



2026 LOCAL GOVERNMENT ELECTIONS



GUIDE TO THE LOCAL ELECTIONS CAMPAIGN FINANCING ACT

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NOTICE:

This document contains general information regarding the Local Elections Campaign Financing Act (*LECFA*). It does not constitute legal advice. Any CUPE entity planning to engage in election advertising should notify the election coordinator and consider obtaining independent legal advice.

CONTACT:

Questions about this document and its contents can be sent to Jessica Orcutt, Communications Representative at jorcutt@cupe.ca

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INTRODUCTION

B.C.'s local government general election occurs on October 17 of this year. Election day is preceded by periods in which organizations like CUPE are limited in communicating with the public. These limitations are part of rules applied to local government elections as part of the *Local Elections Campaign Financing Act (LECFA)*.

The purpose of these limitations is to take big money out of British Columbia's electoral politics. In so doing, the rules restrict contributions, broadly defined, to partisan and third-party campaigns to contributions from individuals only. Spending for all types of campaigns has been capped and regulations applied to a range of election-related activity beginning 90 days prior to the election date. While it is still possible for organizations like CUPE to undertake voter outreach, *LECFA's* provisions limit permissible campaigns work, and add requirements around registration and reporting.

Accountability and provisions to enforce fairness in election financing remove the financial advantage of the wealthy and well-connected, which has historically been used to skew election results. While some rules do limit third party campaigns' work, there is only a minimal impact to CUPE's most fundamental election tactic: mobilizing members. CUPE has a wide range of options to mobilize its 120,000 members in compliance with *LECFA*. This remains our key advantage in making a substantial impact in local government elections, and allows us to secure seats for progressive voices around employer tables.

1: MAINTAINING ONGOING CAMPAIGNS

Prior uncertainty around how election laws would be interpreted and applied led, in some instances, to suspension of all ongoing CUPE campaigns work during regulated election periods. CUPE public communication is closely tied to issues at the forefront of local government elections, leading to a concern that ongoing advertising would be swept into the definition of regulated activity.

Recent interpretation of *LECFA* and its application to ongoing campaigns provides increased clarity. As this section outlines, campaigns on important public issues can be maintained for much of the regulated election periods.

Election Advertising

Election advertising is defined in *LECFA* to include communication that promotes or opposes, directly or indirectly, a candidate or party, including a communication that takes a position on an issue with which the candidate or party is associated. *LECFA* regulates paid advertising, commercial canvassing activities and materials sent by mail during the regulated periods. *LECFA* requires third parties who engage in election advertising to report their activities and limit their spending to set maximums.

The Different Election Periods

The new rules in *LECFA* prescribe three election periods, though only two matter to third parties like CUPE—the pre-campaign period and the campaign period. The pre-campaign period is July 20 to September 18. The campaign period is September 19 to October 17. CUPE advertising is regulated and

limited during both of these periods, but in different ways.

There is no limitation to CUPE advertising and communications prior to July 20, 2026.

Pre-Campaign Period

Election advertising is regulated in the pre-campaign period. During this time, only registered third parties can issue paid public communications promoting or opposing a candidate or party. However, these restrictions do not apply to issue advertising during the pre-campaign period.

Accordingly, any paid advertising and outreach work, such as ads that promote CUPE, CUPE members, and/or issues of public importance, may continue through to September 18. In continuing this work, care must be taken to avoid any direct or indirect references to candidates or municipal parties, or any such ads may be

deemed election advertising, potentially in breach of the rules.

Campaign Period

As with the pre-campaign period, election advertising as defined by *LECFA* is regulated and limited. Unlike the pre-campaign period, during the campaign period, issues-based advertising is also regulated. Accordingly, beginning September 19, in addition to any advertising that promotes a candidate or party, *LECFA* also regulates any advertising that relates to public policy issues at the local government and school board level. Advertising for ongoing CUPE campaigns should cease for this period so as not to breach these election laws.

Member-to-Member Campaigning

Election advertising is public-facing, paid advertising and does not include internal communications between a union and its own members. This means that the limitations referred to in this section do not apply to communication with members, provided that those communications platforms are direct to members (mail, email, phone calls, text messages, etc.), or don't incur any advertising costs (social media posts).

Communication with Candidates and Parties

There should be no communication with candidates and municipal parties about ongoing CUPE campaigns in a manner that might influence decisions about the campaign or provide candidates or parties unique information about campaign messaging, advertising, or goals. More simply: CUPE campaigns cannot coordinate with, nor be directed by, candidates and parties, and no candidate or party should receive insider information about CUPE local election campaign work.

