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Campaign Activity Code of Practice Supports Fair Campaigning and Protection of Personal Information in BC elections

VICTORIA - A voluntary Political Campaign Activity Code of Practice has been established for provincial political parties in British Columbia.

The purpose of the code is to give political parties and candidates the opportunity to publicly commit to fair campaigning principles, that complement their legal obligations under the *Personal Information Protection Act* and the *Election Act*. These principles include ensuring a level playing field between electoral campaigns, and balancing the role of political parties in the electoral process with the protection of individual privacy. Signatories to the code commit to the following fair campaigning practices:

1. Understanding their privacy obligations
2. Understanding their campaign finance obligations
3. Obtaining meaningful consent from voters on the use of their personal information
4. Collecting information directly from individuals where possible
5. Disclosing analytical models that predict information about individuals
6. Never misrepresenting artificial intelligence as a human being
7. Never knowingly engaging in misleading practices
8. Never sponsoring or publishing hateful content
9. Never obstructing another party or candidate's campaign
10. Applying adequate privacy protections

The code is the result of a collaborative effort between the Office of the Information and Privacy Commissioner (OIPC), Elections BC (EBC) and B.C.'s major political parties. The BC Green Party, BC Liberal Party, and BC NDP contributed to the code's development and have all signed on to the code. The code is available in its entirety here:

<https://www.oipc.bc.ca/resources/guidance-documents/>

"I thank the three major parties for working together to develop this code of practice, and believe their commitment to it will enhance the public's trust and confidence in our electoral campaign system," says Michael McEvoy, B.C.'s Information and Privacy Commissioner. "The

code is one more way of protecting voter privacy and preventing disinformation and deceptive campaigning practices, in addition to the obligations established in B.C.'s privacy and election legislation.”

“The code of practice is especially important given trends we’ve seen in other jurisdictions,” says Anton Boegman, B.C.’s Chief Electoral Officer. “Disinformation and deceptive campaigning practices are growing threats to free and fair elections. The code of practice is one way in which all participants in the electoral process can commit to ensuring that our elections continue to be open, transparent, and fair.”

The idea of a code of practice for how political parties handle personal information was part of the Information and Privacy Commissioner’s 2019 report entitled *Full Disclosure: Political parties, campaign data and voter consent*. The goal was to ensure a common understanding amongst political participants of what is and what is not allowed by B.C.’s privacy and election legislation, with the aim of increasing public trust on how personal information is handled. Discussions between the OIPC and EBC expanded the scope of the code to include fair campaigning practices in addition to the use of personal information in campaigns. This included addressing issues identified in the Chief Electoral Officer’s 2020 report on disinformation and deceptive campaign practices observed in other jurisdictions, entitled *Digital Communications, Disinformation and Democracy: Recommendations for Legislative Change*.

The code’s development started in September 2019, when Information and Privacy Commissioner Michael McEvoy presented a first draft of the code to the Election Advisory Committee (the Election Advisory Committee is established by the *Election Act*; it is made up of representatives from political parties represented in the legislature and chaired by the Chief Electoral Officer). Work continued on the code as operational priorities allowed during 2020 and 2021. The code was finalized and signed by all the major parties in 2022.

The code is voluntary and not law. While it reflects several existing legislated requirements in the *Personal Information Protection Act* and the *Election Act*, the OIPC and EBC will not enforce the code as they do legislated requirements. Instead the purpose of the code is to foster fair campaigning principles over and above legislated requirements, with the goal of setting the highest standards for privacy best practices and ethical conduct in election campaigns.

Other jurisdictions in Canada and internationally have similar codes of practice to support fair campaigning and protect personal information in their elections, including Manitoba and the United Kingdom.

Links

- [Political Campaign Activity Code of Practice](#)
- [Full Disclosure: Political parties, campaign data and voter consent \(OIPC\)](#)

- [Digital Communications, Disinformation and Democracy: Recommendations for Legislative Change](#) (EBC)

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