ONTARIO COMMUNITY NEWSPAPERS ASSOCIATION'S

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Convention full of Fire and Ice

By Gordon Cameron News Clips Editor

he nominations for the Better Newspaper Competition, Mary Knowles Award and the Junior Citizen of the Year Awards are in, and that can mean only one thing - OCNA's Spring Convention is just around the corner.

This year's event will be held at the Toronto Airport Renaissance Hotel on March 31st and April 1st, so be prepared for a weekend of fun with a theme that is equal parts hot and cool... Fire and Ice.

The event kicks off on Friday with a panel on circulation moderated by Robert Bobber, a consultant with over 33 years of experience in newspaper circulation and promotion. He will be joined by



BNC Bonanza

And you thought you had a lot of work to get one BNC entry ready! OCNA received entries from over 130 members and now we get to sort them for judging.

other experts in the field to answer your questions on how to improve your circulation and promotion. Please send your questions or

to OCNA before problems January 30th in order to give the panel an opportunity to research Continued on page 3

Defamation law - What you need to know

By Doug Richardson Media Lawyer

hen you're involved in the publication of a newspaper your primary legal concern is defamation. Generally, a person is defamed when statements are made to a third party that would tend to lower that person's reputation. A considerable part of any newspaper could contain defamatory material. News, by its nature, is often defamatory.

courts and the legislatures have recognized that the publication of defamatory matter is part of the business. They have also recognized that the nature of the business is that mistakes are made. Consequently, the Libel and Slander Act of Ontario (the Act) includes various provisions designed to limit a newspaper's liability while also encouraging the timely correction of mistakes. Given the potential exposure to a defamation claim, it is surprising that often newspapers are not familiar with some of

the basic provisions of Act which ultimately serve to limit their liability.

One component of the Act that is sometimes overlooked is the notice requirement. The Act requires a person who intends to commence a lawsuit against media for defamation first serve a notice of action or what is commonly referred to as a libel notice. The libel notice must be served on the newspaper within six weeks of the date in which the person making the complaint became aware of the publication. The

purpose of the libel notice is to permit the newspaper to evaluate the claim and, if appropriate, correct or retract any statements contained in the publication that were erroneous or that the newspaper cannot support. In this way, the person making the complaint and the community as a whole benefit because misinformation has been corrected. What is important to keep in mind is that the Act does not prescribe a specific form for a libel notice. The only requirements for a libel

Continued on page 2

Ignoring a libel notice can be serious

Continued from page 1

notice contained in the Act are that it be in writing and that it specify the matters complained of. In other words, a libel notice might not look anything like a legal document. It could be a handwritten note on a napkin or it could look like your standard letter to the editor.

Our firm has been involved in cases where a newspaper ignored a libel notice because it mistakenly thought that the nonlegal looking document was not a libel notice but just a case of someone letting off steam. Unfortunately, ignoring a libel notice can have serious consequences. When a libel notice is received the Act permits a newspaper to either wipe out a claim for general damages or significantly reduce damages if it publishes a full and fair retraction. If you do not recognize a libel notice for what it is then you will not be able to take advantage of your opportunity to publish a full and fair retraction and possibly eliminate a claim against your newspaper. Also, it may be that the newspaper's insurance policy requires you to report any libel notice received by the newspaper. Failure to report receipt of the libel notice to your insurer might lead to a problem with your insurance coverage if a lawsuit is eventually commenced.

As mentioned, one of the objectives of the Act is to encourage newspapers to quickly correct or retract erroneous

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information. Consequently, the Act stipulates that a newspaper will only obtain the full benefit of a full and fair retraction if it is published in the next regular edition of the newspaper or

within three days after receipt of the libel notice. Often, this is a very short time period in which to understand and investigate the claim and make a decision

as to the publication of a full and fair retraction. Further, it is often necessary or wise to discuss the wording of a full and fair retraction with the party making the complaint. All of this can take time. As such, it is important that a newspaper deal with a libel notice immediately upon receipt and that it have a process in place to handle such matters. It is common that by the time a libel notice reaches the lawver's desk it is already too late to obtain the full benefit of a full and fair retraction.