MAJOR TAKE-AWAYS

- Do not engage in paid campaign advertising that involves messaging to the public during the prescribed periods unless you are a registered third party.
- Issues-based advertising may be continued during the pre-campaign period only and must cease before September 19.
- Direct-to-member campaigns may be continued throughout all election periods because it is not regulated campaign advertising.
- Your election campaign work must be independent of candidates and parties running in the 2026 local government elections.

2: ENDORSEMENTS & CANDIDATE INTERACTIONS

This document will outline the limits on interacting with candidates and parties, including the endorsement process and other communications.

Help = Contribution = Not Allowed

The prohibition on contributing to a candidate or municipal party goes far beyond simply donating funds or goods to a campaign. CUPE cannot provide assistance of any kind, including in-kind donations, advice, data, access to services, provision of labour (paid volunteers), office space, interest-free loans, or other tangible or intangible items or information. This includes providing assistance to those who intend to run, but who have not yet formally registered or even declared.

Partnerships/Cooperation = Contribution = Not Allowed

The rules against contributing extend to partnerships, meaning that CUPE cannot work with a municipal party or candidate on joint ventures like town halls, surveys, advertising, research, policy positions or other such undertakings. Working with parties and candidates to broker slates is also prohibited, so CUPE cannot plan or coordinate with candidates about who will be endorsed/supported and which candidates should be organized into political parties or slates.

Fair Market Value Must Be Paid

Any good or service provided to a candidate or party must be paid for at fair market value. This means the costs charged by CUPE must equal costs that would be charged by any common provider of that same service who had no interest in the candidate or party winning. It is important to note that fair market value and “at cost” are not the same thing—cost is often lower than fair market value because it frequently accounts only for direct costs and not costs plus labour, overhead, and other such expenses.

Endorsements Are Allowed

Endorsements are permitted. CUPE can engage with candidates and campaigns about their positions on issues, their records in office (for incumbents) and their intentions if elected. This includes asking candidates to speak at meetings, fill out questionnaires, or participate in interviews.

The names of endorsed candidates can be communicated to members using member-to-member communication tools. Communication with the public through any paid media during the pre-campaign or campaign periods requires registration as a third party, and

adherence to the third-party rules and limits in *LECFA*. Candidates and parties can advertise their CUPE endorsement but must do so independently: CUPE cannot provide advice or direction on how a CUPE endorsement should be promoted by a candidate or party campaign, and candidates and parties may not use CUPE branding or logos in their campaigns.

Candidate Advising Versus Member Advocacy

Candidates and campaigns often approach CUPE to advise on issues related to CUPE's unique relationship with local government. Unique advice provided to candidates and parties to assist their campaigns is a contribution and not allowed. However, CUPE can advocate to candidates and parties on long-standing issues, promote the value of CUPE and its members, and lobby on specific issues that CUPE would like to see addressed by local government.

While these two things might seem the same, there is a key difference. One form is CUPE sharing its expertise to help further the electoral goals of a candidate or party—this is not allowed. CUPE may, however, communicate and

advocate for its members' priorities and perspective with local elected officials.

MAJOR TAKE-AWAYS

- Helping candidates and parties is not allowed in any form.
- Partnering with candidates and parties is the same as helping and is not allowed.
- Any service or good provided to a party or candidate must be paid for at fair market value. There should be no advantage to the candidate/party because of getting these from CUPE.
- Endorsements, and the process of assessing candidates for endorsement, is allowed.
- Promoting endorsements to members is allowed but advising candidates or parties on how to promote endorsements is not allowed.
- Candidates and parties may not use CUPE branding or logos to advertise their endorsement.
- Advocating to candidates and parties about issues and policy is allowed but providing unique advice in the form of advocacy to individual candidates or parties to help their campaigns is not allowed.

3: CAMPAIGNING TO THE PUBLIC

Under *LECFA*, any organization participating in paid election advertising during the pre-campaign and campaign periods must register as a third party in advance and adhere to prescribed campaign rules. Election advertising includes communication to the public that promotes or opposes, directly or indirectly, a candidate or municipal party, as well as communication that takes a position on an issue with which the candidate or party is associated.

This section will outline some basic rules for election advertising. It does not constitute legal advice, but rather is an outline of general principles. If any CUPE entity plans to engage in election advertising as a third party, they are advised to notify the election coordinator, consult the Guide for Local Election Third Party Sponsors available at elections.bc.ca, and consider obtaining independent legal advice.

You Must Register if you Campaign on or after July 20, 2026

Before the pre-campaign period (July 20, 2026), election advertising is not regulated and CUPE locals can communicate broadly about candidates and issues related to the upcoming local government elections. As of July 20, CUPE locals' campaign communications are subject to *LECFA*. This means a CUPE local must register in advance if they plan to engage in ongoing election advertising. To register, visit elections.bc.ca/local-elections.

