



BC Civil Liberties Association

## News Release

For immediate release  
February 13, 2009

Media Contact:  
Kevin Scott, 604.220.4106  
[k.scott@shaw.ca](mailto:k.scott@shaw.ca)

### 'Free to Speak Campaign' takes on unfair BC election law, warns of danger to individuals and small groups

Vancouver – A non-partisan coalition, ranging from the BC Civil Liberties Association to the Canadian Taxpayers Federation, has come together to warn British Columbians that it is not just big spenders who are at risk under the new *Election Act*.

The *Election Act's* third party advertising restrictions have opened a nightmare of arbitrary enforcement, fines and possible jail sentences for individuals and small community groups who comment on public interest issues. The *Election Act* was passed last May by the BC legislature and its constitutional validity is currently being challenged in BC Supreme Court.

"The Act restricts 'election advertising', but the definition is so vague that if you put out anything even remotely related to what parties or candidates are saying you could be facing penalties," said Vincent Gogolek, Policy Director of the BC Freedom of Information and Privacy Association.

"Unlike the federal election law, there is no minimum amount, so even a few dollars of photocopying for neighbourhood flyers or putting information on a website could require you to register with Elections BC," said Gogolek. "This is an outrageous violation of freedom of expression."

The danger is not hypothetical. West End community group Renters at Risk was reported to Elections BC for failing to register under the election law in last fall's by-election. They spent less than \$500, but are facing serious penalties under the *Election Act*.

"This situation is a nightmare," said Micheal Vonn, Policy Director of BC Civil Liberties Association. "Elections BC appears to be taking a hard line on enforcing this absurd and unintelligible law, and the people of BC are essentially in the ridiculous position of having to register with the government before we can say anything about any public issue for the next three months."

Elections BC said it will be enforcing the law when it receives a complaint. Its information materials discuss "election advertising" but do not give any details about what that includes.

"This law shuts down the discussion of issues just when it is most urgently needed," said Maureen Bader, BC Director of the Canadian Taxpayers Federation. "We must stand against politicians who attempt to monopolize the marketplace of ideas."

#### Campaign of 'Civil Obedience'

In response to the *Election Act's* extreme registration requirements, the **Free to Speak Campaign** will urge as many BC citizens as possible to take action by registering as advertisers to demonstrate their opposition to the Act.

-30-

**CONTACTS:** Vincent Gogolek, FIPA: 604-318-0031 or 604-739-9788  
Maureen Bader, Canadian Taxpayers Federation: 604-608-6770 or 604-999-3319  
Micheal Vonn, BCCLA: 604-630-975