



**ELECTIONS BC**

A non-partisan Office of the Legislature

# GUIDE TO ELECTOR ORGANIZATION REGISTRATION



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## What is an elector organization?

### **Elector organization definition**

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The *Local Elections Campaign Financing Act* (LECFA) and the *Local Government Act* define an elector organization as an organization that intends to endorse a candidate in an election.

Although some elector organizations choose to register as societies under the *Societies Act*, this is not a requirement to register as an elector organization under LECFA.

[LECFA, s. 30.06, Schedule s. 1]

# Elector organization registration

## Registration benefits

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Registration brings many benefits. Registered elector organizations may:

- endorse a candidate in an election and be identified on a ballot;
- accept campaign contributions;
- incur election expenses; and,
- enter into a campaign financing arrangement with candidates in an election.

Unregistered elector organizations are prohibited from doing any of the above.

[LECFA, s. 30.06]

## Obligations for registered elector organizations

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Registered elector organizations assume certain obligations. Once registered, the elector organization is required to:

- ensure all registration information filed with the B.C. Chief Electoral Officer is kept up to date by filing notice of any changes within 60 days
- file reports with the B.C. Chief Electoral Officer, including annual financial reports and election disclosure statements

Failure to meet these obligations can result in suspension, deregistration or prosecution.

[LECFA, s. 30.11, 30.13, 57, 64]

## How to register

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The *Local Elections Campaign Financing Act* (LECFA) specifies the information that must be contained in an application for registration. The application must be made on forms provided by Elections BC and be signed by the authorized principal official of the elector organization.

To register as an elector organization, an organization must:

- have a proposed name that is not prohibited under section 30.08 of LECFA
- have an authorized principal official and at least one other responsible principal official, in accordance with [section 21 of LECFA](#)

- have a financial agent appointed in accordance with [section 19 of LECFA](#)
- have a campaign account in accordance with [section 20 of LECFA](#)
- have a membership of at least 50 electors in each jurisdiction listed in the application
- file a completed application for registration with the B.C. Chief Electoral Officer

The application forms for registering an elector organization are available in the [Registration forms and other resources](#) section of this guide or on the [Local Forms](#) page of our website.

The following information must be included in the application:

- the legal name of the elector organization, if applicable
- the usual name of the elector organization – if this is different from the legal name or if the elector organization does not have a legal name
- any abbreviations, acronyms or other names used by the elector organization
- the name, abbreviation or acronym by which the elector organization proposes to be identified on ballots
- the name of each jurisdiction where the elector organization intends to endorse a candidate in an election
- the address(es) where records of the elector organization are kept
- signed consent of the authorized principal official, including their full name, address, phone number, email address and service address
- signed consent of other responsible principal officials, including their full name, addresses and service addresses
- signed consent of the appointment of financial agent for the elector organization
- the names and addresses of all savings institutions where the elector organization has a campaign account or other account
- a statement of the assets and liabilities of the elector organization as of a date not earlier than 90 days before the date the application for registration is made, signed by the elector organization's financial agent
- a signed declaration by the authorized principal official under section 30.07(4) of LECFA
- any additional information or evidence necessary to satisfy the B.C. Chief Electoral Officer that the elector organization meets the requirements for registration

[LECFA, s. 30.07, 30.09]

### Restrictions on elector organization names

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Elector organization names (including any abbreviations or acronyms) cannot:

- be, in the opinion of the B.C. Chief Electoral Officer, confused with another elector organization that is currently registered in the same jurisdiction, has an earlier application pending for registration in the same jurisdiction, or that was registered in the same jurisdiction within the previous 10 years
- include any other information that is prohibited under [section 115\(3\) of the \*Local Government Act\*](#) from being included on a ballot (e.g., candidates' occupations, any titles, honours or degrees held by candidates, or any indication that candidates have held elected office)

[LECFA, s. 30.08]

### When registration takes effect

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After receiving an application, the B.C. Chief Electoral Officer has 30 days to determine if the elector organization meets the requirements for registration, except within 30 days of the nomination period for an election.

If an elector organization applies for registration within 30 days before the start of the nomination period for an election, the B.C. Chief Electoral Officer has until 30 days after the election to determine if the elector organization meets the requirements for registration.

