

Changes to the *Local Authorities Election Act* (LAEA) 2024

Campaign Financing

This fact sheet has been developed as an explanatory resource. It is not legal advice and cannot be used in place of consulting with a lawyer.

What changed?

The campaign period for general elections is now the period beginning on January 1 of the year immediately following a general election and ending on December 31 immediately following the next general election, and both intended and nominated candidates must give notice in their local jurisdictions before they may accept contributions or incur campaign expenses.

The Expense Limits Regulation has been created, which establishes campaign expense limits for candidates for chief elected official (CEO) and councillor in each year of the election cycle.

No campaign expense limits were established for candidates for school board trustee.

Who is impacted by the change?

Prospective candidates, nominated candidates, contributors, and local jurisdictions are all impacted by the changes to campaign financing rules.

What does this change mean for me?

No individual and no person acting for the individual shall accept a contribution or incur a campaign expense unless the individual has given written notice (Section 147.22).

Individuals who intend to be nominated or who have been nominated to run for election must give written notice to the local jurisdiction. Written notice must include:

- the full name, address, and contact information of the individual;
- the address of the place(s) where records are maintained, and of the place to which communications may be sent;
- the names and addresses of the financial institutions to be used as depositories for campaign contributions; and
- the names of the signing authorities for each financial institution to be used for campaign contributions.

No candidate or person acting for a candidate shall accept a contribution in respect of an election outside the campaign period for that election.

Local jurisdictions must maintain a register of candidates who have given notice. The register must be made publicly available on the local jurisdiction's website until December 31 immediately following a general election, or 60 days following a by-election (Section 147.221).

The register must be made available in a partial or redacted form with the mailing address of the candidate and candidate's agent, and any personal information that the returning officer, deputy, or secretary believes would compromise the personal safety of the candidate, removed. If a criminal record check was filed with a candidate's nomination papers, the results must not be withheld or redacted.

Who is prohibited from making contributions?

No individual ordinarily resident outside of Alberta, or a prohibited organization, or trade union or employee organization other than an Alberta trade union or Alberta employee organization, shall make a contribution to a candidate (Section 147.1). Prohibited organizations include:

- A municipality,
- A corporation controlled by a municipality that meets the test in Section 1(2) of the *Municipal Government Act*,
- A non-profit organization that has received a grant, or real or personal property from a municipality since the last general election,
- A provincial corporation as defined in the *Financial Administration Act*, including management bodies within the meaning of the *Alberta Housing Act*,
- A Metis settlement,
- A board of trustees under the *Education Act*,
- A public post-secondary institution as defined in the *Post-secondary Learning Act*,
- A corporation that does not carry on business in Alberta,

- A registered party as defined in the *Election Finances and Contributions Disclosure Act* or the *Canada Elections Act* (Canada), or
- An organization designated by the Lieutenant Governor in Council as a prohibited organization.



What is the campaign period for the 2025 General Election?

For the 2025 General Election, the campaign period begins once the amendments are in force on October 31, 2024, and ends on December 31, 2025.

In the case of a by-election, the campaign period begins on the day after the resolution or bylaw is passed to set the election day for the by-election and ends 60 days after the by-election.

For more information, please refer to Municipal Affairs' Returning Officers Manual Module 3.

What are the limits on contributions?

Subject to candidate self-contributions in Section 147.2(4), contributions by an individual ordinarily resident in Alberta shall not exceed, in the case of a general election, in a calendar year during the campaign period, or, in the case of a by-election, during the campaign period,

- (a) \$5,000 in the aggregate to all candidates for election as a councillor in a particular municipality,
- (b) \$5,000 in the aggregate to all candidates for election as a school board trustee of a particular public school division under the *Education Act*, and
- (c) \$5,000 in the aggregate to all candidates for election as a school board trustee of a particular separate school division under the *Education Act*.

Contributions by a corporation other than a prohibited organization, by an Alberta trade union or by an Alberta employee organization shall not exceed during the campaign period \$5,000 in the aggregate to all candidates for election as above.

