



# **Advertising Policy**

October 2020

## Purpose

- To promote public awareness and understanding of Commission decisions, policies, and guidelines with respect to advertising on Commission property.
- To provide guidance to both potential advertisers and the public with respect to the Commission's process with respect to advertisements.
- To uphold the right to freedom of expression, and all other constitutional rights affected by advertising on Commission property.

## Application

This policy applies to:

- all parties who wish to enter into an agreement with the Commission (whether directly or through a third party) for the purpose of advertising on property owned by the Commission. This includes, but is not limited to, advertisements on buses, bus shelters, and benches.

## General Information

The Commission provides public transit services in the City of London. The Commission is a corporate body and agent of the City of London. As an agent of the City, the *Canadian Charter of Rights and Freedoms* ("the Charter") guides the Commission when making decisions related to the content of proposed advertisement.

Advertising services provides the Commission with revenue that can be used to increase the quality of public transit services.

The Supreme Court of Canada has found that public transit agencies are subject to the *Charter* when providing advertising services. This means that the Commission cannot limit the expression of a party who advertises with them unless the Commission has a pressing and substantial objective in doing so, and any such limit shall impair freedom of expression minimally.

## CrossReference

- London Transit Commission Privacy Policy
- Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)
- Municipal Act

## Guiding Principles

- The Commission recognizes that the *Charter* rights of advertisers will occasionally conflict with the rights of other individuals and groups. The Commission will strive to seek an appropriate balance whenever an issue of competing rights arises.
- The Commission will be guided by the principles of the *Human Rights Code* in avoiding discrimination against advertisers and members of the public.

## Criteria for Advertisements

The Commission may, from time to time, establish specific criteria that proposed advertisements must adhere to. Any criteria established shall be in accordance with the Commission's *Charter* obligations. The Commission reserves the right to decline or remove advertisements that do not comply with the criteria established. Prior to declining or removing any advertisements the Commission shall consider the competing interest of parties involved and allow such parties the opportunity to provide input before a final decision is reached.

Under no circumstances will an advertisement that contravenes any existing law or regulation be permitted. Advertisers seeking to advertise a specific product or message may be subject to additional rules and regulations based on legislation.

#### Compliance with Policy

The General Manager or his/her designate will address any issues of non-compliance with this policy. They may speak directly to the individual and/or his/her manager or supervisor to discuss any issues and remediation.