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POLICY STATEMENT

Metrolinx authorizes advertising on its property and assets in accordance with the conditions outlined in this Advertising Policy (the "Policy"). Metrolinx authorizes advertising activities to assist with the fulfillment of its corporate objective to generate non-fare revenues.

POSITION STATEMENT

Metrolinx and its brands are guided by the general principles embodied in the Canadian Code of Advertising Standards, in determining the acceptance of advertising within the system. The placement of any advertising on Metrolinx property and assets does not represent or imply any endorsement of any product, service, person(s), company, organization, beliefs, views, or any content contained in the advertisement; and does not constitute information or communication by or on behalf of Metrolinx and its brands.

The Canadian Charter of Rights and Freedoms (the "Charter") guarantees everyone the rights and freedoms set out therein, including the right to freedom of expression. In a 2009 court decision, the Supreme Court of Canada ruled that a public transit agency (like Metrolinx) is subject to the Charter in its role as the host of advertising. If Metrolinx chooses to accept advertising on Metrolinx property, it must not limit the expression of an Advertiser by refusing an Advertisement except as permitted under Section 1 and/or 2(b) of the Charter, as applicable.

PURPOSE

The purpose of the Policy is to establish consistent governance and acceptability criteria for all advertising activities for Metrolinx and its brands. The Policy will enhance accountability by establishing transparent parameters and processes for advertising activities. As a result, this Policy will help ensure that Metrolinx and its service brands protect their reputation and interests throughout the advertising process. This includes the enhancement of customer experiences across the Metrolinx network.

SCOPE

The Policy provides acceptability criteria for advertising content on all properties and assets controlled by Metrolinx and its brands.

Advertising Assets that must be considered under the Policy include:

- Advertising on all Metrolinx operated vehicles and property;
- Advertising on assets that are leased or otherwise controlled by Metrolinx and its brands; and
- Any future advertising assets acquired but not listed in this Policy.

The Policy replaces all previous policies and guidance in this area and applies to all new advertising activities Metrolinx engages in. Metrolinx will amend/update this Policy as required.

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CRITERIA

Metrolinx reserves the right to decline advertising content that is not consistent with the following acceptability criteria. Advertisers and the Authorized Advertising Vendor(s) are responsible for ensuring that advertisements comply with the following provisions:

1. All advertisements must comply with the laws, statutes, regulations and by-laws in force in the province of Ontario and comply with Federal government laws statute, regulation and Acts.
2. All advertisements shall meet the standards set out by Advertising Standards Canada (AdsStandards), including but not limited to the *Canadian Code of Advertising Standards*.
3. Advertisements shall not:
 - a) condone any form of personal discrimination, including discrimination based upon race, national or ethnic origin, religion, gender identity, sex or sexual orientation, age or disability;
 - b) appear in a realistic manner to exploit, condone or incite violence; nor appear to condone, or directly encourage, bullying; nor directly encourage, or exhibit obvious indifference to, unlawful behaviour;
 - c) demean, denigrate or disparage one or more identifiable persons, group of persons, firms, organizations, industrial or commercial activities, professions, entities, products or services, or attempt to bring it or them into public contempt or ridicule; or
 - d) undermine human dignity; or display obvious indifference to, or encourage, gratuitously and without merit, conduct or attitudes that offend the standards of public decency prevailing among a significant segment of the population.
4. Any advertisement, otherwise acceptable under this policy, must visibly display the name of the sponsoring group, if it includes the following subject matter:
 - a) advocates 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.
5. Advertisements shall not promote any tobacco company, tobacco product or tobacco brand promotions, including sponsorship or promotion of cultural or sporting events.
6. Advertisements for alcohol and/or gambling must comply with the Ontario *Liquor License Act* and its *Regulations*, and the Guidelines of the Alcohol and Gaming Commission of Ontario.
7. Advertisements for cannabis or cannabis related products must comply with the standards set out in the *Cannabis Act*.

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8. Advertising on Metrolinx property assets must have no adverse effect on public safety or liability to Metrolinx.
9. Advertisements shall not discredit the image of Metrolinx and its brands, its services, its employees.
10. Advertisements shall not denigrate public transit as an unsafe or unreliable form of transportation.
11. Advertisements shall not breach or conflict with any existing Metrolinx advertising agreements and/or contracts.
12. In order for Metrolinx to ensure that all advertisements comply with this policy, requests for placement of non-English language advertisements must be accompanied by a Certified English Translation of the advertisement content.
13. Where required by Metrolinx, advertisements must 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, Metrolinx."*

RESPONSIBILITIES

Metrolinx’s Director, Non-Fare Sales, will act as the account manager for all advertising activities and must ensure compliance with this Policy. Authorized Advertising Vendor(s) will refer questions of acceptability to Director, Non-Fare Sales for a decision.

