this section comes into force.

2021 c24 s5(76)

Transitional — existing unincorporated registered party

56(1) Subject to subsection (2), a registered party that is not incorporated as one of the following immediately before the coming into force of this section, must incorporate as one of the following and provide the Chief Electoral Officer with proof of that incorporation on or before January 1, 2026:

- (a) a society under the *Societies Act*;
- (b) a company under Part 9 of the *Companies Act*;
- (c) a corporation under the *Canada Not-for-profit Corporations Act* (Canada).

(2) If a registered party referred to in subsection (1) makes a request to the Chief Electoral Officer for an extension of the date referred to in that subsection, the Chief Electoral Officer may grant the extension by specifying in writing to the registered party an alternate date that must occur no later than July 1, 2026.

(3) If a registered party referred to in subsection (1) does not comply with that subsection by the applicable date under that subsection or subsection (2),

- (a) the registration of the registered party is considered to be cancelled by the Chief Electoral Officer under section 10(1), as of that date, and
- (b) section 10 applies, with all necessary modifications, to the registered party and the cancellation of its registration.

2025 c7 s7(89)

Transitional — registration of political parties

57(1) In this section,

- (a) “amended Act” means the *Election Finances and Contributions Disclosure Act* as it reads on transition day;
- (b) “former Act” means the *Election Finances and Contributions Disclosure Act* as it would have read on July 4, 2025 if the *Justice Statutes Amendment Act, 2025* did not receive Royal Assent;
- (c) “transition day” means the day the *Justice Statutes Amendment Act, 2025* receives Royal Assent.

(2) Subsections (3) and (4) apply if

- (a) a political party filed an application for registration under section 7(1.1) on or after the coming into force of this section and before transition day, and
- (b) the proposed name or abbreviation of the name of the political party did not prohibit the Chief Electoral Officer from registering the political party under section 7(3) of the former Act but prohibits the Chief Electoral Officer from registering the political party under section 7(3) of the amended Act.

(3) A political party referred to in subsection (2) may, within 60 days from transition day, amend its application for registration to reflect a proposed name or abbreviation of the name that does not prohibit the Chief Electoral Officer from registering the political

party under section 7(3) of the amended Act, and section 7 of the amended Act applies in respect of the amended application.

(4) If a political party referred to in subsection (2) does not amend its application for registration in accordance with subsection (3) or, under subsection (3), amends its application to reflect a proposed name or abbreviation of the name of the political party that prohibits the Chief Electoral Officer from registering the political party under section 7(3) of the amended Act,

- (a) if the Chief Electoral Officer has not registered the political party, the application is deemed to have never been made, or
- (b) if the Chief Electoral Officer has registered the political party, the Chief Electoral Officer shall cancel its registration under section 10 of the amended Act.

(5) Subsections (6) and (7) apply if

- (a) a registered party notified the Chief Electoral Officer under section 7(4) on or after the coming into force of this section and before transition day of a change referred to in section 7(1.2)(a) or (b), and
- (b) the proposed name or abbreviation of the name of the registered party did not prohibit the Chief Electoral Officer from varying the register under section 7(3.1) of the former Act but prohibits the Chief Electoral Officer from varying the register under section 7(3.1) of the amended Act.

(6) A registered party referred to in subsection (5) may, within 60 days from transition day, amend its notification to reflect a proposed name or abbreviation of the name that does not prohibit the Chief Electoral Officer from varying the register under section 7(3.1) of the amended Act, and section 7 of the amended Act applies in respect of the amended notification.

(7) If a registered party referred to in subsection (5) does not amend its notification in accordance with subsection (6), the notification is deemed to have never been made and, if the Chief Electoral Officer has varied the register of political parties in accordance with the notification, the Chief Electoral Officer shall vary the register again to reflect the name or abbreviation of the registered party as it was before the notification.

2025 c22 s4



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