The Act also provides the newspaper with an opportunity

to reduce damages if it publishes an apology before a lawsuit is commenced. Again, not recognizing that you have received a libel notice or not acting quickly enough to deal with the notice

once it is received might deprive your newspaper of an advantage under the Act.

A final point has to do with your newspaper's masthead.

The Act provides that a newspaper can only obtain the benefit of the notice provisions and the full and fair retraction defence if either its front page or its editorial page contains certain information. Specifically, your newspaper must include the names of proprietor and publisher and the address of the publication either on your front page or at the head of editorials. The courts have required strict compliance with this requirement. For example, in a case decided in 1994, an Ontario court held that a newspaper was not in compliance because the required information was contained at the bottom of the editorial page. Although it would seem that the purpose of this requirement (ie. providing a complainant with information needed to contact the newspaper) would be achieved with the publication of the information at the bottom of the editorial page, the court held it was bound by the words contained in the Act and concluded that the bottom of the page is not the head of editorials. While this requirement may seem technical, compliance could mean the difference between putting a stop to a claim before it gets going and becoming involved in a costly lawsuit.

The law of defamation can be interesting, complex and highly technical. Chances are you did not set out to become an expert in the intricacies of defamation law when you decided to publish or work for a newspaper. However, it is worthwhile that you and others in your newsroom have a familiarity with the few provisions of the Act discussed above. Otherwise, you may have no choice but to become an expert in defamation law when you are forced to defend a lawsuit.

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Convention to be fun and educational



Continued from page 1 and come up with the best suggestions for you.

Friday evening features an opening reception just before the annual dinner to honour the Junior Citizen of the Year Award recipients. These 12 young people from across Ontario will have their lives and accomplish-

Martin to come and speak to

The day's educational

Returning for his second year's sessions came away with a whole new bag of mix of humour and no-non-

April Fool's Photo Contest

sense approach to writing. This year he'll be discussing the elements of an excellent story, interviewing techniques, creativity in newswriting, and how to find the right word for the right occasion (in game

If you work on the sales business sales trainer Chuck Nau will present two ness is tough to get, includ-

In a special morning sesto be missed. In the afterBloopers of the Year

a hands on software workshop for production staff.

Lunch will be an opportunity to meet the newly elected members of OCNA's board of directors while having a chance to say good-bye to those who have completed their service. The tentative keynote speaker is Conservative Party.

Competition Awards Gala.

Stirred photo contest OCNA date of the convention - A

Jim Stasiowski is back!

picture's worth a thousand laughs. So get out your cameras and shoot your best April Fool's Day pictures. (February 14th) and will be posted on our member's Intranet site http://members.ocna.org. Voting will begin on February 28th.

Keeping with the date this year's convention will mark the return of Bloopers of the Year. We've all point in our careers, so why

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A new Web browser for Christmas?

By Ian Youseman IT Systems Coordinator

ll I want for Christmas is ... Well, according to Don Gardner in 1946, his two front teeth and Mariah Carey, Vince Vance and the Valiants wanted 'You'.

I would like to suggest the song title of All I Want For Christmas is a new Web browser.

Every day I read, as I'm sure you do too, of some 'virus' or 'worm' that has exploited a vulnerability in Microsoft's Internet Explorer. Microsoft eventually issues a patch to correct its coding error and sometime a patch for that patch because the original patch created a further problem. Of course, in fairness, hacking Microsoft's Internet Explorer is a bigger prize to the hacker than some less used Web browser. But Microsoft has not released a major upgrade to Internet Explorer since version 6 was released with XP in 2001 and, according to the press is still using the original Trident Layout Engine and is not fully compliant with today's Web standards.

So, what are the options?

If it came with your machine it's probably old. Computer operating systems, even current ver-

If you are using one of the newer generation browsers then you already know how much faster they react... They offer more resistance to Spyware, greater privacy and security, smarter searching...

Well, at the last count there were over 30 different Web browsers. Many of the modern browsers are based on Mozilla which was pioneered by Netscape as an open source product. Since 2002 a number of other browser using the leaner-and-meaner Mozilla code have emerged, the most notable FireFox, Opera, Safari, Konqueror and Netscape itself. Most recently a Web browser named Flock, based on Mozilla and billed as the next generation of browsers because of its potential for Web interactivity.

