

**190 The headings before section 281 and sections 281 and 282 of the Act are replaced by the following:**

...

#### **Selling advertising space**

**282.4(5)** No person or entity shall knowingly sell any advertising space to a person or entity to whom subsection (1) applies for the purpose of enabling that person or entity to transmit an election advertising message or to cause an election advertising message to be transmitted.

...

**206 (1) The definitions *election advertising* and *election survey* in section 319 of the Act are repealed.**

**(2) Section 319 of the Act is amended by adding the following in alphabetical order:**

***online platform*** includes an Internet site or Internet application whose owner or operator, in the course of their commercial activities, sells, ~~directly or indirectly~~, advertising space on the site or application to persons or groups. (*plateforme en ligne*)

...

**208.1 The Act is amended by adding the following after section 325:**

### **Online Platforms**

#### **Online platforms that are subject to requirements**

**325.1 (1)** This section and section 325.2 apply to any online platform that, in the 12 months before the first day of the pre-election period, in the case of the publication on the platform of a partisan advertising message, or the 12 months before the first day of the election period, in the case of the publication on the platform of an election advertising message, was visited or used by Internet users in Canada an average of at least the following numbers of times per month:

- (a) 3,000,000 times, if the content of the online platform is available mainly in English;
- (b) 1,000,000 times, if the content of the online platform is available mainly in French; or
- (c) ~~1~~500,000 times, if the content of the online platform is available mainly in a language other than English or French.

#### **Definition of advertising**

325.1(1.1) For the purposes of this section and section 325.2, "advertising" has the same meaning as in section 349.01.

#### **Registry of ~~partisan~~ advertising messages ~~and election advertising messages~~**

(2) The owner or operator of an online platform that knowingly sells, ~~directly or indirectly,~~ advertising space to the following persons and groups during the pre-election or election period shall publish ~~on the platform~~ a registry of the persons' and groups' ~~partisan~~ advertising messages ~~and election advertising messages~~ published ~~in the advertising space sold to those persons or groups on the platform~~ during that period:

- (a) a registered party or eligible party;
- (b) a registered association;
- (c) a nomination contestant;
- (d) a potential candidate or a candidate; or
- (e) a third party that is required to register under subsection 349.6(1) or 353(1).

#### **Information to be included in registry**

(3) The registry referred to in subsection (2) shall include the following:

- (a) an electronic copy of each ~~partisan~~ advertising message ~~and each election advertising message~~ published ~~on the platform~~; and
- (b) for each advertising message referred to in paragraph (a), the name of the person who authorized the advertising message's publication on the platform, namely

- (i) a registered agent of the registered party or eligible party, in the case of an advertising message whose publication was requested by a registered party or eligible party,
- (ii) the financial agent of the registered association, in the case of an advertising message whose publication was requested by a registered association,
- (iii) the financial agent of the nomination contestant, in the case of an advertising message whose publication was requested by a nomination contestant,
- (iv) the official agent of the potential candidate or candidate, in the case of an advertising message whose publication was requested by a potential candidate or a candidate, and
- (v) the financial agent of the registered third party, in the case of an advertising message whose publication was requested by a registered third party.

#### **Publication period of registry**

(4) The owner or operator of the online platform shall publish in the registry referred to in subsection (2) the information referred to in subsection (3) for each ~~partisan~~-advertising message and ~~each election advertising message during the following periods:~~

~~(a) in the case of a partisan advertising message, during the period that begins on the day on which the online platform first publishes the advertising message and ends two years after~~

~~(i) the end of the election period of the general election immediately following the pre-election period, or~~

~~(ii) the day referred to in paragraph (b) of the definition *pre-election period* if there is no general election immediately following the pre-election period; and~~

~~(b) in the case of an election advertising message, during the period that begins on the first day on which the online platform publishes such an advertising message and ends two years after the end of the election period.~~

#### **Information to be kept after publication period**

(5) The owner or operator of the online platform shall keep the information that was included in the registry referred to in subsection (2) in respect of each ~~partisan~~-advertising message ~~and each election advertising message~~ for five years after the end of the applicable publication period referred to in subsection (4).

#### **Information to be provided by advertiser**

**325.2(1)** A person or group referred to in any of paragraphs 325.1(2)(a) to (e) that requests the publication of an ~~n~~ ~~partisan~~-advertising message ~~or election advertising message~~ on an online platform shall provide the owner or operator of the platform with all the information in the person's or group's control that the owner or operator needs in order to comply with subsection 325.1(2).

**352.2(2)** An online platform may rely in good faith on the information provided under subsection (1) for the purpose of complying with subsection 325.1(2).

...

#### **333 (1) Paragraph 495(1)(b) of the Act is replaced by the following:**

~~(a.1) being the owner or operator of an online platform, contravenes subsection 325.1(2) or (4) (failure to publish registry of partisan advertising messages and election advertising messages for required publication period) or subsection 325.1(5) (failure to keep information for required period);~~

...

#### **333(3) Paragraph 495(4)(a) of the Act is replaced by the following:**

(a) being the owner or operator of an online platform, knowingly contravenes subsection 325.1(2) or (4) (failure to publish registry of ~~partisan~~-advertising messages ~~and election advertising messages~~ for required publication period) or subsection 325.1(5) (failure to keep information for required period);