Communication with Members Only is Not Regulated Election Advertising

The provisions of *LECFA* do not apply when a CUPE local communicates directly with its members. Third party

registration and restrictions are for public campaigning.

Communications on the Internet with No Paid Promotion is Not Advertising

Information posted on CUPE websites or social media without paid promotion is not considered election advertising. As such, locals can continue to post and share information about issues, candidates and municipal parties provided there is no paid boosting or advertising of these posts.

Issues Campaigning

During the pre-campaign period, which runs from July 20 to September 18, *LECFA* does not regulate or restrict issues-based advertising. This means that all paid advertising and outreach work on issues of public importance may continue unimpacted by *LECFA*.

Note that *LECFA* will apply if ads refer directly or indirectly to candidates or parties during the pre-campaign period.

Spending Limits on Third Party Campaigns

In addition to requiring third party election advertisers to register and report activity, *LECFA* caps spending on their election advertising by jurisdiction and globally. Third parties are limited to an overall maximum of \$184,856.70, and caps within jurisdictions range based on population. The third-party advertising spending limit for each jurisdiction can be found on the Elections BC website at elections.bc.ca/local-elections.

What is Considered Advertising Spending

Spending limits on election advertising include everything *LECFA* considers as expenses, which is more than just the direct costs of ad preparation and placement. Extra costs for staff time and book-off, contracted services, distribution services and other items often viewed as overhead are all considered. Before undertaking any election-related spending, consult the Guide for Local Election Third Party Sponsors available at elections.bc.ca/local-elections.

What Funds Can be Used for Third Party Campaigns

If a CUPE entity registers as a third party and engages in election advertising to

the public, only funds from specific sources can be used to support that work. CUPE may use its own funds (i.e. membership dues) for a registered campaign, but any additional funds used for advertising must come from qualified individuals as set out in *LECFA*. CUPE locals cannot use funds from other CUPE entities to advertise.

Joint Third Party Campaigns

Third parties may not make contributions to each other, but they can jointly sponsor election advertising. Each of the joint sponsors must report their share of expenditure as well as the total value of the advertising activity. For example, CUPE BC cannot give money to a CUPE local for that local to spend on election advertising, but CUPE BC and a CUPE local could each contribute half the cost of an election advertisement as long as each is registered and reports the expense appropriately.

Financial Reporting

Third parties must file detailed financial and compliance information following the election to report on their spending and activities.

MAJOR TAKE-AWAYS

- Engaging in election advertising to the public during the pre-campaign and campaign periods requires advance registration as a third party—consult the Elections

BC guide for third parties on details and rules.

- Communication with members is not election advertising and will be covered in greater detail in another section of this guide.
- Election advertising spending and sources of funding for third

party campaigns are regulated and limited by the *LECFA*.

- Third party campaigns must complete financial reporting following the election.
- Any CUPE entity planning to undertake a third-party campaign needs to take extreme care to understand and follow the rules.

4: ENGAGING AND MOBILIZING MEMBERS

Member engagement and mobilization is CUPE's best opportunity to make a positive impact on local elections. Members constitute a powerful voting block, have the capacity to make vital contributions to campaigns, and can mobilize support through community and other connections. Also, because communicating with members is not considered election advertising by the *Local Elections Campaign Financing Act (LECFA)*, it is one of the most accessible and effective tactics for election activism.

Though direct membership communication regarding election engagement and mobilization does not require third party registration, and is not subject to spending limits, there are important rules that must be followed.

Direct Communication

Any communications that would otherwise be considered election advertising must be communicated directly to members if being issued by a CUPE entity that is not a registered with Elections BC as a third party. This involves using email, phone calls, direct mail, town halls, or other channels where the audience is limited to CUPE members exclusively.

Members Only

The provisions of *LECFA* that allow for membership communication and relieve an organization from registration and reporting requirements only apply in relation to an organization's communications with its own members. This means that each CUPE entity undertaking direct-to-member campaigning are restricted to their own membership only, and they may not campaign to members of other CUPE entities. CUPE BC can campaign to

members of its affiliated locals and can therefore communicate across its membership provincially.

What You Can Communicate

The main focus of membership engagement campaigns in local government elections is to mobilize members to support and vote for endorsed candidates. This typically includes providing information about endorsed candidates; a rationale for supporting endorsed candidates over others, information about how, when, and where to vote; and other information about CUPE's engagement around the election and local issues. Communications also typically include a call for members to actively support endorsed candidates through volunteering, donating, and demonstrating support.

What You Cannot Communicate

Engagement and communication with members about the election must be developed and delivered independently from other third-party campaigns, and from any candidate or municipal party. This means information gathered from such platforms as public-facing campaign websites can be shared, but sharing specific information provided to CUPE by candidates, parties or other third-party campaigns is prohibited.

