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## Lobbyists and Third Party Advertising 2026 Municipal Election

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### Purpose

This Bulletin provides guidance respecting the application of the Toronto Municipal Code Chapter 140, Lobbying (the Lobbying By-law) during the municipal election period in relation to registered third party advertisers.

For the purposes of this Bulletin, “**election period**” refers to **May 1, 2026, to October 26, 2026 (Election Day)**. This is not a defined term under the *Municipal Elections Act, 1996*, but is used for interpretive guidance to describe the period during which municipal election campaigning typically occurs. This period includes the timeframe during which registered third party advertisers conduct election-related advertising activities.

This Bulletin does not regulate political participation under the Municipal Elections Act. It provides guidance on how election-related activities may engage obligations under the Lobbying By-law and the Lobbyists’ Code of Conduct.

Questions respecting third party registration, eligibility, contribution limits, and campaign compliance under the Municipal Elections Act are administered by the City Clerk’s Office – Toronto Elections.

### Legislative Framework

The Municipal Elections Act regulates candidates and registered third party advertisers, including political contributions and advertising requirements.

The Lobbying By-law regulates lobbying activity directed at public office holders. The Lobbyists’ Code of Conduct (Article VI of the Lobbying By-law) establishes standards respecting conflicts of interest, improper influence, and gifts or benefits.

Nothing in the Lobbying By-law prohibits lawful political participation. However, election-related conduct may raise issues under the Code of Conduct depending on the circumstances.

### Application of The Lobbying By-law During the Election Period

The Lobbying By-law continues to apply during the election period.

Where a registered third party advertiser or any person associated with it communicates with a public office holder in a manner that meets the definition of “lobby” under the Lobbying By-law, registration and reporting requirements may apply unless an exemption is available.

**Election-related status does not exempt an individual or organization from compliance with the Lobbying By-law.**

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### Contributions and the Lobbyists' Code of Conduct

The Municipal Elections Act regulates political contributions to candidates and registered third party advertisers.

Consistent with the Registrar's long-standing interpretation of the Lobbying By-law, a lawful political contribution made in compliance with the Municipal Elections Act, whether to a candidate or to a registered third party advertiser, does not, by itself:

- Constitute a gift or benefit under the Lobbyists' Code of Conduct;
- Create a conflict of interest; or
- Amount to improper influence.

**A lawful political contribution, standing alone, is not treated by this Office as lobbying activity.**

However, election-related roles or activities beyond the making of a lawful contribution, including fundraising, bundling, event hosting, or activities linked to lobbying objectives may raise issues under the Lobbyists' Code of Conduct depending on the circumstances.

The Lobbying By-law continues to apply to communications with public office holders. Where conduct extends beyond the making of a lawful contribution and involves lobbying activity, the requirements of the By-law and the Code remain in effect.

### Fundraising and Bundling Risks

Fundraising or bundling activity undertaken by a lobbyist in relation to a registered third party advertiser may impair the lobbyist's ability to subsequently lobby public office holders associated with that campaign, depending on the nature and extent of the involvement.

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### FAQs – Frequently Asked Questions

**Q. I am a registered lobbyist. May I also register as a third party advertiser in Toronto's municipal elections?**

**A.** The Lobbying By-law does not prohibit a lobbyist from registering as a third party advertiser.

If you choose to register, you remain subject to the Lobbying By-law, including the Lobbyists' Code of Conduct.

Questions regarding eligibility, registration requirements, and campaign compliance under the Municipal Elections Act should be directed to the City Clerk's Office – Toronto Elections.

**Q. I am a registered lobbyist. May I contribute to a registered third party advertiser?**

**A.** The Municipal Elections Act governs who may contribute to registered third party advertisers and under what conditions. Questions respecting eligibility and contribution limits should be directed to the City Clerk's Office – Toronto Elections.

