



**SUBJECT: Establish a Joint Election Compliance Audit Committee  
with Halton Regional Municipalities**

**TO: Committee of the Whole**

**FROM: Clerks Department**

Report Number: CL-13-18

Wards Affected: all

File Numbers: 110-03

Date to Committee: June 4, 2018

Date to Council: June 18, 2018

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**Recommendation:**

Direct the City Clerk to coordinate with the Halton Area Clerks to create a Joint Compliance Audit Committee for the Region.

**Purpose:**

- An Engaging City
- Good Governance

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**Background and Discussion:**

Under the *Municipal Elections Act (MEA)* (s. 88.37(1), “a Council or local board shall establish a compliance audit committee before October 1 of an election year for the purposes of the Act.” As each municipality is required to form a committee, it presents the opportunity for the creation of a shared committee for all Halton area municipalities.

Under the *MEA*, a qualified elector who believes on reasonable grounds that a candidate or registered third party has contravened a provision of the *MEA* relating to election campaign finances may apply for a compliance audit of the candidate’s or registered third party’s election campaign finances. Any completed applications would be submitted to the City Clerk and forwarded to the Compliance Audit Committee for review.

In 2014, the Region and area municipalities established a Joint Compliance Audit Committee and to date, the City Clerk has not received any applications. In accordance with the terms of reference, the mandate of the current committee is considered complete at the end of each four-year term of Council.

The Regional Clerk along with area municipal Clerks met in March of 2018 to update the Terms of Reference for the Joint Compliance Audit Committee to include recent changes in the *MEA*. Under new provisions in the *MEA*, registered third parties are subject to the compliance audit process and in addition, the Clerk is required to prepare and submit a report to the Compliance Audit Committee documenting any potential contraventions of campaign limits by candidates or registered third parties. The updated Terms of Reference is attached as Appendix A. According to the *MEA*, the Committee must be established by October 1, 2018 with a composition between 3 and 7 members.

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### **Financial Matters:**

The Terms of Reference include a retainer of \$400 per member and a per diem of \$250 for attendance at each meeting, plus mileage at the current rate \$0.50/km (Appendix A). The per diem and mileage will be paid only by the municipality requesting services of the Committee. These rates are consistent with the rates paid by other Regional Municipalities for their respective Compliance Audit Committees.

### **Source of Funding**

Funding will be provided for in the Municipal Elections operating budget.

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### **Public Engagement Matters:**

A targeted recruitment of the Joint Compliance Audit Committee will be coordinated by the Regional Clerk. This committee opportunity will be advertised in Halton local newspapers and organizations such as the Institute of Chartered Accountants of Ontario, the Law Society of Upper Canada and area universities. Information and an application form will also be made available on the City's website.

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### **Conclusion:**

Halton Region will be commencing advertising to seek applications for the committee, with the City Clerk responsible for establishing procedures for the committee which will be posted on the City's website. The selection committee will be comprised of the Clerks of the participating municipalities.

Respectfully submitted,

Andrea Holland

Manager of Records and Information

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**Appendices:** (if none delete section)

A. Compliance Audit Committee Terms of Reference

B.

**Notifications:** (if none delete section)

Name

Mailing or e-mail address

**Report Approval:**

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.