Keep Member Contact Information Up-to-Date

Member information can become outdated, resulting in communications to members being received by former members (who may then be considered members of the public). CUPE entities that are engaging in member communication about the election should routinely update membership contact lists and purge outdated information. It is also advisable to provide an accessible process for recipients to easily unsubscribe from communications if they are no longer members. Keep records of your efforts to maintain up-to-date lists in case you must show you have taken all reasonable steps to communicate with your members only.

Mobilizing Members – What CUPE Can Do

Traditionally, a key goal of CUPE election activities is to mobilize members to directly participate in

election activities in support of candidates. This is allowed, but only where mobilization occurs independently of candidates and parties. Accordingly, CUPE can encourage members to volunteer for endorsed candidates and parties, and suggest members make donations. CUPE can also promote attendance at candidate and party events and encourage members to get involved in candidate and party campaigns.

Mobilizing Members – What CUPE Cannot Do

CUPE cannot share information, including information about our members, with candidates or parties in any form. CUPE cannot mobilize members to undertake volunteer recruitment, event attendance, donation asks, or other such election activity on behalf of a party or candidate. CUPE cannot coordinate members to participate in candidate or party events and activities in coordination with, or on behalf of, a party or candidate.

Funding Member Engagement – What You Can Do

There are no financial restrictions to member engagement and mobilization for the election, and CUPE can use whatever funds it wishes to engage its members about the election. The only requirements are that the activities being funded are not election

advertising nor contributions to a candidate or party.

Funding Member Engagement – What You Cannot Do

Care must be taken to ensure that funds are not spent on anything that would qualify as election advertising nor activities that are so closely aligned with the interests of a party or candidate that they would be deemed a contribution. For example, CUPE can book off members to undertake member-to-member contact to promote endorsed candidates and provide election information. CUPE cannot book off members and use membership lists to solicit for donations and volunteers in coordination or cooperation with a candidate or party.

Essentially, CUPE can use resources of any amount in any way it chooses to fund direct-to-membership engagement and outreach on the election so long as those funds are not being used directly or indirectly to support a candidate or party in such a way as to be a real or perceived contribution of resources.

MAJOR TAKE-AWAYS

- Membership communication is a great way to engage in the election, by mobilizing members to support endorsed candidates and to participate in local government election.
- A CUPE local's communications exclusively with its own members do not qualify as election advertising
- Communication with and mobilization of members must be developed and delivered independently from candidates and parties.
- Reasonable efforts must be taken to keep member contact information up-to-date, and records of such efforts should be retained in case a complaint arises.
- There are no financial restrictions or spending limits for direct member communications, but care must be taken to avoid any and all expenses that could be deemed a real or perceived contribution to a party or candidate.

5: QUESTIONS AND CONTACTS

FREQUENTLY ASKED QUESTIONS

1. Our local does not want to register with Elections BC as a third-party advertiser. What are we allowed to do?
 - Communicate about election issues and endorsed candidates/municipal parties directly with your local's members via phone, text, email, online messaging, email, etc
 - Post information about election issues and endorsed candidates/municipal parties on your website and social media, provided that you do NOT pay to promote or boost these posts or pages between July 20 and October 17.
 - Engage in paid advertising about election issues and endorsed candidates/parties BEFORE July 20.
2. Can a local or CUPE BC organize a "CUPE Canvass" where members are coordinated to volunteer on a campaign at a set time and place?
 - Current understanding of the *LECFA* indicates that such activities could be considered election advertising.
 - Although CUPE canvasses involve member volunteers, coordination that uses local or CUPE BC resources may be enough for Elections BC to consider the activity commercial, leading to the interpretation that such actions count as campaign advertising.
 - Organizing members to volunteer on a campaign would likely also amount to a contribution to that party or candidate, which is impermissible.

This section will be updated with frequently asked questions as the election calendar progresses. If you have a question about the election rules, or want to suggest a frequently asked question, please email jorcutt@cupe.ca

CONTACTS

The following are key contacts for the 2026 General Local Government Election with regard to election rules and laws.

Internal Contact

Questions about this document, the election rules and how they apply to CUPE can be directed to the Communications Representatives, Jessica Orcutt, via email at jorcutt@cupe.ca

Official Election Guide and Other Resources

For the official elections guide and other resources from Elections BC, please visit the Elections BC website for the general local election found at elections.bc.ca/local-elections

Additional Legal Advice

This guide was developed with assistance from the firm Allevato Quail & Associates, a progressive firm with experience advising on election-related legislation. Additional legal advice may be sought from Allevato Quail & Associates, or any number of well qualified firms in British Columbia.