



## CORPORATE POLICY for ADVERTISING ON TRANSLINK VEHICLES AND TRANSIT PROPERTY - ENTERPRISE POLICY -

Issued By	Chief Operating Officer
Approved By:	TransLink Board of Directors
Meeting Date:	July 18, 2014
Corporate Secretary Signature:	<u>Original signed by Gigi Chen-Kuo</u>

### 1. PURPOSE

To set TransLink Policy with respect to:

- the display of advertisements on TransLink vehicles and transit property;
- product endorsement; and
- the use of registered trademarks and official marks.

### 2. CONTEXT

The *Canadian Charter of Rights and Freedoms* (the "Charter") guarantees everyone the rights and freedoms set out in it, including freedom of expression. In a 2009 court decision, the Supreme Court of Canada (a) ruled that TransLink is a public agency that is subject to the Charter in its role as the host of advertising and (b) struck down the portion of TransLink's previous Advertising Policy that prohibited all advocacy ads. This means that, if TransLink chooses to accept advertising on the transit system, it must not limit a potential advertiser's freedom of expression by refusing advertisements except as permitted under Section 1 of the Charter, which makes all guaranteed Charter rights subject to "such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society."

The standards and limitations on advertising content set out this policy must be viewed in the context of TransLink's limited legal ability to deny advertisements under the Charter, as described in the preceding paragraph.

### 3. POLICY

1. The display of acceptable advertisements on TransLink vehicles and transit property is accepted as a means of generating revenue for TransLink.



2. Advertisements accepted for display on TransLink property or in its publications shall conform to the standards and limitations from time to time adopted by the TransLink Board of Directors.
3. Unless authorized by TransLink Executive, TransLink shall not endorse any product, service, cause, proposition or thing.
4. TransLink's acceptance of an advertisement does not constitute express or implied endorsement of the content or message of the advertisement, including any person, organization, products, services, information or viewpoints it may contain, or of the advertisement sponsor itself.
5. The style of the name TransLink and the registered trademarks, and official marks of TransLink shall not be authorized for use in any manner other than to identify a transportation service without prior written approval from TransLink.
6. Any advertising with reference to public transit and/or TransLink must be presented by the advertiser to TransLink prior to production of advertising materials.

### 3. APPLICATION

The acceptability of advertisements for display on TransLink vehicles and transit property shall be governed by this policy as interpreted by the Director, Customer Engagement and Marketing or other persons to whom that authority has been delegated, including a licensee of TransLink.

#### Standards and Limitations

In light of the above Context section, in determining the acceptability of any advertisement within the provisions of this policy, TransLink will be guided by the Canadian Code of Advertising Standards. In addition:

1. All advertisements must comply with the laws, statutes, regulations and bylaws in force in the province of British Columbia;
2. No advertisement will be accepted which TransLink, in the exercise of its sole discretion, considers to be of questionable taste or in any way offensive in the style, content or method of presentation;
3. All advertisements shall be of a moral and reputable character;



4. All advertisements shall be free of any demeaning, derogatory, exploitative or unfair comment or representation of any person or group of persons, or any such comment or representation based on race, colour, ancestry, ethnic origin, creed, religious affiliation, sex, sexual orientation, disability, age, marital or family status;
5. Advertisements, otherwise acceptable under this policy, which convey information about a meeting, gathering or event must contain the name of the sponsoring group, the name of the persons participating in the event, and the location, date and time of the event;
6. Advertisements, otherwise acceptable under this policy, which (a) promotes or opposes a specific theology or religious ethic, point of view, policy or action, (b) advocates or opposes any ideology or political philosophy, point of view, policy or action, or (c) conveys information about a political party or the candidacy of any person for a political position or public office, must visibly display the name of the sponsoring group.

These advertisements must also display the following disclaimer: “The opinions expressed in this advertisement, or by the sponsor of this advertisement, do not in any way represent the opinions of, and are not endorsed by, TransLink or its subsidiaries.”

This endorsement disclaimer extends to and includes content that may be found via internet addresses, quick response (QR) codes, and telephone numbers that may appear in posted ads and that direct-viewers to external sources of information.

7. No advertisements will be accepted which promotes any tobacco company, tobacco product or tobacco brand promotions, including sponsorship or promotion of cultural or sporting events.

#### 4. COMPLAINT PROCESS:

Any individual or advertiser who wishes to appeal a TransLink decision regarding the application of the Canadian Code of Advertising Standards on advertisements on TransLink vehicles and transit property, may file a complaint with Advertising Standards Canada at [www.Adstandards.com](http://www.Adstandards.com)

