

# 2018 Municipal Elections

## Joint Compliance Audit Committee

### Mandate

Municipalities in York Region have established a Joint Compliance Audit Committee under section 88.37 of the *Municipal Elections Act, 1996*.

The powers and functions of the Committee are as follows:

- Within 30 days of receipt of an application requesting a compliance audit, the Committee shall consider the compliance audit application and decide whether it should be granted or rejected;
- If the application is granted, the Committee shall appoint an auditor to conduct a compliance audit of the candidate's election campaign finances;
- The Committee will review the auditor's report within 30 days of receipt and decide whether legal proceedings should be commenced;
- If the auditor's report indicates that there were no apparent contraventions and if there appears there were no reasonable grounds for the application, the Committee shall advise Council accordingly; and
- Within 30 days after receipt of a report from any participating municipality's Clerk of any apparent over-contributions to candidates or third-parties ("report of the Clerk"), the Committee shall consider the Clerk's report and decide whether legal proceedings should be commenced

When a participating municipality receives either a compliance audit request or a report of the Clerk, the Clerk of the applicable municipality shall, within 10 days, contact the roster of committee members and arrange for a minimum of three, and not more than seven, committee members to sit as the Compliance Audit Committee for the purpose of considering the compliance audit request or report of the Clerk. The selected Members sitting as a Compliance Audit Committee shall be required to participate in all meetings and any other proceedings pertaining to the request(s) or report of the Clerk.

Please contact the Secretary of the applicable school board for information on the compliance audit application procedure for School Board Candidate's in the October 22, 2018 Municipal Election.

## Application Procedure and Form

Should an eligible voter who believes that there are reasonable grounds that a candidate for Municipal Council (Mayor, Regional Councillor, Regional Chair, Ward Councillor) in the October 22, 2018 Municipal Election has contravened a provision of the Act relating to election campaign finances, may apply for a compliance audit of the candidate's election campaign finances.

1. The application for a compliance audit must be submitted to the municipal clerk who conducted the election within 90 days of the deadline to file the campaign financial statement.
  - Regular campaign period filing deadline: **Friday, March 29, 2019**
  - Supplementary campaign period filing deadline (if applicable);
  - Another deadline as provided for in Subsection 79.1 of the Act (if applicable); or
  - The expiration of a filing extension pursuant to Subsection 80 (4), if any.
2. Within 10 days of receiving the application, the Clerk shall forward the application to the Committee.
3. The Compliance Audit Committee will consider the application and decide whether to grant or reject the application.
4. If the Committee rejects the application, you may appeal the Committee's decision to the Superior Court of Justice within 15 days after the decision is made.
5. If the Committee grants the application, the Committee shall appoint an auditor to conduct a compliance audit of the candidate's election campaign finances.
6. The Committee will review the auditor's report within 10 days of receipt and decide whether legal proceedings should be commenced.

The application form is available from the Clerk's Office, 26557 Civic Centre Road, Keswick ON, L4P 3G1, during regular office hours. There is no applicable fee.

Completed, original signed copies of application forms shall be forwarded to: Municipal Clerk Town of Georgina, Administrative Services Department, Clerks Division, 26557 Civic Centre Road, Keswick ON, L4P 3G1.

## **Appeal**

Decisions of the Committee may be appealed to the Ontario Court of Justice within fifteen (15) days after the Committee's decision.

## **Cost Recovery**

If the auditor's report indicates that there were no apparent contraventions of the Act and if there appears there were no reasonable grounds for the application, Council is entitled to recover the auditor's costs from the applicant.

## **Committee Procedures and Minutes**

The Rules of Procedure for meeting conduct may be download/viewed under the Additional Resources section of this web page.

Committee meetings are open to the public, unless the Committee is considering a confidential matter as provided for in Subsection 239(2) of the *Municipal Act, 2001*. Public session minutes of the Committee will be posted on this webpage. All minutes are draft until adopted by the Committee.

## **Committee Membership**

The 2018-2022 members may be download/viewed under the Additional Resources section of this web page.