Why should I change my Web browser? I'm happy with it, it came with my machine, and it's free. I offer you these thoughts -

sions, rarely have the latest browser on the install discs. If the browser is Internet Explorer, then you have the vulnerability problem mentioned before. If it's Netscape pre-version 7 it's old school technology. As for cost, these new browsers are also free.

Of course, if you are using one of the newer generation browsers then you already know how much faster they react, that you have tabbed browsing, popup window blocking and/or control. They offer more resistance to Spyware, greater privacy and

security, smarter searching, live bookmarks with RSS integration and greater compliance with international Web browsing standards and on and on.

As part of my daily routine I use Web browsers to post ads to our members. I've stopped using Internet Explorer, instead I use Safari on my Mac along with Firefox and Opera. It's made me more productive as I don't have to sit and wait for the Web browser/computer to catch up with me.

Incidentally, statistics published on the Web put Mozilla based browsers at having over 25 per cent of the market share, up from less the 17 per cent this time last year.

Give them a try, install one or ask your IT department to do it for you. I suggest FireFox as it is available in both PC and Mac versions.

I don't think you will regret the change, I haven't.

Dates to Remember

November 30 Junior Citizen of the Year nomination deadline. All nominations received by member papers should be forward to OCNA as soon as possible.

December 26 to 30 OCNA offices closed for Christmas.

January 2006 Mary Knowles Award winner Announced.

January 25-26, 2006 OCNA board meeting.

January 27, 2006 Junior Citizen Judging day

February 14, 2006 BNC and General Excellence finalists announced.

March 31- April 1, 2006 OCNA Spring Convention. Toronto Airport Renaissance Hotel.



Spyder2Pro Studio offers great monitor calibration



By Kevin Slimp Institute of Newspaper Technology

alibrating monitors is the first step in accomplishing accurate

colour throughout a newspaper. I receive more requests for help with monitor calibration than for anything else other than software-related issues. Getting colours to appear accurately on monitors is of supreme importance to many newspapers, who are willing to spend whatever it takes to get their monitors calibrated.

Fortunately, you shouldn't have to spend too much.

I've recently taken some time to research colour calibration systems and have found a product that will meet the needs of many newspapers. ColorVision's Spyder2Pro Studio features precise calibration and highly accurate ICC profiles for CRT, LCD, laptop displays and digital projectors. The software and graphical user interface is so easy to use that just about any computersavvy staff person can install and use the system in minutes. The Spyder2Pro Studio comes with:

- a Spyder2 Colorimeter to examine and adjust monitor colours
- Spyder2Pro software
- DoctorPro, a Photoshop plugin to edit printer profiles
- Pantone Colorist software to help with colours in Web site design
- nik Color Efex Pro 2.0, a selection of filters and effects for enhancing and transforming images in Photoshop



Spyder2Pro Studio allows newspapers to accurately calibrate the colours on their monitors to ensure the truest colour reproduction possible.

Spyder2Pro Studio works like this: After a quick installation of the software, the user places the colorimeter against the monitor screen, with the help of a counterweight attached to the USB cable. This keeps the colorimeter from moving during the process. There are help screens to assist throughout the process.

After prompting the user to place the colorimeter on the screen, a decision must be made to determine the appropriate gamma settings. Gamma is the parameter that describes the nonlinear relationship between image pixels and monitor brightness. Let's just say it plays a major role in getting colours to come out right. After a little research, I determined that a gamma of 2.2 is the best setting for most computer monitors. A few years ago, Mac users became accustomed to

setting their gamma to 1.8, but 2.2 seems to be the best setting for most PC and Mac monitors available today.

With the click of a button, the colorimeter begins checking colours on the screen. In a process that takes about ten minutes, the screen changes from black to shades of red, green, blue and gray.

At the end of the procedure, the program prompts you to create a name for the new profile. Before closing the Spyder2Pro utility, you have the opportunity to see a before and after view of the monitor.

