

Returning Officer Briefing to  
Organizational Meeting of Council  
2025 October 29

ISC: UNRESTRICTED  
C2025-0855

## January 1, 2025 - July 31, 2025 Non-compliance in Relation to Campaign Disclosure Statement

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### PURPOSE OF BRIEFING

The *Local Authorities Election Act* ("LAEA") requires a report to be presented to Council identifying municipal council candidates who received contributions between 2025 January 1 and 2025 July 31 that failed to file their campaign disclosure statements by 2025 October 14. The LAEA requires that, in the case of an election of municipal councillors, the secretary shall present a report to that effect to Council on the day of the first Council meeting after the filing deadline (2025 October 29 Organizational Meeting of Council).

### SUPPORTING INFORMATION

#### Background

The LAEA sets out the requirements for election finances and campaign disclosures for municipal council and school board candidates.

The *Election Statutes Amendment Act, 2025* (Bill 54) amended the LAEA to require municipal council and school board candidates who received contributions between 2025 January 1 and 2025 July 31 to submit a campaign disclosure statement to their local jurisdiction by 2025 September 30. In keeping with the *Interpretation Act*, the 2025 September 30 deadline was 2025 October 1 because 2025 September 30 is observed as the National Day for Truth and Reconciliation. Section 147.53 of the LAEA provides that the requirement to file a campaign disclosure statement applies to any candidate who:

- Gives a written notice under Section 147.22 of the LAEA, but does not file a nomination or whose nomination is not accepted under Section 28 of the LAEA,
- Withdraws as a candidate,
- Is disqualified or becomes ineligible to continue as a candidate, or
- Is not elected.

Section 147.7(3) of the LAEA provides that if a candidate files a campaign disclosure statement no later than 10 days after the filing deadline, they will not be included in the non-compliance report in relation to campaign disclosure statements. Ten days after the 2025 October 1 filing deadline is 2025 October 11. In keeping with the *Interpretation Act*, the 2025 October 11 deadline became 2025 October 14 because the Elections Calgary office is not open for the purposes of receiving campaign disclosure statements on 2025 October 11 and 2025 October 13 is observed as Thanksgiving.

This Briefing is required to be published on The City of Calgary's ("The City's") website no later than the date of the 2025 October 29 Organizational Meeting of Council.

### DISCUSSION

#### Courtesy notification

The LAEA does not require the Returning Officer, nor the secretary, to provide notice of campaign disclosure statement filing requirements and deadlines to candidates. As a courtesy, Elections Calgary shared campaign disclosure requirements and deadlines on (June 25, July 31, August 21, September 10 and September 26, 2025) way of e-newsletter and on September 25, 2025 by email

to all candidates who filed their notice of intent to be nominated for the 2025 General Election. The e-newsletter and email provided instructions for candidates to advise Elections Calgary in writing that they did not receive contributions between 2025 January 1 and 2025 July 31 and are therefore excluded from the requirement to file a campaign disclosure statement by 2025 October 1.

Campaign disclosure requirements and deadlines were also communicated on the Elections Calgary website and shared at the 2025 September 11 in-person and 2025 September 18 virtual candidate information sessions hosted by the Returning Officer.

## **Noncompliant municipal council candidates**

Attachment 1 includes any municipal council candidates who did not submit a campaign disclosure statement or submit written notice confirming that they did not receive contributions between 2025 January 1 and 2025 July 31.

## **Campaign disclosure statement compliance**

Section 147.7(2) of the LAEA outlines that candidates who are required to file a campaign disclosure statement and fail to file campaign disclosure statements by 2025 October 1 are subject to a late filing fee of \$500, payable to the candidate's local jurisdiction.

As set out in Section 22(1.2) of the LAEA, a person is not eligible to be nominated as a candidate for election as a councillor (including mayor) or a school board trustee if:

- a) a report was presented or transmitted under section 147.8(1) in respect of the person,
- b) the Court did not dispense with, or extend the time for, compliance with section 147.4 by an order under section 147.8(3), and
- c) subject to subsection (1)(d.1), nomination day for the election occurs within
  - (i) the 8-year period following the day on which the secretary presented the report to council or transmitted the report to the school board, or
  - (ii) where the campaign disclosure statement required by section 147.4 has been filed with the secretary, the 3-year period following the day of filing, whichever period expires first.

The effect of non-compliance in relation to campaign disclosure statements is outlined in Attachment 2. Non-compliant candidates may apply to the Court of Kings Bench for relief as per Section 147.8(2) of the LAEA.

## **Offences and fines**

A candidate who fails to comply with Section 147.4(1) or a candidate who has not filed their campaign disclosure statements by 2025 October 1, is guilty of an offence and may be subject to a fine of not more than \$5,000, as per Section 147.84 of the LAEA. The Alberta Election Commissioner has the authority to investigate violations or potential violations of Part 5.1 of the LAEA (Election Finances and Contributions Disclosure) and impose an administrative penalty. The LAEA provides that the Returning Officer shall, within a reasonable time, report any act or omission that likely constitutes an offence under Part 5.1 to the Alberta Election Commissioner.

Accordingly, if a candidate fails to file campaign disclosure statements by 2025 October 1, the Returning Officer is required by Section 205(b) of the LAEA to notify the Alberta Election Commissioner.

## Public access to campaign disclosure statements

Section 147.4(7) of the LAEA requires that campaign disclosure statements be made available on The City's website, while ensuring the following information set out in the LAEA is not disclosed:

- the mailing address of the candidate and of the candidate's official agent [sec. 147.4(7)(a)]
- any address provided for a contributor, except any portion of an address that names a municipality or a province [sec. 147.4(7)(b); and
- any other candidate or contributor contact information not required but included on a document filed with a local jurisdiction [sec. 147.4(7)(c)].

Elections Calgary has not been given jurisdiction in the LAEA to review candidates' campaign disclosure statements for accuracy or completeness, nor provide any assurances respecting their accuracy, thoroughness or legality.

## Why is it important? / Risk mitigation

This Briefing complies with the LAEA requirement for the secretary to present a report to Council at the first Council meeting after the filing deadline (2025 October 29) outlining municipal council candidates who received contributions between 2025 January 1 and 2025 July 31 that failed to file their campaign disclosure statements by 2025 October 14.

Any school board trustee candidates who received contributions between 2025 January 1 and 2025 July 31 that failed to file their campaign disclosure statements by 2025 October 14 will be included in a non-compliance report to their respective school board.

## ATTACHMENT

1. Non-compliant municipal council candidate(s)
2. Campaign disclosure statement requirements
3. Effect of non-compliance in relation to campaign disclosure statement

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City Solicitor and General Counsel Jill Floen was informed about the information in this Briefing.