

Chapter 3

Section 3.05

Review of Government Advertising

Standing Committee on Public Accounts Follow-Up on Chapter 5, 2016 Annual Report

On November 15, 2017, the Standing Committee on Public Accounts (Committee) held a public hearing on our 2016 review of government advertising. The Committee tabled a report on this hearing in the Legislature in May 2018. A link to the full report can be found at www.auditor.on.ca/en/content/standingcommittee/standingcommittee.html.

The Committee did not reach a consensus and its report contained no recommendations, although members of the Progressive Conservative Party prepared a dissenting opinion that was included as an Appendix to the report.

The dissenting opinion said the Committee should have recommended that the government “restore the Auditor General’s oversight of government advertising” to what it was before a series of amendments to the *Government Advertising Act, 2004*, in 2015. The dissenting opinion also said the Committee should have recommended giving the Auditor General “the authority to review and disallow partisan government advertising for all digital and electronic mediums, including social media,” and extend the Auditor General’s authority to cover advertising by “Crown corporations and agencies.”

Our Office reviews government advertising as mandated by the Act, which requires our Office to review most government advertising before it is used to ensure that it is not partisan and meets

other prescribed criteria. Each year, the Auditor General is required to report on matters considered appropriate relating to her powers and duties under the Act. As well, under the *Auditor General Act*, expenditures for advertisements reviewed under the GAA each fiscal year must be included in the Office’s annual report.

Significant changes made to the GAA in June 2015 weakened it by removing our Office’s discretionary authority to determine partisanship and requiring us instead to apply a specific and narrow definition of partisanship. As a result, our credibility as an independent Office of the Legislature is at risk of being negatively impacted because under the current legislation, we must approve advertisements that we believe have the primary purpose of promoting the government’s partisan interests, or giving the government credit for its accomplishments.

In the fiscal year ending March 31, 2016 (the first year under the weakened GAA), the government spent \$49.9 million on advertising, compared to \$30 million the previous year. That year, our Office approved advertising campaigns in the areas of pensions, the environment, infrastructure, health and education that we would not have if our review was taking place under the previous version of the GAA.