



## Written Opinions, Guidelines and Interpretation Notes

### Guideline: 2016-03

#### *Political Financing Handbook for Nomination Contestants and Financial Agents*

#### Summary of updates

The following table lists updates that have been made in this version of the handbook to integrate annual requirements and to include improvements identified during previous OGI consultations.

	Update type	Update description (new text underlined or otherwise introduced)	Chapter	Section
1	Annual	Updated dates and limits in text, examples, tables and graphics.	n/a	n/a
2	Annual	Contribution tables updated; the contribution table in the "Nomination Campaign Inflows" chapter is now specific to the entity.	Tables and Reminders Chapter 2	n/a
3	Annual	Verified and updated names of the reports and forms referenced in the handbook.	n/a	n/a
4	Reference	Copied the "Filing deadline extensions" table from the "Reporting Requirements" chapter to "Tables and Reminders."	Tables and Reminders	Filing deadline extensions
5	Reference	Added references to other OGIs for additional information.	n/a	n/a
6	Reference	Added "What's new in this release?" table to summarize updates.	About This Document	n/a
7	OGI 2015-06 consultation	"For any nomination campaign expense of \$50 and over, keep <u>a copy of</u> the invoice and proof of payment."	Tables and Reminders	Important reminders
8	OGI 2015-06 consultation	"Any money that is used <u>out of the contestant's own funds to pay expenses incurred during the contest</u> is a contribution."	Chapter 2	Definitions
9	OGI 2015-02 consultation	"indirect contributions ( <u>no individual can make a contribution that comes from money, property or the services of another person or entity</u> )"	Chapter 2	Ineligible contributions

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<b>10</b>	OGI 2015-02 consultation	"The financial agent must not knowingly accept <u>a contribution that exceeds the limit.</u> <u>It is also advisable not to accept any other type of ineligible contribution.</u> "	Chapter 2	Returning ineligible contributions
<b>11</b>	OGI 2015-02 consultation	"A contribution from an unincorporated sole proprietor has to be recorded in the individual's name (not the business name), using the contributor's home address ( <u>a contributor's address is required for contributions over \$200.</u> )"	Chapter 2	What to keep in mind when administering contributions
<b>12</b>	OGI 2015-02 consultation	"Where <u>specifically permitted under the <i>Canada Elections Act</i>,</u> a transfer is not considered to be a contribution, and contribution rules therefore do not apply."	Chapter 2	Transfers received
<b>13</b>	OGI 2015-01 consultation	Modified example: "A person who is employed <u>as a teacher</u> offers to work in the evenings in the campaign office to answer the phone and help with general office duties."	Chapter 2	Volunteer labour
<b>14</b>	OGI 2015-01 consultation	New text: "A contribution is considered used if the campaign bank account balance was below the contribution amount at some point after the contribution date. In this case, the financial agent has to send a cheque for the amount of the ineligible contribution to Elections Canada, payable to the Receiver General for Canada."	Chapter 2	Returning ineligible contributions
<b>15</b>	OGI 2015-01 consultation	"If the campaign receives an ineligible contribution <u>and it has been deposited into the campaign bank account,</u> the financial agent has to return the unused contribution to the contributor within 30 days of becoming aware that it is ineligible."	Chapter 2	Returning ineligible contributions
<b>16</b>	OGI 2015-01 consultation	New text: "If the campaign receives an ineligible contribution and it has not been deposited into the campaign bank account, the financial agent has to return the contribution to the contributor and no reporting is required."	Chapter 2	Returning ineligible contributions
<b>17</b>	OGI 2015-01 consultation	Modified example: "The financial agent <u>deposits</u> a cheque for \$600 from a contributor <u>into the campaign bank account.</u> The financial agent, however, becomes aware that the same person has already contributed \$1,000 to the registered association in that year. He sends a cheque <u>in the amount</u> of \$75 to the contributor."	Chapter 2	Returning ineligible contributions
<b>18</b>	OGI 2015-01 consultation	New example: "The financial agent receives a cheque for \$2,000 from a contributor. As this is obviously an over-contribution, the financial agent does not deposit the cheque, but sends it back to the contributor."	Chapter 2	Returning ineligible contributions

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<b>19</b>	OGI 2015-01 consultation	New note: "If an invoice requiring payment is prepared by one political entity and sent to its related political entity, together with a third party vendor invoice representing the commercial value of the goods or services provided, this is not a transfer but a sale of goods or services from one entity to another."	Chapter 2 Chapter 3	Transfers received Transfers sent
<b>20</b>	OGI 2015-06 consultation	New text: "Loans from any other person or entity are not permitted."	Chapter 2	Getting a loan
<b>21</b>	OGI 2015-06 consultation	New note: "A financial institution must charge a fair market rate of interest on loans made to nomination campaigns. Any forgone interest resulting from the financial institution charging a lower interest rate would constitute a non-monetary contribution from an inadmissible contributor."	Chapter 2	Getting a loan
<b>22</b>	OGI 2015-06 consultation	New note: "An individual cannot make a loan to a nomination campaign if the loan is made possible by money, property or the services of any person or entity that provided it to the individual for that purpose."	Chapter 2	Getting a loan
<b>23</b>	OGI 2015-06 consultation	New text: "Political parties and electoral district associations establish the contest period and usually set their own rules, in addition to those in the <i>Canada Elections Act</i> , for holding nomination contests. They may provide other restrictions on political financing aspects of the contest, which they administer themselves. As long as these rules do not conflict with the requirements of the <i>Canada Elections Act</i> , this is not problematic."	Chapter 3	Nomination campaign expenses
<b>24</b>	OGI 2015-06 consultation	New text: "Funds provided specifically to pay for expenses incurred outside the contest period are not subject to the controls on contributions and loans in the <i>Canada Elections Act</i> ."	Chapter 3	Nomination campaign expenses
<b>25</b>	OGI 2015-06 consultation	New text: "Nomination contestants might be required to pay a contest entry fee or other service fees to the registered party or the registered electoral district association organizing the contest. These fees may be refunded to the contestant at the discretion of the party or the association."	Chapter 3	Nomination campaign expenses
<b>26</b>	OGI 2015-06 consultation	Updated the text to clarify the difference between purchased property or services and property or services received at no charge.	Chapter 3	Nomination campaign expenses