If the application for registration is approved, the B.C. Chief Electoral Officer will notify the elector organization of the date of registration.

If an elector organization does not meet the registration requirements, the B.C. Chief Electoral Officer will provide the elector organization with a written explanation of the reasons why the organization could not be registered. The elector organization has 30 days from receiving the notice to amend its application for registration. If the elector organization does not meet the requirements for elector organization registration within this 30-day period, the application ceases to be effective.

[LECFA, s. 30.09]



## Updating registration information

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If any of its registration information changes, an elector organization must file a notice of the change within 60 days after the change occurs. A notice to update information must be made in writing and must be signed by the authorized principal official of the elector organization.

The B.C. Chief Electoral Officer may suspend the registration of an elector organization if the organization does not file updated registration information within 60 days of the change occurring. The suspension of the elector organization continues until all required information has been filed.

If a registered elector organization wishes to change its name or to add other names to those specified in its registration documentation, the organization must first seek the B.C. Chief Electoral Officer's approval for the change. The rules surrounding the prohibition for names and the time for the B.C. Chief Electoral Officer's determination of an application also apply to any proposed name changes.

The same forms used for registering an elector organization are used to [update registration information](#). If you are unsure about which forms to submit, contact Elections BC.

[LECFA, s. 30.11, 30.12]

## Public access to elector organization information

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The B.C. Chief Electoral Officer must maintain a public register of elector organizations that are registered, suspended or deregistered. This register is on the Elections BC website and available for public inspection at the Elections BC head office. The register contains the following information:

- all registered names for the elector organization, including the legal name, usual name, other names, abbreviations or acronyms, as applicable
- the name of each jurisdiction where the elector organization intends to endorse a candidate in an election
- the name of the authorized principal official and their contact information
- the name of the financial agent and their contact information

[LECFA, s. 30.10]

## Electoral organization financial agents

### Appointing a financial agent

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An electoral organization must have a financial agent. An appointment form is available in the [Registration forms and other resources section](#) of this guide.

An electoral organization may only appoint one financial agent at a time; however, an individual can be a financial agent for more than one individual or organization. This means that the electoral organization's financial agent may also be the financial agent for the electoral organization's candidates.

The financial agent may also be a responsible principal official of an electoral organization.

[LECFA, s. 19]

### The financial agent's role

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The financial agent is the person responsible for ensuring compliance with the financing provisions in the *Local Elections Campaign Financing Act* (LECFA).

The financial agent's responsibilities include, but are not limited to:

- keeping complete and accurate records of all financial transactions
- opening a separate campaign account for each jurisdiction where the electoral organization intends to endorse a candidate
- ensuring all transactions of money are made through a designated campaign account, including expenses for the day-to-day administration of the electoral organization
- ensuring campaign contributions are only received from permissible sources and do not exceed contribution limits
- ensuring election advertising contains the required sponsorship information (also known as an authorization statement)
- filing financial reports and election disclosure statements

Financial agents are encouraged to review the [Guide to Local Elections Campaign Financing in B.C. for Electoral Organizations](#) to ensure they understand the responsibilities of their role prior to their appointment.

[LECFA, s. 19, 20]

## The appointment process

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Financial agent appointments must be made in writing and include:

- the financial agent's full name
- the effective date of appointment
- contact information
- service address
- signatures of the financial agent and authorized principal official of the elector organization

A financial agent appointment form is included in the [Registration forms and other resources section](#) of this guide. If the appointment of a financial agent ends for any reason, the elector organization must appoint a new financial agent and file a new appointment form with Elections BC as soon as possible.

If the financial agent resigns, they must notify Elections BC in writing. The outgoing financial agent is responsible for the reporting of the financial affairs until a new financial agent is appointed.

[LECFA, s. 19]

# Electoral organization deregistration, reregistration and suspension

## Electoral organization deregistration

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An electoral organization can be deregistered either voluntarily or involuntarily. When an electoral organization is deregistered, the B.C. Chief Electoral Officer must give notice of the deregistration, including the effective date and reasons for deregistration, to the electoral organization.