I've calibrated several monitors using Spyder2Pro Studio during the past week. It has performed very well in most instances. I did have a problem with a colour cast on two monitors, but a quick call to Colorvision's technical support led me to a solution to the problem. Apparently, it's important to plug the colorimeter into the USB port on the back of your computer. USB hubs and front ports often don't have enough resources to power the colorimeter sufficiently.

The next step in moving toward accurate colours is to calibrate printers, presses and scanners. I plan to address these issues in future columns. For now, the first step in this process is to purchase a copy of Spyder2Pro Studio.

The MSRP is \$299 (USD). More information can be found at www.colorvision.com.

For Kevin Slimp's recommendations on the latest in design books please see page 8

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If you're going to be a writer... be yourself



By Jim Stasiowski Writing Coach

y dad didn't have a very high opinion of writers.

Don't misunderstand: He

loved both newspapers and me.

But the occupation of writer, to my dad, wasn't a real job. My dad believed in producing something, he believed that when a man went to work, he made things that he could touch or hold, things that improved people's lives, or, in my dad's case, things that kept his country safe. (My dad worked for a defence contractor.)

A writer, my dad thought, stitched together words as insubstantial as a whiff of smoke or the smile of a pretty girl.

My dad read not for pleasure, but for meaning. I grew up in a home that subscribed to three daily newspapers, and at least once a week, my dad would buy The Wall Street Journal.

My dad didn't just read; he studied. To him, the best newspaper story was practical, a story that helped him make money in the stock market, helped him shave strokes off his golf score, helped him decide what home improvement project to tackle next.

He never read an interview with a movie star. He disdained trend stories. His only frivolous interest was in sports, but even then, he was more analyst than fan. He memorized batting averages because he wanted to know which shortstop made his team stronger.

This is the first column I have written since my dad died at 97 1/2. He did not fear death. He lived faithfully and well, and his faith assured him that death would begin his eternal reward.

So here I am, without him, and I know what he would say: "Good. If you're going

to be a writer, don't rely on anyone else. Don't rely on me. Be yourself. Be an individual."

My dad was the rarest of beings, the only man I ever knew who didn't care what others thought of him. He loved his family, sometimes with a stifling intensity, but he did not care how his two sons or his daughter assessed his actions. No sibling or neighbour or friend or co-worker could sway him from doing what he thought was right.

My dad willed his children to be smart (my sister was brilliant), successful (my brother has the bank account) and principled (I have never swindled my brother out of a nickel).

So when I joined what Mark Twain called "a horde of ignorant, self-complacent simpletons," my dad suffered silently. He didn't say I was wasting my talents; he loved me just the same.

And I think that in a way, my writing returned that love. I tried (and often failed, as writers do) to be creative, as my dad was; I tried to be an individual, as my dad was; I listened to criticism, but I tried not to let it dislodge my belief in myself.

I overwrite. Oh boy, do I. I often lapse into what editors call self-conscious writing, that is, overcooked sentences and paragraphs that call attention to the writer, and thus siphon attention from the purpose of story.

Overdoing is a danger when you try to be an individual. I fight it. I temper my ostentation.

But individuality is what makes good writing, whether in a novel or in a newspaper. The best story emerges when one stubborn reporter defies cautious editors and comfortable consensus and sensitive sources and expensive market research and says, "Dang it, I know what's right, I know how to tell a story, and I'm going to fight to get this one into the newspaper."

What today's newspapers lack is that

hardheaded, individual approach. Newspapers look alike, sound alike, appear afraid of offending, or even risking offending. We anguish in endless meetings, then opt for safety in collective timidity.

But offending is the price we pay for doing what is right. We should banish from newsrooms those whom risk paralyzes.

One winter when I was a kid, my dad burned our lawn. Deliberately. He had read somewhere that burning the lawn in the winter would make it more beautiful in the spring.

The neighbors laughed at him. I heard them. Dad didn't.

And when in the spring, our grass was no greener than it had been the year before, my dad did not flinch. He tried some other scheme. I have lost track of which one.

A man who doesn't fear death isn't going to let mere failure deter him.

My dad wished I would build bridges or discover a vaccine or invent the perfect golf club. I don't have the skills to do any of those things. I write.

