



# GUIDE FOR OFFICIAL AGENTS



## Role of Official Agents

An official agent acts on behalf of a candidate and has signing authority for campaign financing and other administrative authorities where allowed.

One of the key roles of an official agent is to manage all aspects of their candidate's campaign finances. An official agent is required to receive contributions, issue tax receipts, account for contributions and expenses, and keep detailed records and receipts. Within 90 days following the return of the writ the official agent completes and submits the candidate's Election Financial Report

## Recruiting an Official Agent

Qualities of a good official agent may include:

- strong organizational skills
- have basic bookkeeping abilities
- are familiar with computers
- have good time management, and
- pay attention to detail

## Changing Your Official Agent

If an official agent resigns or dies, a new official agent must be appointed immediately. To appoint a new official agent, the candidate must inform the Returning Officer in writing and provide the name and residential address of the new official agent (Form 109).

## Appointment

Candidates must appoint an official agent during the nomination process. Information about the official agent must be included in the Nomination Paper.

## Expectations

Official agents manage a candidate's campaign finances and reporting. They assist in raising funds, are responsible for receiving funds, paying campaign expenses, issuing tax receipts and managing financial accounts. The official agent should keep detailed well organized records and receipts of all contributions and campaign expenditures. Well organized records will prove beneficial for completion of the Election Financial Report (EFR). A complete and accurate EFR with all supporting documentation must be submitted to the Chief Electoral Officer.

## Responsibilities

The official agent is responsible for a number of activities that take place before and after ordinary polling day. It is important for the official agent to understand that their obligations continue until all post-election reporting is complete.

- Before Polling Day: Campaign Period

- Receiving all contributions for the candidate's campaign
- Issuing official tax receipts for monetary contributions
- Reimbursing the candidate for any expenses incurred prior to the campaign period, to be paid using contributions received
- Depositing all contributions into a bank account or another institution approved by the Chief Electoral Officer (if applicable)
- Recording all contributions received and election expenses incurred during the campaign period
- Recording the name and address of each person or organization who contributes
- Authorizing and paying all campaign expenses
- Authorizing other people, in writing, to receive contributions or incur expenses on behalf of the official agent
- After Campaign Period: Reporting Period
  - Ensuring all bills are received and paid
  - Returning all tax receipt books to the Office of the Chief Electoral Officer
  - Submitting an accurate and complete candidate Election Financial Report to the Office of the Chief Electoral Officer
  - Requesting (if required) an extension to the deadline for submitting the candidate's Financial Report, or any accompanying documentation

## Sponsor Responsibilities

The Elections Act (sec 326) requires the name of the sponsor be included on election notices and advertisements during the election period. This includes election signs and other materials.

- The election period is from the date of the issue of the writ to the return of the writ. Return of the writ may be up to 10 days after polling day.
- The sponsor is any person, association, or organization who pays for the advertising. This is usually the candidate or the official agent.
- The address is the physical address of the sponsor; for candidates and official agents it may be office of the candidate or may be a political party website or email address.

## Notices and Advertising

- During an election period, every notice or advertisement that refers to an election, whether printed, broadcast or published electronically, shall include the name and address of its sponsor.
- No sponsor information is required if a printed notice or advertisement bears, with no information, message or symbol that relates to an election or voting, only one or more of the following
  - the colours or logo of a registered political party;

- the name of a registered political party;
- the name of a candidate, no sponsor
- Examples: notices and advertisements must contain the name and address of the sponsor. It is not necessary to include the name of the party.
  - “Authorized by [name of Candidate], [address/party web address].”
  - “Authorized by [name of Official Agent], Official Agent for [name of Candidate], [address/party web address].”
  - “Authorized by [name of individual/association/organization], [address].”

## Financial Obligations

Financial provisions for candidates and political parties are detailed in the Elections Act sections 370 – 406. Official agents should be familiar with these statutory requirements. Typical official agent duties include:

- Collecting Contributions. This includes monetary contributions and contributions in-kind
- Issuing and Managing Receipts all tax receipts
- Authorizing and paying expenses
- Reporting Obligations and Supporting Documentation.

## Election Returns

Election financial reporting requires that three returns must be submitted within 90 days after the return of the writ. These are:

- Election Revenue Return
- Elections Expenses Return, and
- Election Financing Return.

## Deficit or Surplus Funds

If a deficit is reported, the Election Financing Return shall set out the names and addresses of all debt holders. If a surplus is reported, the surplus funds shall be paid to the registered political party with proof of payment provided. If the candidate is not endorsed, the surplus funds shall be remitted to the chief electoral officer for the Yukon Consolidated Revenue Fund.

Returns are available for public inspection during working hours. Names of donors of contributions of \$250 or less are not disclosed.