

February 26, 2026

Manitoba NDP
878 Portage Avenue
Winnipeg, MB R3G 0P1
Attn: Evan Krosney, Provincial Secretary
BY EMAIL

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

Dear Mr. Krosney and Mr. Smith:

Prior to the last Manitoba general election, Tim Johnson, who was then the provincial secretary of the NDP, filed a complaint with my office, alleging that the PC Party had violated section 33 of *The Election Financing Act* by allowing a room in the legislature to be used for a partisan political event. Section 33 of *The Election Financing Act* (the “EFA”) prohibits anyone other than an individual ordinarily resident in Manitoba from making a contribution to a recipient.

The Golden Boy Room is an event space in the Manitoba Legislature that can be booked by individuals and organizations with permanent offices in the Legislative Building. There is no charge for the use of the space, but there are policies and expectations surrounding the kind of events that can be held. Among other things, election campaigning within the Legislative Building is prohibited.

In early May 2023, the PC caucus submitted an application for an event to be held in the Golden Boy Room. The application stated that the purpose of the event was “to engage and interact with young bright-minded students of Manitoba.” The guest speakers were identified as Premier Stefanson and Minister Sarah Guillemard. Based on the information in the application, the event was approved by government staff.

On the date of the event, the PC caucus allowed the co-chair and the campaign director of the PC Party’s 2023 election campaign to speak to the attendees. Their presentations included several explicitly partisan remarks about the upcoming election and invitations to become involved with the PC Party’s campaign. This led to a complaint from Mr. Johnson that because the event space had been used for a campaign purpose, the government had effectively made a contribution to the PC Party and was in breach of the contribution rules set out in *The Election Financing Act*, which provide that only individuals may make a contribution.

Our investigation determined that the process to book the Golden Boy Room involved submitting an application which, among other things, identified the event date, legislative host and purpose. The application was reviewed by government staff to ensure that the event did not involve election campaigning, but also, more generally, to ensure that they were non-partisan. If the application met all applicable government policies, and if the space was available at the requested time, the event would be approved.

Approximately two weeks after the event, the Clerk of the Executive Council, Kathryn Gerrard, wrote to the PC caucus director, Keith Stewart, to advise him that the event did not conform to the original proposal contained in the application that had been submitted for the event. Moreover, she stated, the event did not align with the government's intent to ensure that the Legislative Building not be used for partisan purposes. As a result, Ms Gerrard advised Mr. Stewart that she would personally need to approve any further events that the PC caucus wished to hold in government-managed meeting spaces until the end of the 42nd Legislature.

In addition to this letter, Ms Gerrard also sent a memorandum to the occupants of the Legislative Building reminding them that the published guidelines prohibited the use of government-managed facilities for election campaigning or partisan purposes. A short time later, the guidelines were amended to expressly prohibit not only election campaigning, but party fundraising, party meetings, and other related activities.

The relevant provisions of *The Election Financing Act* are as follows:

31 DEFINITION OF "RECIPIENT"

In this Part, "**recipient**" means a registered party, a candidate, a constituency association or a leadership contestant.

32 CONTRIBUTIONS GENERALLY

(1) — Meaning of "contribution"

The following are contributions when provided to a recipient or for a recipient's benefit:

- (a) money provided without compensation (a "**monetary contribution**"),
- (b) property or services provided free of charge or at less than market value (a "**non-monetary contribution**").

33 WHO MAY CONTRIBUTE?

Only an individual normally resident in Manitoba may make a contribution.

A person or organization, other than an individual normally resident in Manitoba, must not make a contribution.

38 CONTRIBUTIONS THAT MUST BE RETURNED

If the applicable financial officer or official agent learns that a contribution has been accepted contrary to this Part, he or she must promptly return it to the contributor or pay the contributor an amount equal to its value.

A recipient who receives an anonymous contribution of more than \$10 at a meeting or otherwise must return it to the contributor if the contributor can be identified. If not, the recipient must turn the contribution over to the Minister of Finance to be paid into the Consolidated Fund.

99 OFFENCES

(1) — Offences relating to contributions

A person or organization that contravenes any of the following provisions of Part 4 is guilty of an offence:

- (a) section 33 (only Manitoba residents may contribute),
- (b) section 34 (contribution limits),
- (c) subsection 35(3) (contributor to use own money or property),
- (d) the first paragraph of section 38 (returning contributions).

In my view, it is implicit in the legislation that a contribution must be intentionally made. If a party or candidate robbed a bank, it could not be said that the bank thereby made a contribution.. In this case, the government was dealing with the PC Caucus, which I understand to be an entity distinct from the PC Party. The government personnel responsible for reviewing the application took reasonable steps to ensure that no campaign activity would take place. In the circumstances, I do not think that the government can be said to have made a contribution.

But that is not to say that no contribution was made. The PC Caucus booked the room and allowed the PC Party to use it for campaign purposes. In my opinion, that was a property or service provided free of charge provided by the PC Caucus to the PC Party and, and because the caucus is not an individual, it was an illegal contribution.

Section 38 requires the PC Party to reimburse the contributor for the fair market value of the contribution. In this case, that would involve the PC Party reimbursing the PC Caucus, clearly an unsatisfactory result. Although I don't believe the legislation requires it, I would hope that the PC Party would agree with government staff on the fair market value of renting the Golden

Boy Room, and pay that amount to the Minister of Finance to be paid into the Consolidated Fund.

Yours truly,



Bill Bowles
Commissioner of Elections for Manitoba