



2022 Municipal Election

Nomination Package

Approved by:
Cathy Cyr
Clerk / Returning Officer
Municipality of Wawa

Dated this 21st day of April, 2022.

Introduction

Holding office as an elected official in a municipal government can be rewarding as well as very challenging. It requires a real commitment of time over a period of four (4) years.

The ***Municipal Elections Act*** sets out in detail the requirements to be met by candidates for office. This document is only a summarized version of the nomination requirements for your convenience. It is in no way to be construed as legal advice and/or a replacement for the legislation itself. This document is only a guide to certain portions of the legislation that have general relevance and does not recite all parts of the legislation.

Before you file your nomination papers, we strongly urge you to obtain your own updated copy of the ***Municipal Elections Act*** which can be down-loaded from the Ministry's website at www.elaws.gov.on.ca or purchased from the Ontario Government Bookstore. Additionally, a copy is located at the Township Office that you can review on site.

Once your nomination paper is filed with the Clerk you will be given a Candidates Package that will provide information and forms that you will need during the Campaign period and thereafter.

Any questions should be directed to:

Ms. Cathy Cyr, Clerk
Municipality of Wawa
40 Broadway Avenue, P.O. Box 500
Wawa, ON P0S 1K0
Telephone: (705) 856-2244, extension 222
Email: ccyr@wawa.cc

General Information

Nomination Period: Monday, May 2, 2022 to Thursday, August 18, 2022 from 8:30 a.m. to 4:30 p.m. (Monday to Friday)

Nomination Day: Friday, August 19, 2022 from 9:00 a.m. to 2:00 p.m.

Election Day: Monday, October 24, 2022 from (10:00 a.m. to 8:00 p.m.

Voting Period: Tuesday, October 11, 2022 from 10:00 a.m. to Monday, October 24, 2022 at 8:00 p.m.

Voting Method: Telephone and Internet Voting

Offices for which persons may be nominated for in the 2022 Municipal Elections:

- **Mayor** One (1) Position (At Large)
- **Councillor** Four (4) Positions (at Large)

Who can be a candidate?

(Section 17, Municipal Elections Act, 1996)

Municipal Council

A person who is qualified to be a voter in the Municipality of Wawa for the 2022 Municipal Election is also eligible to be a candidate for office. That means, on the day that you submit your Nomination Form, you must be qualified to hold that office. Candidates for the offices of Mayor or Councillor must meet the same criteria as eligible voters or electors. You must be:

- A resident of the Municipality of Wawa, or an owner or tenant of land in the Municipality of Wawa, or the spouse or same sex partner of such an owner or tenant;
- A Canadian citizen;
- At least 18 years old; and
- Not prohibited from voting by law.

School Board Trustee

A candidate for a school board must, upon nomination, be a qualified municipal elector and fulfil all of the following requirements:

- A resident within the jurisdiction of the board;
- A supporter of the board;
- A Canadian citizen; and
- At least 18 years old.

In order to be considered for declaration as a legally qualified municipal candidate, you must file a Nomination Form with the Clerk of the Municipality of Wawa.

The deadline for filing Nomination Forms is Friday, August 19, 2022 at 2:00 p.m.

What are the roles and responsibilities of these offices?

Wawa Council is made up of one (1) Mayor and four (4) Councillor, all of whom represent the community at-large.

Mayor

The Mayor is responsible to provide leadership and act as a spokesperson to the public. He or she is also responsible to advocate the needs of the Municipality with other levels of government. For a more detailed role of the Head of Council refer to section 225 of the *Municipal Act, 2001*.

Councillor

The role of Council is defined by Section 224 of the Municipal Act.

- (a) to represent the public and to consider the well-being and interests of the municipality;
- (b) to develop and evaluate the policies and programs of the municipality;
- (c) to determine which services the municipality provides;
- (d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
- (d.1) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- (e) to maintain the financial integrity of the municipality; and
- (f) to carry out the duties of council under this or any other Act. 2001, c. 25, s. 224; 2006, c. 32, Sched. A, s. 99.

What is the time commitment if I am elected?

The time commitment varies from individual to individual and can depend upon the elected individual's employment circumstances. A Mayor/Councillor can expect to devote time for a minimum of two meetings per month along with various duties as appointed by Council. This would include in getting prepared for the meeting(s), (reading reports, materials etc.) and becoming knowledgeable about municipal procedure/by-laws and policy governance.

