

November 19, 2025

PC Party of Manitoba
640-5 Donald St
Winnipeg, MB R3L 2T4
Attn: Mr. Peter Smith, President
BY EMAIL

Mr. Ian Bushie
c/o Mr. Mark Stonyk
Legal Services Branch
Crown Law Division
Room 730 Woodsworth Building
405 Broadway Avenue
Winnipeg, MB R3C 3L6
BY EMAIL

Dear Mr. Bushie and Mr. Smith

Brent Pooles, who was then the president of the Progressive Conservative Party of Manitoba, filed a complaint relating to the Tuxedo by-election held on June 18, 2024. Mr. Poole's complaint was that Ian Bushie, who was then Manitoba's Minister for Municipal and Northern Relations, had announced in the Legislature that his government had granted \$300,000 to a youth summer employment program known as the Green Team. It was Mr. Poole's contention that Mr. Bushie's announcement was in breach of section 92 of *The Elections Financing Act*, which places certain restrictions on government advertising activities during an election period.

Mr. Bushie's comments were in response to a question by Jodie Byram, a PC MLA, about cuts in funding for non-profit organizations, including the Green Team. Mr. Bushie responded that the government had decided to grant an additional \$300,000 to the Green Team.

It is my opinion that there was no breach of section 92 in this case. In certain circumstances, announcing a government grant during an election period could be a violation of section 92, but I do not believe this is such a circumstance.

The relevant portions of the EFA are found in section 92:

92 RESTRICTIONS ON GOVERNMENT ADVERTISING

(1) — Restrictions for general elections and by-elections

During the following periods, a government department or Crown agency must not advertise or publish any information about its programs or activities:

...

(c) for a by-election, in the election period.

(2) — Exceptions

Subsection (1) does not apply to an advertisement or a publication

...

(d) that deals with a matter before the Assembly, such as the throne speech, the budget, the introduction or passage of a bill or an order or resolution of the Assembly.

(4) — Non-application to speaking by members of Executive Council

Nothing in this Act applies when a member of the Executive Council speaks on behalf of the government or about a matter concerning their ministerial responsibilities as long as government resources are not used

(a) to advertise or publish the date or time when, or location where, the member will speak,

(b) to invite a person to attend the location where the member will speak, or

(c) to advertise or publish the contents of the member's speech after it is made

In my view, when Ms. Byrum raised the issue of funding for the Green Team the additional funding announced by Mr. Bushie became a matter before the Assembly. I am also of the view that this was not a matter in which any government resources of the sort mentioned in 92(4) were used. I am therefore satisfied that both exceptions quoted above apply in this case, and that Mr. Bushie's comments were not in breach of section 92.

I should note that the government's counsel has pointed out that Mr. Bushie's comments, having been made in the legislature, are immune from prosecution by virtue of the parliamentary privilege codified in sections 45 of *The Legislative Assembly Act*. I believe this is correct, but in this case, I don't think it matters, as there is no power given to the Commissioner of Elections to prosecute for a breach of section 92. The only result should I have found a breach is that the breach would be made public in the Chief Electoral Officer's annual report. A report of such a breach would not, in my view, violate parliamentary privilege.

As I have said, however, I do not believe that there was a breach of section 92 in this case and I will therefore be closing my file.

Yours truly,



Bill Bowles
Commissioner of Elections for Manitoba