A candidate may contribute up to \$10,000 during the campaign period of the candidate's own funds that is not reimbursed to the candidate from the candidate's campaign account by the end of the campaign period (Section 147.2(4)).

Any amount paid by a candidate for campaign expenses from the candidate's own funds not reimbursed to the candidate from the candidate's campaign account by the end of the campaign period, is a contribution to the candidate's own campaign (Section 147.2(5)).

No candidate and no person acting on behalf of a candidate shall, directly or indirectly, solicit or accept a contribution if the candidate or person knows or ought to know that the prospective contributor is a prohibited organization, or an individual ordinarily resident outside Alberta, or a trade union or employee organization that is not an Alberta trade union or Alberta employee organization (Section 147.2(6)).

No candidate or person acting on behalf of a candidate shall solicit or accept a contribution if the candidate or person knows or ought to know that the amount of the contribution will exceed the amounts referred to above (Section 147.2(7)).

What are the campaign expense limits for municipal candidates?

The Expense Limits Regulation establishes the following campaign expense limits for municipal candidates are based on the population in the most recently published Municipal Affairs Population List. The population list may be viewed at:

<https://open.alberta.ca/opendata/alberta-municipal-affairs-population-list>

A candidate for election as a councillor or their chief financial officer (in the case of a local political party) may not incur campaign expenses in the first two years of a campaign period after a general election.

In the year before a general election:

- In municipalities with no wards:
 - Candidates for and councillor may incur campaign expenses up to \$10,000 or \$0.50 per person based on the population of the local jurisdiction determined in accordance with the regulation, whichever is greater.
- In municipalities with wards:
 - Candidates for CEO may incur expenses up to \$10,000 or \$0.50 per person based on the population of the local jurisdiction determined in accordance with the regulation, whichever is greater.
 - Candidates for councillor other than the CEO may incur campaign expenses up to \$10,000 or \$0.50 per person based on the average population of the wards in the local jurisdiction determined in accordance with the regulation, whichever is greater.

In the year of a general election:

- In municipalities with no wards:
 - Candidates for CEO and councillor may incur campaign expenses up to \$20,000 or \$1 per person based on the population of the local jurisdiction determined in accordance with the regulation, whichever is greater.
- In municipalities with wards:
 - Candidates for CEO may incur campaign expenses up to \$20,000 or \$1 per person based on the population of the local jurisdiction determined in accordance with the regulation, whichever is greater.
 - Candidates for councillor other than the CEO may incur campaign expenses up to \$20,000 or \$1 per person based on the average population of the wards in the local jurisdiction determined in accordance with the regulation, whichever is greater.

For by-elections, candidates for both CEO and councillor will have campaign expense limits equal to the limits for the year of a general election.

When will these changes take effect?

The changes under the *Municipal Affairs Statutes Amendment Act, 2024* came into force on October 31, 2024.

Who can I contact for more information?

If you have questions about campaign financing, please contact municipal advisory at 780-427-2225 (Toll-free by dialing 310-0000 first) or via email at: ma.advisory@gov.ab.ca.

Where can I find additional resources?

- *Local Authorities Election Act*, King's Printer: https://kings-printer.alberta.ca/570.cfm?frm_isbn=9780779839575&search_by=link
- Bill 20: *Municipal Affairs Statutes Amendment Act*, Legislative Assembly of Alberta: https://docs.assembly.ab.ca/LADDAR_files/docs/bills/bill/legislature_31/session_1/20230530_bill-020.pdf.
- Manuals and election resources: <https://www.alberta.ca/municipal-elections-overview>
- Expense Limits Regulation MSD:073/24: https://kings-printer.alberta.ca/Documents/MinOrders/2024/MunicipalAffairs/2024_MSD073-24_Municipal_Affairs.pdf

- Local Political Parties, Slates and Campaign Expense Limits: <https://www.alberta.ca/system/files/ma-local-parties-and-campaign-expense-limits-fact-sheet.pdf>