



Written Opinions, Guidelines and Interpretation Notes

Guideline: 2020-06

Regulated Fundraising Events

Comments made during consultation period of July 14 to August 27, 2020

Comments received from the Liberal Party of Canada	Elections Canada response to the Liberal Party of Canada
<p>We provide the following specific points for consideration:</p> <ol style="list-style-type: none"> On page 1, the Note section states, “A prominent person is ‘attending’ if they have a live exchange with any participants.” Can clarity be provided on whether or not a format in which a prominent person being asked pre-determined questions exclusively by a moderator would be characterized as a regulated fundraising event? In essence, this format would be no different than a television interview, although those viewing the event would be required to pay the registration fee. How would the event be characterized if the participants were permitted to ask questions, but only through the moderator and not directly to the prominent person, with the moderator determining whether or not the question would be asked? 	<p>Elections Canada’s intention in using the phrase “live exchange” was not to exclude events in which a prominent person is present but speaks only to a moderator or other intermediary. The trigger for regulation under subparagraph 384.1(1)(b)(i) of the <i>Canada Elections Act</i> is the prominent person’s attendance, not the nature of their interactions with other attendees. The note cited in your comment has therefore been clarified as follows: “A prominent person is ‘attending’ if they are present at the event in real-time. By contrast, if they are present only by prerecorded video or audio message, they are not attending the event.”</p>
<ol style="list-style-type: none"> Further to the previous guidance provided on completing the <i>Regulated Fundraising Event Report</i>, on page 5 in the bottom box in the column “Reporting to Elections Canada after the fundraising event,” can more detail be provided on how to record the venue for an online regulated fundraising event? 	<p>Technical details on how to record the location of a virtual event are provided in the instructions to the <i>Regulated Fundraising Event Report</i>. They read as follows: “For events that took place online or by teleconference, enter ‘Online’ or ‘Teleconference’ as the Venue name, and ‘NA’ in the City, Prov./Terr. and Postal code fields.”</p>
<ol style="list-style-type: none"> Also, further to previous guidance provided, perhaps in the section “What is a regulated fundraising event?” on page 1 or the section “Disclosure requirements for a regulated fundraising event” on page 5, could additional clarity be provided on tracking attendees to a regulated fundraising event? For example, an invitee may forward the virtual event link for others to participate, or an invitee may invite other individuals to participate in the virtual event from the invitee’s participation location. 	<p>In the “Disclosure requirements for a regulated fundraising event” section, on page 6, there is a note that acknowledges the difficulty of tracking attendance at virtual events. The note has been expanded, as follows, to allow for different ways of managing attendance and produce an accurate list of attendees. Organizers should exercise due diligence so that an accurate report of all attendees can be filed. For example, they could advise people who sign up for an event that attendance is being published and that the link or phone number to attend is for their use only.”</p>

	Evidence of due diligence by the organizer will be important if the list of attendees has unavoidable errors that result from the inability to strictly control virtual attendance.
Comments received from the Commissioner of Canada Elections	Elections Canada response to the Commissioner of Canada Elections
We are in agreement with the proposed update of the Guideline.	Elections Canada notes your comment.

The following parties did not submit comments to Elections Canada regarding OGI 2020-06:

- Animal Protection Party of Canada
- Bloc Québécois
- Canada's Fourth Front
- Canadian Nationalist Party
- Christian Heritage Party of Canada
- Communist Party of Canada
- Conservative Party of Canada
- Green Party of Canada
- Libertarian Party of Canada
- Marijuana Party
- Marxist-Leninist Party of Canada
- National Citizens Alliance of Canada
- New Democratic Party
- Parti pour l'Indépendance du Québec
- People's Party of Canada
- Parti Rhinocéros Party
- Stop Climate Change
- The United Party of Canada
- Veterans Coalition Party of Canada