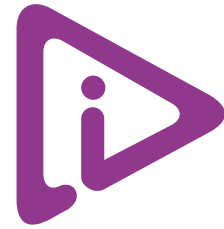


DAAC

**Digital Advertising
Alliance of Canada**



DAAC

The Self-Regulatory Principle of Transparency for Political Advertising

June 2019



OVERVIEW

This guidance explains how the Digital Advertising Alliance of Canada’s (“DAAC”) Self-Regulatory Principle of Transparency applies to online digital political advertising in federal elections and federal by-elections.

This guidance responds to the growing use of digital advertising platforms and technologies to reach potential audiences with political advertising and creates new tools to provide greater transparency to such emerging practices.

This guidance explains that a Political Advertiser who pays for Political Advertising is responsible for providing enhanced notice in or around that Political Advertisement, which links to a notice disclosing certain information about the Political Advertiser. As described in this guidance, the notice will include information about the person or entity engaged in the Political Advertising. It is expected that Political Advertisers will provide enhanced notice via a version of the DAAC’s transparency icon, which has become the ubiquitous symbol for consumer transparency in the digital advertising ecosystem.



I. DEFINITIONS USED

A. Political Advertising

Political Advertising means paid-for communications that promote or oppose a political party or candidate, including advertising that takes a position on an issue associated with a registered party or candidate, even if the name of that party or candidate is not explicitly mentioned.

Under the Canada Elections Act, political advertising that appears during an election period (from the call of an election to the day of the election) is referred to as “election advertising” and is closely regulated. During this time, parties, candidates and third parties are subject to spending limits and to transparency requirements.

When a fixed date election is to occur federally, there is also a second regulated “pre-election period” that runs from June 30 of the election year until the election is called, in mid-September. During this time, only “partisan advertising” is regulated. Such advertising also includes material that promotes or opposes parties and candidates directly, but does not include advertising that only takes a position on an issue with which a party or candidate is associated. To put it more directly, issue advertising that does not promote or oppose candidates or parties remains unregulated. A distinct spending limit applies to the pre-election period, while the transparency requirements are the same. Political advertising that appears outside of these two periods is not regulated under federal election law.¹

¹ For greater precision, see the definitions of “election advertising” and “partisan advertising” contained in subsection 2(1) of the Canada Elections Act as amended by Bill C-76, https://www.parl.ca/Content/Bills/421/Government/C-76/C-76_4/C-76_4.PDF



I. DEFINITIONS USED

B. Political Advertiser

Political Advertiser means a person or entity that pays for the display of a Political Advertisement. A Political Advertiser may be a political party, candidate, third party, or a local constituency association that is registered with Elections Canada. During the pre-election period it may also include an “eligible party”, meaning a political party that has pre-qualified for registration once the election period begins.

C. Political Advertisement

Political Advertisement means an advertisement that contains Political Advertising. A Political Advertisement may be delivered in various formats, such as display, native, video and mobile ad sizes.



II. TRANSPARENCY

A. Enhanced Political Advertisement Notice

A Political Advertiser should include the icon/wording in or around each Political Advertisement that provides clear, meaningful, and prominent notice that the advertisement is a Political Advertisement.

A Political Advertiser satisfies this Principle if it provides the icon/wording through a setting or mechanism that is consistent with this Principle, whether it is provided by a platform or operating system or vendor.

During the federal pre-election and election periods, advertising that is regulated under the Canada Elections Act must contain the information set out under the heading Political Advertisement Notice.



II. TRANSPARENCY

B. Political Advertisement Notice

A Political Advertiser should provide clear, meaningful, and prominent notice in connection with its Political Advertisement. Such notice should be linked from a clear, meaningful, disclosure in or around the advertisement.

Where the Political Advertiser is a candidate or a political party placing advertising that is to run during the federal pre-election and election periods, the disclosure need only indicate that the ad was authorized by the official agent of a candidate or by the registered agent of a political party.²

Where the Political Advertiser is a registered third party placing advertising that is to run during the federal pre-election and election periods, the disclosure is to be more detailed, including:

- a) The name of the Political Advertiser;
- b) Its telephone number;
- c) Its civic or Internet address; and
- d) An indication that it authorized the Political Advertisement.
- e) As permitted by applicable law, where a Political Advertisement is too small to include a disclaimer required by provincial or federal law, the Political Advertiser should provide such disclaimer in this notice.

² Canada Elections Act, s. 320.

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