

Notice To Broadcasters and Publishers

Municipal Elections Act, 1996 – Third Party and Candidate Advertising Requirements

Did you know that you must comply with legislative requirements related to registered third party advertisers and candidate campaign advertisements for the upcoming Municipal Election?

The Municipal Election will take place on **Monday, October 26, 2026**.

This notice is intended to inform broadcasters and publishers of their obligations under the *Municipal Elections Act, 1996* (the “Act”), as well as guidance from the Ministry of Municipal Affairs and Housing, including records management requirements for election-related advertising.

Definition of a Third Party Advertiser [88.6 (4)]

Under the Act, a third party advertiser is:

- An individual who is normally a resident of Ontario;
- A corporation that carries on business in Ontario; or
- A trade union that holds bargaining rights for employees in Ontario.

Third party advertisers must register with the municipality before incurring any expenses related to advertisements. They must also comply with filing requirements, spending limits, and contribution rules.

A candidate in the election cannot direct a third party advertiser and cannot register as a third party advertiser.

Definition of a Third Party Advertisement [88.5 (1)]

A third party advertisement is a message in any medium (broadcast, print, electronic, or other) that promotes, supports, or opposes:

- A candidate; or
- A question on the ballot.

All third party advertisements must include:

- The name of the registered third party;
- The municipality where they are registered; and
- Contact information (telephone number, mailing address, or email address).

Restricted Campaign Period

Broadcasters and publishers may only permit third party advertisements to appear between: May 1, 2026 and October 26, 2026 (Election Day)

Advertisements may only be accepted during this period if the third party advertiser is properly registered.

Mandatory information in third party advertisements [88.5 (1)]

No registered third party shall cause a third party advertisement to appear during the restricted period unless the advertisement contains the following information:

1. The name of the registered third party.
2. The municipality where the registered third party is registered.
3. A telephone number, mailing address or email address at which the registered third party may be contacted regarding the advertisement.

Mandatory information for broadcaster, etc. [88.5 (2)]

A registered third party shall not cause a third party advertisement to appear during the restricted period unless the following information is provided to the broadcaster or publisher in writing:

1. The name of the registered third party.
2. The name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the registered third party.
3. The municipality where the registered third party is registered

Broadcasters and publishers must not run advertisements if this information has not been provided.

Candidates [88.3 (3)]

Before publishing or broadcasting a candidate advertisement, the following must be provided in writing:

- The name of the candidate;
- The name, business address, and telephone number of the individual who deals with the broadcaster or publisher under the direction of the candidate.

No advertisement shall appear if this information has not been provided.

Campaign Advertisement Records [88.3 (5)]

When campaign advertising appears in broadcast, print, electronic or other media, the broadcaster or publisher must keep the following records:

The broadcaster or publisher of an election campaign advertisement shall maintain records containing the following information for a period of four (4) years after the date the advertisement appears and shall permit the public to inspect the records during normal business hours:

1. The candidate's name, and the name, business address, and telephone number of the individual authorized to act on the candidate's behalf in dealing with the broadcaster or publisher.
2. A copy of the advertisement, or the means of reproducing it for inspection.
3. A statement of the charge made for its appearance.

If a campaign includes advertising that is broadcast or published, the candidate is required to record the name of the broadcaster or publisher, as well as their contact information, in Schedule 3 of the campaign financial statement (Form 4).

Charges and Contributions

Broadcasters and publishers:

- Must charge no more or less than their standard advertising rates;
- Must apply rates consistently across all candidates and third party advertisers.

If a reduced rate or free advertising is provided, the difference may be considered a contribution under the Act, unless the same opportunity is offered equally to all candidates and third parties.

Additional Guidance

Further information is available in Ministry guides for third party advertisers, which outline compliance obligations, financial reporting requirements, and best practices for municipal elections. [ontario.ca/files/2026-03/mmah-2026-third-party-advertisers-guide-en-2026-03-31.pdf](https://www.ontario.ca/files/2026-03/mmah-2026-third-party-advertisers-guide-en-2026-03-31.pdf)

Important: This notice is provided for information purposes only. For legal advice, broadcasters and publishers should consult their legal counsel.