## Voluntary deregistration

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An electoral organization may only voluntarily request to deregister if:

- the request to deregister is not made during an election in which the electoral organization is endorsing candidates
- the electoral organization has filed all annual financial reports, election disclosure statements and supplementary reports required under LECFA
- all candidates endorsed by the electoral organization have filed all disclosure statements and supplementary reports required under LECFA
- the electoral organization has paid any outstanding penalties in relation to exceeding an election expenses limit

Applications for voluntary deregistration must be made in writing and must be signed by the authorized principal official of the electoral organization.

[LECFA, s. 30.14]

## Involuntary deregistration

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The B.C. Chief Electoral Officer can deregister an electoral organization if it:

- fails to file an annual financial report, election disclosure statement or supplementary report unless court relief from filing obligations is granted
- endorses a candidate whose expense limit is exceeded and the electoral organization exceeds their allotted expense limit under their campaign financing arrangement

- fails to pay a monetary penalty for exceeding an amount available under a campaign financing arrangement within 30 days of becoming subject to the penalty
- is convicted of an offence for providing false or misleading information or making a false or misleading statement in relation to obligations under LECFA

The B.C. Chief Electoral Officer will provide advance warning of any contraventions of LECFA that may result in deregistration. For example, in the case of failing to file a report or disclosure statement, the B.C. Chief Electoral Officer's notice of non-compliance provides the elector organization with sufficient time to file the required reports or to seek court relief from the filing obligations before deregistration occurs.

[LECFA, s. 30.13, 64, 65, 68.01, 68.03]

### **Deregistered elector organization obligations**

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A deregistered elector organization must file a financial report for the period from the date of the elector organization's last annual financial report up to and including the last day the elector organization was registered. The report must be received by Elections BC within six months of deregistration.

After payment of any outstanding expenses or debts, deregistered elector organizations may transfer the funds in their campaign account(s) to the elector organization or in accordance with the directions of the elector organization.

The deregistered elector organization is also required to file a report for the period from the date of deregistration to the date on which any remaining funds are transferred from the campaign account(s) or on which the elector organization reports that there are no funds to be transferred.

[LECFA, s. 30.16, 30.17]

### **How to reregister as an elector organization**

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An elector organization that voluntarily deregisters may apply for reregistration at any time.

In the case of involuntary deregistration, the elector organization may apply for reregistration after the next general local election.

To reregister, an elector organization must:

- submit a new elector organization application for registration
- satisfy the B.C. Chief Electoral Officer that it is the same elector organization that was previously registered

- fulfill any unfulfilled obligations (e.g., file any outstanding reports, pay outstanding penalties)
- file a report detailing the elector organization's financial activities during the period of deregistration

If your elector organization has been deregistered and you would like to reregister, please [contact us](#) for assistance.

[LECFA, s. 30.18]

### **Suspension of an elector organization**

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The registration of an elector organization can be suspended if the elector organization:

- fails to file a registration update within 60 days of a change occurring
- files an application for court relief from the penalties related to failure to file a required report or disclosure statement, while awaiting decision of the court
- files an application for court relief from the penalties related to exceeding an expense limit or an amount available under a campaign financing arrangement, while awaiting decision of the court

During the period of suspension, an elector organization is prohibited from endorsing a candidate, accepting a campaign contribution, entering into a campaign financing arrangement and incurring an election expense.

Notice of suspension is given to the elector organization and is published in the B.C. Chief Electoral Officer's public register of elector organizations.

[LECFA, s. 30.06, 30.11, 64, 68.01]

## Registration forms and other resources

### New registration application

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Prior to submitting a registration application, elector organizations must be able to meet the following self-screening checklist:

- have a proposed name that is not prohibited
- have at least two responsible principal officials, one of which acting as the authorized principal official
- have a campaign account
- have a financial agent, and
- have a membership that includes at least 50 electors of the jurisdiction where the elector organization is applying to register

In order to be considered, all new elector organization registration applications submitted to Elections BC must include the following forms:

- [Authorization \(4461\)](#)
- [Administration \(4462\)](#)
- [Account Information \(4463\)](#)
- [Financial Agent Appointment \(4464\)](#)
- [Statement of Assets and Liabilities \(4465\)](#)

Submit completed forms to:

**Email:** [electoral.finance@elections.bc.ca](mailto:electoral.finance@elections.bc.ca)

**Fax:** 250-387-3578

**Toll-free fax:** 1-866-466-0665

**Mail:** PO Box 9275, Stn Prov Govt, Victoria, BC, V8W 9J6







