



**Department:** Clerk's Department

**Title:** 2022 Municipal Election Candidates' Financial Statements Compliance Report

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### **Background**

Pursuant to Section 88.23(4) of the *Municipal Elections Act* (the "Act"), the Clerk shall make available to the public a report setting out all candidates in an election and indicating whether each candidate complied with Section 88.25 (Candidate's financial statements).

The report shall be made available on a website or in another electronic format as soon as possible after April 30<sup>th</sup> in the year following a regular election.

### **Analysis**

Following the 2022 Municipal Election, all candidates were required to file a Form 4, Financial Statement by March 31, 2023 at 2:00 p.m. or face certain penalties as specified under the Act. However, under the Act, a 30 day extension is granted to a candidate who did not submit a Form 4 in a timely manner, so long as the candidate filed by May 1, 2023 at 2:00 p.m., paid a \$500 late penalty and forfeited their nomination fee.

Registered third parties are subject to the same requirements, however there were no registered third parties for the 2022 Corporation of the Town of Ingersoll Municipal Election.

All contraventions of contribution limits reported by the Clerk with respect to contributions to candidates or registered third parties are required to be forwarded to the Compliance Audit Committee. After a review of all Form 4 filings, one apparent contravention of Section 88.9 has been identified and reported via a separate report and forwarded to the Joint Compliance Audit Committee.

## **Overview of Submissions**

Seventeen (17) candidates registered as candidates for the 2022 Corporation of the Town of Ingersoll Municipal Elections.

Sixteen (16) of those registered candidates complied with the Act and filed their financial statements by the legislated deadline of March 31, 2023.

One candidate, K. Haliru, filed their financial statement in accordance with Section 88.23(9) and as a result, was not subject to the penalties established under Section 88.23(2).

No candidates applied to the Ontario Superior Court of Justice for an extension to file their financial statement.

Candidates' Financial Statements are posted to the Municipal Elections Landing Page on the Town's website. Per the Act, any eligible elector who believes on reasonable grounds that a candidate has contravened the rules of the Act relating to election campaign finances can request a compliance audit of the candidate's election campaign finances. A compliance audit can be requested even if the candidate has not filed a financial statement. The deadline to apply for a compliance audit is June 29, 2023.

Per section 88.34 of the Act, the Clerk is required to review the contributions reported on the candidates' financial statements and prepare a separate report identifying each contributor who appears to have contravened any of the contribution limits under section 88.9. Where an apparent contravention is identified, the Clerk must forward a report(s) to the Compliance Audit Committee.

Following a review of submitted 2022 campaign finance forms, a report relative to one candidate's election campaign finances will be forwarded to the Joint Compliance Audit Committee with respect to a contravention of Section 88.9.

## **Financial Implications**

Candidates are entitled to receive a refund of their nomination filing fee if their Form 4 is filed with the Clerk or Designate by the legislated deadline (May 1, 2023 at 2:00 p.m.). One candidate was in default of the filing deadline and as a result, forfeited their nomination fee of \$100 which became the property of the municipality.

## **Recommendation**

For information purposes only.

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