



Protected A

December 9, 2019

Our file: 2019-0752

Mr. Ezra Levant, Editor
Rebel News Network Ltd.
PO Box 61056, Eglinton/Dufferin RO
Toronto, Ontario
M6E 5B2

Dear Mr. Levant:

Pursuant to subsection 510(2) of the *Canada Elections Act* (the Act), this is to inform you that the Commissioner of Canada Elections has initiated an administrative investigation into allegations that Rebel News Network Ltd. (Rebel News) has contravened sections 352 and 353 of the Act.

The allegations are that Rebel News contravened the Act by (1) failing to include the required information on third party election advertising; and (2) having incurred over \$500 on election advertising expenses, failing to register as a third party in the 43rd General Election. Specifically, it is alleged that Rebel News engaged in election advertising in its production and distribution of “Libranos” signs during the election period.

The conclusion of the administrative investigation may lead the Commissioner of Canada Elections to levy an administrative monetary penalty (AMP) against Rebel News and/or any of its directors or officers to address violations and ensure compliance with the Act.

Please note that sections 352 and 353 of the Act state as follows:

Advertising to name third party

352 A third party shall include — in a manner that is clearly visible or otherwise accessible — in any election advertising message placed by it its name, its telephone number, either its civic or its Internet address and an indication in or on the message that it has authorized its transmission.

Registration requirement for third parties

353 (1) A third party shall register immediately after having incurred the following expenses in an aggregate amount of \$500:

- (a) partisan activity expenses in relation to partisan activities that are carried out during an election period;
- (b) election advertising expenses in relation to election advertising messages that are transmitted during that period; and

(c) election survey expenses in relation to election surveys that are conducted during that period.

However, the third party may not register before the issue of the writ.

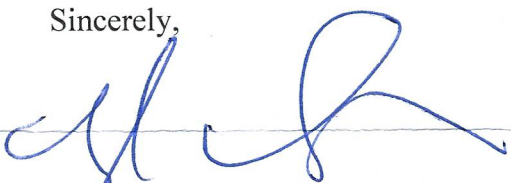
As you may be aware, the definition of “election advertising” in the Act contains examples of some communications that could promote or oppose a registered party or a candidate, but that do not constitute “election advertising.” Among these examples is one that applies to “the promotion of the sale of a book [...], if the book was planned to be made available to the public regardless of whether there was to be an election”.

The fact that the Commissioner has decided to proceed by way of an administrative investigation indicates that he is of the view that the matter would best be dealt with administratively rather than by way of a criminal prosecution. While you are under no obligation to cooperate with investigators during this investigation, the Act provides at section 508.6(1) that the provision of all reasonable assistance to the Commissioner is one of the factors taken into account in determining the amount of an administrative monetary penalty that could be imposed at the conclusion of the investigation.

We would like to give the opportunity to representatives of Rebel Media, if they wish to do so, to schedule an interview with investigators from our Office early in January 2020. Alternatively, should an interview not be possible, we invite you to submit all relevant facts and information—as well as any written representations regarding the alleged election advertising and your status as a third party—by Friday, January 31, 2020.

Louise Panneton is the lead investigator assigned to this file. You may communicate with her via email at Louise.Panneton@cef-cce.ca or by telephone at 819-939-2957.

Sincerely,



Mylène Gigou
Director of Investigations

