

ACCESS TO BANKING SERVICES BY A NOMINATION CONTESTANT'S FINANCIAL AGENT

In order to facilitate access to banking services by a nomination contestant's financial agent, Elections Canada is providing this package, which is based on information provided by the Canadian Bankers Association and the Office of the Superintendent of Financial Institutions, for the opening of campaign accounts for federal electoral purposes.

Bank Account Opening Procedures for Nomination Campaigns

Elections Canada has been advised that as a financial agent of a nomination contestant, when opening a bank account on which you will be signing officer, you will likely be asked to provide certain information about yourself, and the nomination contestant for which you are acting as the financial agent.

To meet the requirements of the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act*, financial institutions must obtain and record personal identification from the signing officer(s) on such accounts. A listing of what generally constitutes acceptable identification follows.

As part of regular account opening procedures, you will be asked to provide additional personal and financial information which may include your date of birth, social insurance number, occupation, home and business addresses and phone numbers. You may also be asked to provide authorization for the financial institution to complete a credit check.

In addition, you may be asked to complete third party determination requirements. Please be prepared to provide evidence that you are opening the account for a third party, including the name, address and phone number of the third party, the nature of the principal business or occupation of the third party, as well as the nature of the relationship between you and the third party.

You may also be asked to provide a letter from the nomination contestant confirming your appointment as their financial agent. It is your responsibility to determine the requirements of the particular financial institution in question. A sample form is provided which you may consider using for this purpose depending on the requirements of the particular financial institution. You must determine whether this form is suitable to your situation. The financial institution may require that this form be sworn by the nomination contestant before a notary public or other person authorized to take oaths in the province.

In general, the account being opened will be a business, or not-for-profit or community account; however, this may vary depending on the financial institution. As well, features associated with the account, such as the service charges and whether or not the account is interest-bearing or not, will be specific to the financial institution with which you are dealing.

With few exceptions, once you have visited the branch and provided this information, it should be possible for the account to be opened within several business days.

Where a signing officer(s) is able to open the account at a branch where they already bank, the process may be completed even faster, especially if they have already met these requirements.

For additional information, please contact your financial institution or Elections Canada at 1-800-486-6563.

Identification Requirements for Opening a Bank Account

Elections Canada has been advised that the following is a list of the kinds of identification that will be considered. If the signing officer(s) is new to the financial institution, it will require at least 2 pieces of acceptable identification. If you have a valid bank or credit card for the financial institution where you are opening the account, one additional piece of identification may be sufficient.

Acceptable identification include:

- a valid driver's license issued in Canada
- a Canadian passport
- a birth certificate issued in Canada
- a Social Insurance Number (SIN) card issued by the Government of Canada
- an Old Age Security card issued by the Government of Canada
- a Certificate of Indian Status issued by the Government of Canada
- any similar official document or card issued by a federal, provincial or state government
- credit & debit card with your signature issued by a reputable financial institution
- provincial health insurance card (where permitted by applicable provincial law)
- employee identification card, which includes your photo and name, issued by a reputable employer.

Certain restrictions apply.

Section 476.65 of the *Canada Elections Act*

476.65 (1) A nomination contestant's financial agent shall open, for the sole purpose of the contestant's nomination campaign, a separate bank account in a Canadian financial institution as defined in section 2 of the *Bank Act*, or in an authorized foreign bank as defined in that section that is not subject to the restrictions and requirements referred to in subsection 524(2) of that Act.

Account holder name

(2) The account shall name the account holder as follows: "*(name of financial agent)*, financial agent".

Deposits into account

(3) All of a nomination contestant's financial transactions in relation to the contestant's nomination campaign that involve the receipt of money are to be deposited to the account unless the transaction involves the receipt of the contestant's own funds and those funds are used to pay a litigation expense or a personal expense.

Payments from account

(3.1) All of a nomination contestant's financial transactions in relation to the contestant's nomination campaign that involve the payment of money are to be paid from the account unless the transaction involves the payment out of the contestant's own funds of a litigation expense or a personal expense.

Closure of bank account

(4) After the selection date or the withdrawal or death of the nomination contestant, the contestant's financial agent shall close the account once all unpaid claims and surplus nomination campaign funds have been dealt with in accordance with this Act.

Final statement of bank account

(5) The financial agent shall, on closing the account, provide the Chief Electoral Officer with the final statement of the account.



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Memorandum

From:

Contestant's surname	Contestant's given name	Middle initial
Nature of principal business or occupation of nomination contestant:		

Home Address and Telephone

Street no.	Street	Apt.
City	Prov./ Terr.	Postal code
		Telephone number

Business Address and Telephone

Street no.	Street	Unit
City	Prov./ Terr.	Postal code
		Telephone number

To: Financial Institution Official

Subject: Appointment of Financial Agent

The purpose of this memorandum is to advise you of my intention to stand as a nomination contestant in a contest to select a person who will be proposed to a registered party for endorsement as its candidate in an electoral district at the next federal election and to inform you that the following person has been appointed and has agreed to act as my financial agent, and in this capacity is requesting access to banking services from your institution:

Financial agent's surname	Financial agent's given name	Middle initial
Nature of principal business or occupation of financial agent:		

Home Address and Telephone

Street no.	Street	Apt.
City	Prov./ Terr.	Postal code
		Telephone number

Business Address and Telephone

Street no.	Street	Unit
City	Prov./ Terr.	Postal code
		Telephone number

Section 476.65 of the *Canada Elections Act* imposes upon the nomination contestant's financial agent an obligation to open a separate bank account in a financial institution for the sole purpose of the campaign. It also mandates that all campaign transactions involving the receipt or disbursement of funds be made through this account. Once all statutory requirements have been met, the financial agent is to close the account and forward the final statement to the Chief Electoral Officer.

This statutory obligation commences with the acceptance of the first contribution or the incurring of the first nomination campaign expense, which could take place prior to the start of the nomination contest. A financial agent who fails to satisfy the bank account requirements may be found guilty of an offence and liable on summary conviction to a fine of not more than \$2,000 or to imprisonment for a term of not more than three months or both.

Given the seriousness of the offences related to these legislative provisions, I would ask for your assistance in facilitating access to banking services by my financial agent.

Nomination contestant's signature	Nomination contestant signature date yyyy/mm/dd
Financial agent's signature	Financial agent's signature date yyyy/mm/dd