School Board Trustee information on responsibilities can be provided by the applicable School Board Administration.

How do I file my Nomination Papers?

On any day preceding Nomination Day, a nomination paper (form 1 attached) may be filed at the Office of the Clerk between 8:30 a.m. and 4:30 p.m., Monday to Friday.

On Nomination Day (August 19, 2022), a nomination paper may be filed between 9:00 a.m. and 2:00 p.m. Persons who propose to be candidates in the Municipal Election must submit their nomination paper to the Office of the Clerk prior to accepting or soliciting funds for their campaign.

Either the candidate or his/her agent must file the nomination paper in person. Faxed/email nominations **WILL NOT** be accepted as an original signature is required on all election documents filed with the Clerk.

All registered candidates are required to pay a filing fee of either \$200.00 for Mayor or \$100.00 for Councillor or School Board Trustee. The fee shall be paid by cash, debit card, certified cheque or money order payable to the municipality. Proof of identification will be required (ie. Driver's licence, passport, etc.).

The election campaign period for candidates begins the day the nomination paper is filed and ends on December 31, 2022. A candidate cannot accept campaign contributions before he/she has filed a nomination paper.

Municipal Freedom of Information & Protection of Privacy Act (MFIPPA)

Once the nomination form is filed with the Clerk, the candidate may sign the consent to release personal information authorizing the Clerk to release personal information to the public and media.

Unofficial List of Candidates

The Clerk shall provide notice of the unofficial list of candidates by preparing and posting in the Municipal Office and on the website an "Unofficial List of Candidates" which is to be updated as each Nomination Paper is filed. The list

should be clearly marked "Unofficial". The Clerk must obtain authorization from the candidate to post their personal information, such as their addresses. The list is indicated as "unofficial" until the nominations have been certified.

Nomination Day – August 19, 2022

(Section 31 of the Municipal Elections Act, 1996)

Nomination Papers will be received at the Municipal Office between 9:00 am and 2:00 pm on Nomination Day.

The procedure for the handling of Nomination Papers on Nomination Day will be the same as during the nomination period.

Certification of Nomination Papers

(Section 35(1) of the Municipal Elections Act, 1996)

On or before Monday, August 22, 2022, at 4:00 pm, the Clerk will do a review of each nomination received to determine qualification and if the nomination complies with the Act. Once satisfied the candidate is qualified, the Clerk shall certify the nomination.

Rejection of Nomination Paper

(Section 35 (3) of the Municipal Elections Act, 1996)

If the Candidate is not qualified to be nominated, or the nomination does not comply with the Act, the Clerk will reject the Nomination. A telephone call shall be made to the candidate informing him/her of the rejection, and a "Notice of Rejection of Nominations" shall be sent, by Registered Mail, as soon as possible, to the person who sought to be nominated; and all candidates for the office.

Withdrawal of Nominations

(Section 36 of the Municipal Elections Act, 1996)

Candidates may withdraw their Nomination by filing in person a written withdrawal on "Withdrawal of Nomination" with the Clerk before 2:00 pm on Nomination Day, Friday, August 19, 2022 if the person was nominated on or before Nomination Day. Any withdrawals sent by email, mail or fax are not permitted as it must be filed in the Clerk's Office.

The withdrawal shall be noted on the “Unofficial List of Candidates.”

Duties and Powers of the Clerk

(Section 11 & 12 of the Municipal Elections Act, 1996)

The Clerk is responsible for conducting the election, including responsibility for:

- (a) preparing for the election;
- (b) preparing for and conducting a recount in the election;
- (c) maintaining peace and order in connection with the election; and
- (d) in a regular election, preparing and submitting the accessibility report.

The Clerk may provide for any matter or procedure that:

- (a) is not otherwise provided for in an Act or regulation; and
- (b) in the Clerk’s opinion, is necessary or desirable for conducting the election.

Procedures and Forms

Section 42 (4) 2 of the Municipal Elections Act states that the procedures and forms, established by the Clerk, if they are consistent with the principles of the Act, prevail over anything in the Act and the regulations made under it.

Unforeseen Cases

Any unforeseen cases not dealt with in these procedures will be recorded, action taken, and reflected in an addendum signed by the Clerk.