In one last public display of love for and devotion to my dad, I will make my writing practical just this once: Don't burn your lawn.

Unless, of course, it would look better black.

The Final Word: We all hate mistakes, but we can't help chortling over some of them. I suspect this mistake has appeared in every newspaper in the country. A rookie reporter takes an obituary over the phone. A Roman Catholic person has died, and the funeral director says that at 10 a.m. Thursday, there will be a Mass of Christian Burial.

But in the paper, it comes out: "... a massive Christian burial."

Writing coach Jim Stasiowski welcomes your questions or comments. Call him at 410 247-4600 or write to 5812 Heron Drive, Baltimore, Md. 21227.



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Network Classified Christmas schedule

OCNA's Classified program will only be publishing one edition for the weeks of December 26th and January 2nd. Papers may publish the ads either week or both weeks at their discretion. For those newspapers selling into the program the deadline for ads to be included will be 3 p.m. on December 20th, with the ads being posted either late on the 20th or early on the 21st. Things return to normal for the week of January 9th.

OCNA is in the process of

Network creating the 2006 rate cards will only dition for program with new prices for Ontario and national ads.

Papers The new rate cards will be available to members in mid-December or early see news-

Also, stay tuned for an exciting announcement regarding the Network Classified Program that could increase your sales sales to new customers and encourage existing customers to increase their buy. Information coming soon!

Water Cooler

- The **Port Perry Scugog Standard** has announced that, after one year in operation, it has increased its press run by nearly 2,000 and has expanded its coverage area into nearby Sunderland and the Janetville.
- The Fairfields assisted living project in Eganville will likely be receiving government funding of up to \$1,680,000 to go with the nearly \$1 million raised in the local campaign. The fundraising efforts were led by **Eganville Leader** Editor and Co-Publisher **Gerald Tracey** and was featured in August's News Clips.
- Multicom Media Services has published its second semiannual 'Taste of the City' restaurant guides, for central Toronto and Vaughan. The full colour, free distribution guides allow restaurant owners to target upscale consumers in those areas.
- Shane Lockyer has been appointed Advertising Manager of Kawartha Lakes This Week and the Brock Citizen. He was previously the advertising manager of the Peterborough Examiner.
- Herb Garbutt is the new sports reporter for the Burlington Post, Oakville Beaver and Milton Canadian Champion. He was previously a sports reporter the Georgetown Independent.
- Pauline Kerr has been appointed as the editor of the Minto Express. She is a veteran journalist with over 20 years of Community Newspaper experience and has won awards for feature writing from Metroland and for best local editorial from CCNA.

Send your updates to newsclips@ocna.org

CLASSIFIEDS

The Backyard Astronomer Brings The Stars Down To Earth

Written for anyone with a sense of curiosity, The **Backyard** Astronomer, will turn on the light bulb inside your head and put a smile on your face. Author and astronomer, Crossen, brings a lively and informative writing style to a subject which he enjoys passionately. And his enthusiasm shows in an intriguing array of articles that entertain readers and score big as the universe on the "wow-meter." Updated weekly, they are available in halfpage or quarter-page sizes. The handy PDF formats are an easy "plug-in" to your existing newspaper layout. And at just \$5.00 per article, they're also an easy "plugin" to your budget. Who says a local weekly newspaper can't cover the cosmos? Certainly not The Backyard Astronomer.

For samples in pdf format, contact: sconolly@lakefieldherald.com

Zip disks available

OCNA has around 25 Mac formatted Zip 100 disks that are available free to any member who can use them. For more information please contact i.youseman@ocna.org

Life 101

Guaranteed laughs mean guaranteed readership. Give your readers ANOTHER great reason to open your paper. Life 101 by Mark Thrice. E-mail: jhollingsworth@bowesnet.com.

Looking to improve your sales?