The Director, Brand & Digital Marketing will act as the brand lead and will retain the responsibility for making decisions regarding Metrolinx brand and communications when consultation is required.

The Office of the Chief Marketing Officer (CMO) will be the final arbiter in all matters relating to advertising acceptance. The CMO, in consultation with Ad Standards, may refuse or order removal of any advertising material at any time at its absolute sole discretion.

Legal Services Division will assist in the writing, reviewing, and execution of agreements with Authorized Advertising Vendor(s). They will also provide support for the interpretation of this Policy, the Canadian Code of Advertising Standards and all other applicable laws.

Human Resources will provide support and resolution in the case that the interpretation of any advertisement by Metrolinx employees cause concern or disruption to work duties.

GOVERNANCE

Advertising Review Process:

1. Advertisement opportunity is submitted to Authorized Advertising Vendor(s) for review.
2. Using the Advertising Policy, the Authorized Advertising Vendor(s) will determine the acceptability of the advertisement.

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3. If content is questioned, based on one or more the of the criteria listed in this Policy, then the Authorized Advertising Vendor(s) will refer to Director, Non-Fare Sales and the Director, Brand & Digital Marketing to review the content and make a joint decision on Metrolinx's behalf.
4. If a decision cannot be made after both the Directors of Non-Fare Sales and Brand & Digital Marketing have reviewed the advertisement, it will be referred to the CMO for a decision.
5. The CMO will make a decision and consult with Ad Standards as applicable. A written response setting out the reasons for either declining or accepting the advertisement in question will be issued.
6. Once a final decision is made, Director, Non-Fare Sales will notify the Authorized Advertising Vendor(s) of the outcome and resolution.

COMPLAINT PROCESS

Any individual may file a complaint with Ad Standards at www.adstandards.com about any advertising carried by Metrolinx for review under the Canadian Code of Advertising Standards.

CONFLICT OF INTEREST POLICY

In considering any potential advertising opportunities, all Metrolinx employees are required to adhere to the Conflict of Interest Policy. Employees are required to report any real, potential or apparent Conflict of Interest to the Chief Executive Officer (CEO), as Ethics Executive.

In carrying out advertising activities, Metrolinx staff are prohibited from receiving any personal benefit. Any offers for such benefits must be declined, and alternative benefits should be negotiated. If any benefits are received that cannot be used for business-related purposes, they should be returned to the partner organization with an explanation.

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APPENDIX 1 - DEFINITIONS

"Advertiser" the entity requesting advertising space from the Authorized Advertising Vendor(s) in order to place an advertisement on Metrolinx property

"Advertising" and **"advertisement(s)"** are defined as any message (other than those excluded from the application of *the Canadian Code of Advertising Standards*), the content of which message is controlled directly or indirectly by the advertiser expressed in any language and communicated in any medium (except those listed under Exclusions) to Canadians with the intent to influence their choice, opinion or behaviour. It also includes "advocacy advertising", "government advertising", "political advertising", and "election advertising", as defined below.

"Advertising Assets" Advertising may be displayed on Metrolinx property and assets. Specific spaces are outlined in the Authorized Advertising Vendor(s)'s agreement with Metrolinx.

"Advertising Standards Canada" and **"Ad Standards"** The not-for-profit Canadian advertising industry body committed to creating and maintaining community confidence in advertising and to ensure the integrity and viability of advertising through industry self-regulation.

"Authorized Advertising Vendor(s)" is an entity contracted by Metrolinx, who have the right to sell and display Advertising on Metrolinx property and assets.

"Canadian Code of Advertising Standards" The advertising industry's principal instrument of advertising self-regulation, administered by Advertising Standards Canada (Ad Standards). The Code sets the criteria for acceptable advertising and forms the basis upon which advertising is evaluated in response to consumer, advertiser, or special interest group complaints.

"Certified English Translation" is a certified translation that consists of three parts: (i) the source-language (original) text, (ii) the target-language (translated) text, and (iii) a statement signed by the translator or translation company representative, with his or her signature notarized by a Notary Public, attesting that the translator or translation company representative believes the target-language text to be an accurate and complete translation of the source-language text.

"Conflict of Interest" means a situation or potential situation in which private business or personal interests may influence, or may be perceived by others to influence, an employee's judgment when performing his or her duties for Metrolinx. It may include the acceptance of gifts and hospitality from third parties, except to the extent permitted by the Conflict of Interest Policy. A Conflict of Interest may also occur when a situation directly or indirectly benefits any of an employee, director or officer's family members, friends or business associates.

"Personal Benefit" is any benefit offered to a Metrolinx employee that may give rise to a real or perceived conflict of interest. See the Conflict of Interest Policy for more details.