

Background

The *Municipal Elections Act, 1996* (Act) regulates municipal and school board elections in Ontario and outlines the deadlines, responsibilities and penalties for all registered candidates with respect to campaign finances. Pursuant to section 88.25, all candidates are required to file a financial statement and auditor's report, as required, using the prescribed form. In order to complete a financial statement, candidates are required to provide details regarding their expenses and campaign contributions.

Section 88.9 of the Act provides that contributors shall not make contributions exceeding a total of \$1,200 to any one candidate and their total contributions to two or more candidates for office on the same council or local board must not exceed \$5,000.

In accordance with section 88.34 of the Act, the Clerk must review the contributions of candidates reported in their financial statements submitted under section 88.25 to determine whether any contributor appears to have exceeded the contribution limits established under the Act.

In the event that a contributor appears to have exceeded a contribution limit under the Act, the Clerk must prepare a report for each contributor that appears in contravention of the Act and that sets out:

1. the contribution(s) made to a single candidate that exceed the established limit; or,
2. the contributions made to two or more candidates for the same office that exceeds the contribution limit.

Reports prepared by the Clerk regarding apparent violations of campaign contribution limits must be provided to the Compliance Audit Committee for its consideration.

Contributions exceeding the maximum limits

After performing a review of all campaign contributions submitted, only one contributor appears to have exceeded the established contribution limit. AP Janitorial contributed a total of \$2,500 on August 1, 2018, to the campaign of Gerald (Jerry) Desormeaux as noted on page 4 of his completed Financial Statement – Auditor's Report Candidate – Form 4, which was filed with the Clerk on March 28, 2019. Gerald (Jerry) Desormeaux's financial statement is appended to this report.

Next Steps

The Compliance Audit Committee must decide whether to commence legal proceedings against the contributor within 30 days of receiving a report. The Committee, in making its decision, shall provide brief written reasons which will be given to the contributor and the Clerk.

Resources Cited

Municipal Elections Act, 1996, S.O. 1996, c. 32