Have your sales fizzled? Light a fire under your sales team. acquireyourfire.com

Buying & Selling A Business Column

Are you looking for punchy articles from an Ontario author who specializes in mergers and acquisitions? Doug Robbins is your solution. Doug writes columns to capture interest. Your circulation gleans valuable, useful tips regarding buying and selling a business. He is a member of the editorial board of a GTA newspaper. His fees are nominal. Call Joyce Hansen, Class Act Connections, 905-278-0952 today to book Doug for your col-

Columns available online

Looking for regular or semi-regular columnists for your newspaper? Check out the OCNA web site. Columnists William Thomas, Eric Dowd, and John Maclean upload their column for your use at a nominal charge. John Maclean is a veteran observer in the Parliamentary Press Gallery. Go to http://members.ocna.org and go to the Syndicated Works folder.

Spaghetti for Breakfast

by Catherine Cunningham is an award-winning humour column loved by readers of all ages is available for syndication at only \$7.00 per column. To receive a promotional package call 705-440-6771 mail spaghettiforbreakfast @rogers.com Previously published columns can be viewed on-line http://www.simcoe.com/sc/ alliston/column/v-scv2/ Laughter is now on the menu. Order your weekly serving

of Spaghetti for Breakfast today!

For our archive of Best Practice Bulletins, Ontario Press Service releases and other useful information please visit OCNA's Members Intranet site http://members.ocna.org

Latest books for newspaper designers

By Kevin Slimp

Institute of Newspaper Technology



Mac OS X Support Essentials (Peachpit Press 2005), by Owen Linzmayer, has been fully updated for Mac OS X 10.4. This is the official curriculum of Apple's Mac OS X Help Desk Specialist certification track. In addition, it is a top-notch guide for anyone needing to trou-

bleshoot and optimize OS X systems. This book is designed for support technicians, help desk specialists and I.T. professionals. It is not a reference to teach OS X but a guide for troubleshooting problems that arise in the operating system. ISBN 0-321-33547-3. \$70 (CAD).



The Photoshop CS2 Help Desk Book (Peachpit Press 2005), by David Cross, is an attempt to answer the most frequently asked questions about this application used by almost all newspapers. The writing style is quick and to the point, highlighting answers to specific problems. This is

an excellent reference for all levels of Photoshop users. ISBN 0-321-33704-2. \$49 (CAD).



InDesign CS/CS2 KillerTips (New Riders 2005), by Scott Kelby and Terry White, is a book with nothing but tips. These tips can make the reader faster and more skillful in the use of this layout application that is beginning to dominate our industry. Full-colour graphics showing exactly

how to do it accompany each tip. This book is an excellent reference for any InDesign user. ISBN 0-321-33064-1. \$42 (CAD).

For more information on these books, as well as other new titles available to newspaper designers, visit www.peachpit.com.

Election advertising FAQ

he Federal election has been set for January 23rd and that means close to two months of stories about politicians on the hustings, kissing babies and trying to convince the voters that casting their ballots for them is the only rational choice.

It also means two months of election advertising revenue.

Unlike most types of ads, federal election advertising comes with its own set of rules under the Canada Elections Act which it is important newspapers obey.

All ads must clearly state that they have been authorized by the official agent for the candidate that placed them or by the registered agent for their political party. This is very important for newspapers who will be creating or setting ads for candidates.

Newspapers can't charge political parties or candidates a rate that exceeds the lowest rate they charge any other advertiser for the equivalent space in the same issue. In other words a quarter page for your local grocery store can't cost less than one for your local candidate.

Election ads can't be run on election day. If you are a weekly that

publishes on Monday, the last edition for which you could accept election advertising is for that of January 16th. Ads on the Internet are not covered by this ban if they were posted before election day and have not been changed.

Third parties are permitted to purchase election advertising provided they are registered with Elections Canada and do not spend more than \$150,000 across the country or more than \$3,000 in anyone riding to endorse or oppose a candidate. This would likely only be of concern if a third party asked you to run a campaign in excess of the \$3,000 local maximum.

Unlike radio and television stations, newspapers are not required to give free advertising to political parties. Further, a newspaper has the right to refuse advertising from any candidate, party or third party to the election process.

For more information on the dos and don'ts of federal election advertising please see - http://www.elections.ca/content.asp?section=loi&document=index&dir=ref&lang=e&textonly=false or the Canadian Community

Newspapers

Association

Web site at www.elections.ca/content.asp?section=loi&document=index&dir=ref&lang=e&textonly=false

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