



News Release

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AD REVIEW LAW WORKING WELL BUT AUDITOR GENERAL CITES A FEW CONCERNS

(TORONTO) The law that bars the government from spending public money on partisan commercial messages is working well, but planned amendments and third-party ads were of concern, Auditor General Jim McCarter says in his *2009 Annual Report*, released today.

“The government sought over the past year to make significant changes to the *Government Advertising Act, 2004* that would have considerably narrowed the definition of what is partisan,” McCarter said.

“We’re pleased that, in response to our stated concerns, the government withdrew these proposed changes.

“However, we remain committed to discussing with the government any amendments to the Act it may propose in future to make it even more effective and transparent.”

Under the Act, the Auditor General is responsible for reviewing specified types of government advertising before they are run to ensure that they meet legislated standards and do not contain anything that is, or may be interpreted as being, primarily partisan in nature.

In the last fiscal year, the Auditor reviewed 889 items worth more than \$52 million. Of these, five items were rejected because they did not meet the standards in the Act, and four of them were subsequently resubmitted and approved.

One issue that arose in the past year relates to advertising by third parties that receive money from the province. In one instance, a transit advertisement praised the government in a congratulatory tone for an infrastructure investment. The same ad also made prominent use of the provincial logo.

“We learned that the third party had provided the government with advance copies of the ad and that no concerns had been expressed about the congratulatory partisan messaging of the ad,” McCarter said. “Even though this ad did not fall within the scope of the Act, we were concerned that no effort was made to discourage the third party from publishing it given its partisan tone.”

The Auditor was also concerned that use of the provincial logo could leave the impression that the ad was sanctioned by the government, especially because government policy stipulates that anyone using the logo must first receive authorization. In response, the government said that, from now on, it would try to more rigorously enforce its existing policies on use of the Ontario logo.

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For more information, please contact:

Jim McCarter
Auditor General
(416) 327-1326

Andréa Vanasse/Joel Ruimy
Communications
(416) 327-2336