Instructions

It is the responsibility of the person being nominated to file a complete and accurate nomination paper. Please print or type information (except signatures).

Nomination paper of a person to be a candidate at an election to be held in the following municipality

Nominated for the Office of			Ward Name or Number (if any)		
Nominee's name as it is to appear on the ballot paper (subject to agreement of the municipal clerk)					
Last Name or Single Name			Given Name(s)		
Nominee's full qualifying address within municipality					
Suite/Unit Number	Street Number	Street Name			
Municipality			Province		Postal Code
Mailing Address <input type="checkbox"/> Same as qualifying address					
Suite/Unit Number	Street Number	Street Name			
Municipality			Province		Postal Code
If nominated for school board, full address of residence within its jurisdiction					
Suite/Unit Number	Street Number	Street Name			
Municipality			Province		Postal Code
Email Address			Telephone Number		Telephone Number 2

Declaration of Qualification

I, _____, declare that I am presently legally qualified
(or would be presently legally qualified if I were not a member of the Legislative Assembly of Ontario or the Senate or House of Commons of Canada) to be elected and to hold the office for which I am nominated.

Signature of Nominee

Date (yyyy/mm/dd)

Date Received (yyyy/mm/dd)	Time Received	Initial of Nominee or Agent (if filed in person)	Signature of Clerk or Designate
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Certification by Clerk or Designate

I, the undersigned clerk of this municipality, do hereby certify that I have examined the nomination paper of the aforesaid nominee filed with me and am satisfied that the nominee is qualified to be nominated and that the nomination complies with the Act.

Signature

Date Certified (yyyy/mm/dd)



Municipality of Wawa

Be Counted! Election 2022☒

FREEDOM OF INFORMATION (FOI) RELEASE

Municipal Elections Act, 1996

Completion of this form is Optional.

Name of Candidate: _____

Candidate for the Office of:

- ☐ Mayor
- ☐ Councillor
- ☐ Trustee, Algoma District School Board
- ☐ Trustee, Huron-Superior Catholic District School Board
- ☐ Trustee, conseil scolaire catholique du nouvel-ontario
- ☐ Trustee, conseil scolaire du district du grand nord de l'ontario

In accordance with the Municipal Freedom of Information and Protection of Privacy Act, as amended, I hereby authorize Election Services staff to include on the Municipality of Wawa's Election website and make available to any person upon request by all of the following methods: in person, by phone, mail, email or fax, the information below with respect to my candidacy for elected office.

Address:

Telephone Number(s): (Indicate if home, business or campaign office)

E-mail address:

- ☐ Digital Photo

(signature of nominated candidate)

(date)

Personal information on this form is collected under the authority of the Municipal Election Act (1996) ss. 12, 29 and 33, and the Education Act (1990), s. 219 and will be used by the nominee for the purposes of authorizing the Municipal Clerk to publicly disclose the information by the methods detailed on the form in addition to the method of public inspection required by the Municipal Elections Act (1996). Pursuant to the Municipal Elections Act (1996) ss. 88, this document is a public record, despite anything in the Municipal Freedom of Information and Protection of Privacy Act (1990), and, until its destruction, may be inspected by any person at the Municipal Clerk's Office at a time when the office is open. Questions about this collection can be directed to the Clerk, Municipality of Wawa, 40 Broadway Avenue, Wawa, Ontario, P0S 1K0, Telephone: 705-856-2244, extension 222.

No changes will be made to the Municipality's information unless the appropriate form has been completed.

2022 Candidates' Guide - Ontario municipal council and school board elections

2022 Candidates' Guide – Ontario municipal council and school board elections

This guide provides information to candidates for the 2022 municipal council and school board elections. The information also applies to any by-elections that may be held during the 2022-2026 council and school board term.

This guide is not meant to replace provincial legislation. It provides general information about the rules contained in the [Municipal Elections Act, 1996](#) and other legislation and regulations, such as:

- [Municipal Act, 2001](#)
- [City of Toronto Act, 2006](#)
- [Education Act](#)

New election rules for 2022

Nominations may be filed electronically if permitted by your municipal clerk. [Contact your municipal clerk](#) to find out if nominations can be filed electronically in your municipality, and for information about how to file your nomination.

The deadline for filing your nomination is August 19, 2022 at 2 p.m.

