

By-law 2014-205

**A By-law of the City of Greater Sudbury to Establish and Appoint
a Municipal Election Compliance Audit Committee
for the Term commencing December 1, 2014
through and including November 30, 2018**

WHEREAS section 81.1 of the *Municipal Elections Act, 1996*, S.O. 1996, c. 32, Schedule requires a municipal council to establish a compliance audit committee for the purposes described in that Act;

AND WHEREAS the Council of the City of Greater Sudbury wishes to adopt the terms of reference as set out in Schedule "A" for the City's municipal election compliance audit committee in place of the terms of reference adopted by resolution 2010-197 and confirmed by By-law 2010-101;

AND WHEREAS the Council of the City of Greater Sudbury wishes to appoint the members of the Municipal Election Compliance Audit Committee of the City of Greater Sudbury for the term starting December 1, 2014 and ending November 30, 2018;

Now therefore the Council of the City of Greater Sudbury hereby enacts as Follows:

Establishment

1. The Council of the City of Greater Sudbury hereby establishes a compliance audit committee for the purposes of section 81 of the *Municipal Elections Act, 1996*, S.O. 1996, c. 32, which committee shall be referred to as the "Municipal Election Compliance Audit Committee".

2. The term of the Municipal Election Compliance Audit Committee shall commence December 1, 2014 until and including November 30, 2018.

Function and Powers and Terms of Reference

3.-(1) The Municipal Election Compliance Audit Committee has the function and powers prescribed for a committee established under section 81.1 of the *Municipal Elections Act*, 1996, S.O. 1996, c. 32, Schedule.

- (2) The terms of reference for the Municipal Election Compliance Audit Committee as set out in Schedule "A" are adopted and shall form part of this by-law.

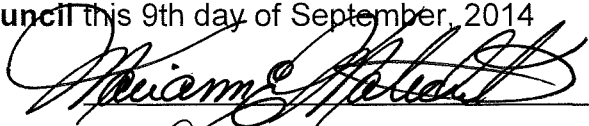
Appointment

4. The following persons are appointed as members of the Municipal Election Compliance Audit Committee for the period commencing December 1, 2014 through and including November 30, 2018:

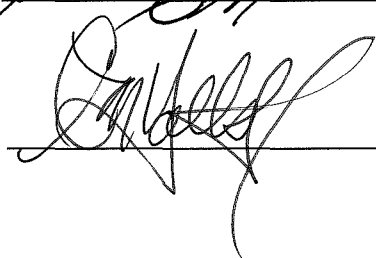
Charles Cardinal-Wilson
Karen Galipeau
Joseph McColeman
Carolyn Thain

5. This by-law shall come into full force and effect upon passage.

Read and Passed in Open Council this 9th day of September, 2014



Mayor



Clerk

SCHEDULE “A” to By-law 2014-205

Terms of Reference City of Greater Sudbury Municipal Election Compliance Audit Committee

Mandate:

Required under Section 81.1 of the *Municipal Elections Act, 1996* as amended, the Municipal Election Compliance Audit Committee considers applications for a compliance audit related to elections for the Council of the City of Greater Sudbury, and for those School Board zones/areas from the School Boards for which the City of Greater Sudbury is conducting the School Board election (listed below) and which Boards have entered into an agreement with the City of Greater Sudbury in regards to their use of the City of Greater Sudbury Election Compliance Audit Committee:

- Conseil scolaire catholique du Nouvel-Ontario
- Conseil scolaire public du Grand Nord de l’Ontario
- Rainbow District School Board
- Sudbury Catholic District School Board

Primary Objectives:

The powers and functions of the Municipal Election Compliance Audit Committee are set out in detail in Section 81 of the *Municipal Elections Act, 1996*, as amended and can be summarized as follows:

- Consider a compliance audit application received from an elector and decide if that application should be granted or rejected
- If the application is granted, appoint an auditor whose qualifications, duties and powers are as set out in the Act
- Receive and consider the auditor’s report
- If the auditor’s report concludes that the candidate appears to have contravened the Act related to election campaign finances the Committee may decide to commence legal proceedings against the candidate with the apparent contravention
- If there were no apparent contraventions and if the Committee has found that there appears to have been no reasonable grounds for making the application, the Committee may recommend recovery of the costs of conducting the compliance audit, from the applicant, by the Council or Board.

Membership:

The Committee is composed of four members, three of whom are required to be in attendance for the purposes of quorum, each of whom should have:

- Experience in receiving and understanding financial information;
- Understanding of the role and responsibilities of the Committee;
- Analytical and decision making skills, with emphasis on the ability to work under pressure;
- Experience working on a committee, task force, tribunal, disciplinary panel or similar body;
- Excellent writing and oral communication skills.

The Committee shall not include:

- Employees or officers of the municipality and local School Boards
- Members of Council and local School Boards
- Any persons who are candidates in the elections for Council and School Boards or who have worked on the campaigns of any such candidates

Time Commitment:

The Committee will be required to adhere to the timelines established in the *Municipal Elections Act, 1996*, as amended.

The Committee will meet only if an application for a Compliance Audit in the approved format has been received from an eligible elector, within the time periods outlined in the *Municipal Elections Act, 1996*. The time required from members will depend on the decisions made by the Committee with regard to granting of an application and/or receipt of the audit report.

Remuneration:

Because the Committee is a decision making body and members will be working in their professional capacity, a per diem of \$200 will be paid for attendance at each meeting.

Term:

In accordance with Section 81.1(3) of the Act, the Committee has the same term of office as the Council that takes office following the election and members are appointed by the Council of the City of Greater Sudbury for that term.