Consistent with the Registrar's long-standing interpretation of the Lobbying By-law, a lawful political contribution made in compliance with the Municipal Elections Act does not, in itself:

- Constitute lobbying;
- Constitute a gift or benefit under the Lobbyists' Code of Conduct; or
- Create a conflict of interest.

However, the Lobbyists' Code of Conduct continues to apply to all conduct of registered lobbyists. Where conduct extends beyond the making of a lawful contribution and involves lobbying activity, the requirements of the Lobbying By-law remain in effect.

**Q. I am a lobbyist or a client of a lobbyist. May I volunteer to work for a registered third party advertiser?**

**A.** Yes. However, election-related roles or activities may raise issues under the Lobbyists' Code of Conduct depending on the circumstances.

Lobbyists who perform significant campaign roles should consider whether their activities could give rise to actual or apparent conflict of interest or improper influence concerns, particularly where they lobby or intend to lobby a candidate who benefits from the advertising.

In some circumstances, significant campaign involvement may impair a lobbyist's ability to subsequently lobby public office holders associated with that campaign.

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Lobbyists are encouraged to seek advice from the Lobbyist Registrar regarding their specific circumstances.

### **Q. May I fundraise for a registered third party advertiser?**

**A.** Fundraising by a lobbyist in support of a registered third party advertiser may raise conflict of interest or improper influence concerns under the Lobbyists' Code of Conduct.

Where a third party advertiser's activities support or oppose a candidate for municipal office, fundraising or bundling contributions by a lobbyist may create a significant risk of actual or apparent conflict of interest, particularly if the lobbyist lobbies or intends to lobby elected officials associated with that campaign.

In some circumstances, such fundraising activity may impair the lobbyist's ability to subsequently lobby public office holders associated with that campaign, depending on the nature and extent of the involvement.

These concerns reflect the principles identified in the Toronto Computer Leasing Inquiry and the Toronto External Contracts Inquiry (the Bellamy Inquiry) respecting conflicts of interest, political fundraising, and contribution bundling<sup>1</sup>, which continue to inform the interpretation and application of the Lobbyists' Code of Conduct under the Lobbying By-law.

In assessing such activity, the Registrar may consider the surrounding circumstances, including whether fundraising activity is linked to lobbying objectives, ongoing lobbying activities, or efforts to obtain preferential access to public office holders.

Accordingly, lobbyists should avoid engaging in campaign fundraising or contribution bundling for candidates or third party advertisers where doing so may reasonably give rise to an actual or apparent conflict of interest. Lobbyists are encouraged to seek advice from the Lobbyist Registrar before engaging in fundraising activities connected to municipal elections.

### **Questions**

If you are uncertain whether an activity may engage the Lobbying By-law, seek guidance before proceeding.

**Website:** [www.toronto.ca/lobbying](http://www.toronto.ca/lobbying)  
**Email:** [lobbyistregistrar@toronto.ca](mailto:lobbyistregistrar@toronto.ca)  
**Telephone:** 416-338-5858

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<sup>1</sup> See *Toronto Computer Leasing Inquiry and Toronto External Contracts Inquiry, Report*, Vol. 2, **Good Government** (2005), at 88–89, noting that lobbyists are free to make lawful political donations but “should not be involved in political fundraising,” and describing contribution bundling as a form of influence peddling.

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### Authority

This guidance is issued pursuant to the Lobbyist Registrar’s authority under Chapter 140 of the Toronto Municipal Code and Part V of the *City of Toronto Act, 2006* to interpret and administer the Lobbying By-law.

This Bulletin provides general interpretive guidance. It does not amend the By-law and is not a substitute for the legislation. The application of the Lobbying By-law and the Lobbyists’ Code of Conduct depends on the specific facts of each case.

Lobbyists and other stakeholders are encouraged to seek advice from the Lobbyist Registrar regarding their specific circumstances.

### Related Guidance

Lobbying During the Election Period – 2026 Municipal Election Bulletin

Lobbying During the Election Transition Period – 2026 Municipal Election Bulletin

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