

DATE FORMALIZED March 20, 2024	Advertising Policy
REVISED [Month, Year]	

1.0 POLICY STATEMENT

Ontario Northland (ONTC) will accept advertising on its property and assets in accordance with the conditions outlined in this Advertising Policy (the “Policy”).

2.0 BACKGROUND & CONTEXT

The development of this Policy is premised on the organizational goal of finding partnerships and non-fare revenue opportunities. For the purpose of this policy “Advertisement” means any digital or physical message conveyed to the public by ONTC, the content of which is controlled directly or indirectly by the advertiser expressed in any language and communicated in any medium to the public with the intent to influence their choice, opinion or behaviour.

3.0 PURPOSE

The purpose of the Policy is to establish consistent governance and acceptability criteria for all Advertisements for ONTC and its brands. The Policy will enhance accountability by establishing transparent parameters, systems and processes for Advertisements. Based on this, the Policy will ensure that ONTC and its brand, reputation and interests are protected throughout the advertising process.

4.0 POSITION STATEMENT

4.1 ONTC is guided by the general principles embodied in the Canadian Code of Advertising Standards, in determining the acceptance of an Advertisement on its property and assets. The placement of an Advertisement on ONTC 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, unless otherwise indicated, does not constitute information or communication by or on behalf of ONTC 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. A 2009 decision by the Supreme Court of Canada found that a public transit agency (like ONTC) is subject to the Charter in its role as the host of

Advertisements. Based on this ruling, ONTC does not have the authority to refuse an Advertisement, except as permitted under Section 1 and/or 2(b) of the Charter, as applicable.

4.2 The limitations and exclusions on the content of an Advertisement set out in this Policy, ought to be viewed and considered within the context of ONTC's limited ability to deny an Advertisement under the Charter, as stated in section 4.1, while ensuring that ONTC continues to provide users with a transportation system that is welcoming and safe.

4.3 This Policy establishes the decision-making process and accountability with respect to the acceptability and approval of posting Advertisements on ONTC property and assets.

5.0 APPLICATION AND SCOPE

The Policy provides acceptability criteria for Advertisements on all properties and assets (physical and digital) controlled by ONTC and its related brands.

Advertisements that are covered under the Policy include:

- Advertising on all ONTC operated vehicles and property and any digital advertising accessible to users of its transportation services;
- Advertising on assets that are leased or otherwise controlled by ONTC and its brands; and
- Any future advertising assets acquired but not listed in this Policy.

To be specific, the scope of advertising shall cover the following mediums:

- ONBoard Entertainment Systems;
- Digital Screens;
- Passenger Tickets;
- Station Posters, Walls, Windows, Floors and other surfaces;
- Exterior and Interior of ONTC buses and rail equipment; and
- Pop-up displays or experiential marketing activities.

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

6.0 POLICY CRITERIA

ONTC has the right to decline an Advertisement containing 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:

6.1 All Advertisements must comply with all applicable federal, provincial and municipal laws, statutes, regulations and by-laws.

6.2 All Advertisements shall meet the standards set out by Advertising Standards Canada (Ad Standards), including but not limited to the Canadian Code of Advertising Standards.

6.3 Advertisements shall not:

- 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;
- 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;
- 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
- 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.

6.4 Any Advertisement, otherwise acceptable under this policy, must visibly display the name of the sponsoring group, if it includes the following subject matter:

- advocates or opposes a specific theology or religious ethic, point of view, policy or action;
- advocates or opposes any ideology or political philosophy, point of view, policy or action; or
- conveys information about a political party or the candidacy of any person for a political position or public office.

6.5 Advertisements shall not promote any tobacco company, tobacco product or tobacco brand promotions, including a tobacco company's sponsorship or promotion of cultural or sporting events.

6.6 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, with a review by the Chief Marketing and Communications Officer. The approval rests with the Chief Marketing and Communications Officer.

6.7 Advertisements for cannabis or cannabis related products must comply with the Ontario *Cannabis License Act, 2018*, the federal *Cannabis Act* and the standards set

out in section 6 of the Alcohol and Gaming Commission Registrar's Standards for Cannabis Retail Stores.

6.8 Advertising on ONTC property assets must have no adverse effect on public safety or create the possibility of ONTC suffering any liability, damages, expenses or other losses.

6.9 Advertisements shall not discredit the image of ONTC and its brands, its services, its employees.

6.10 Advertisements shall not breach or conflict with any existing ONTC advertising agreements and/or contracts.

6.11 Where required by ONTC, 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, ONTC."

7.0 RESPONSIBILITIES & ACCOUNTABILITIES

ONTC's Manager of Sales and Partnerships, will act as the account manager for all advertising activities and must ensure compliance with this Policy. ONTC's Authorized Advertising Vendor(s) will refer questions of acceptability to the Marketing Specialist, for review with the final decision resting with the Chief Marketing and Communications Officer.

The Chief Marketing and Communications Officer will act as the lead and will be responsible for formulating decisions regarding brand and communications when consultation is required. The Chief will determine the acceptance of all advertisements, except those that require escalation to the Executive Team.

The Legal Services Department 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, alignment with the criteria set out 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 ONTC employees cause concern or disruption to work duties.

8.0 Advertising Review Process

8.1 The Advertiser is to deal directly with the ONTC or an approved third-party advertising sales representative.

8.2 Relevant departments at ONTC are responsible for ensuring that advertisements are reviewed prior to submission to the Marketing and Communications Department.

8.3 Advertisements are reviewed against this Policy and the Canadian Code of Advertising Standards

8.4 ONTC is responsible for interpreting and implementing this Policy. It can accept and post any Advertisement that meets the guidelines for acceptance in accordance with this Policy and in alignment with Section 6.

8.5 Any Advertisement must be presented by the Advertiser to ONTC for review and acceptance prior to the production of the Advertisement. The Advertisement shall be forwarded to the Manager of Sales and Partnerships for initial review. The Director, Marketing and Communications and relevant staff, as designated, shall review the Advertisement and determine whether the Advertisement complies with the guidelines for acceptance under this Policy. If the Chief Marketing and Communications Officer determines that the Advertisement does not comply with the guidelines for acceptance under this Policy, the Advertisement shall not be permitted to be posted on ONTC Property and the Advertiser will be so advised in writing with the reasons for the rejection of the Advertisement. The Advertiser will be provided the opportunity to revise the Advertisement prior to another review by ONTC.

8.6 Advertisements with a value of less than CAN\$100,000 can be approved by the Chief Marketing and Communications Officer. The Executive Team can approve Advertisements with a value of greater than CAN\$100,000.

9.0 COMPLAINT PROCESS

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

10.0 CONFLICT OF INTEREST POLICY

In considering any potential advertising opportunities, all ONTC 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 ONTC's Ethics Executive. In carrying out advertising activities, ONTC 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.