The council and school board term of office will run from November 15, 2022 to November 14, 2026.

Contact us

If you have further questions or would like to give feedback on this Guide, please contact us at mea.info@ontario.ca.

You can also contact your regional [Municipal Services Office at the Ministry of Municipal Affairs and Housing](#).

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General information

Every four years, voters across Ontario elect municipal councillors and school board trustees.

The Province of Ontario sets out common rules that all candidates and voters must follow. However, municipalities are responsible for conducting elections to their council and for conducting the election of school trustees to Ontario's school boards. This guide contains information about the rules that are the same for all municipal elections, such as who is eligible to run for office, and rules about campaign spending.

Your municipality may have specific rules on issues such as:

- where and when election signs may be displayed
- whether campaign activities may occur on municipal property
- whether those who make contributions to candidates may receive a rebate

Contact your municipal clerk if you have questions about the election in your municipality.

To learn more about the duties of municipal councillors and the role of council, please see the [Ontario Municipal Councillor's Guide](#).

The municipal clerk

Every municipality has a municipal clerk who is in charge of running the election.

Contact the municipal clerk if you are interested in becoming a candidate. You must file any election forms, such as the nomination form and campaign financial statements, with your municipal clerk. The clerk is also responsible for providing information about spending limits and filing deadlines to candidates.

[If your municipality does not have a website](#) you could visit or contact your municipality's offices for more information.

Public health and safety at the voting place

The municipal clerk is responsible for setting up and running the voting places used in a municipal election. The clerk must follow any provincial or local public health measures that are in effect. They may also put in place additional procedures that they consider necessary for conducting the election. If you have questions about public health and safety at the voting place, you should contact your municipal clerk.

Emergency declaration by the clerk

If the municipal clerk believes that circumstances have arisen that prevent the election from being conducted appropriately, they may declare an emergency. This declaration is specific to the election and separate from an emergency that may be declared by the municipality or the province.

Once the clerk has declared an emergency, they can decide what arrangements to make to allow the election to proceed appropriately. The arrangements that the clerk makes will depend on the nature of the emergency.

If your municipal clerk has declared an emergency in relation to an election or by-election in your municipality, you should contact the clerk for information about the arrangements that they have put in place and how those arrangements may affect voting and campaigning.

Eligibility to run for election

Running for municipal council

To run for a position on council you must be eligible to vote in that municipality. On the day you file your nomination, you must be a Canadian citizen aged 18 or older, and qualify as a resident or non-resident elector. For more information about eligibility to vote, please see [the 2022 Voters' Guide](#).

You must be eligible to hold office on the day you file your nomination. For example, a person who is 17 years old but will turn 18 before nomination day must wait until they have turned 18 to file their nomination.

If your municipality has wards, you can run in any ward – you do not have to live in a particular ward in order to be its councillor. However, if you run in a ward where you do not live, you will not be able to vote for yourself. Having a campaign office or a business in a ward where you would not otherwise be eligible to vote does not make you eligible to vote in that ward.

Municipal employees

You cannot work for a municipality and be on its council at the same time. If you are an employee of a municipality and you want to run for office on that municipality's council, you must take a leave of absence that begins the day you are nominated. If you are elected, you must resign from your job.

If you are an employee of a municipality and you want to run for office in a different municipality, you do not have to take a leave of absence or resign. However, you should check with your employer to see if there are any policies in place that could affect you.

If you are an employee of an upper-tier municipality, you can run for office in a lower-tier municipality without taking a leave of absence or resigning unless being elected to the lower tier council means that you would also be a member of the upper-tier council.

Who is not eligible?

The following people are disqualified from being elected to municipal office:

- any person who is not eligible to vote in the municipality
- an employee of a municipality who has not taken an unpaid leave of absence and resigned (see above)
- a judge of any court
- an MP, an MPP or a senator
- an inmate serving a sentence in a penal or correctional institution

Running for school board trustee

To run for a trustee position on a school board you must be a resident within the jurisdiction of the board and you must be eligible to vote in a school board election. On the day you file your nomination, you must be a Canadian citizen aged 18 or older and you must meet any other qualifications to vote for the school board (for example, being a Roman Catholic, or holding French language rights). For more information about eligibility to vote, please see [the 2022 Voters' Guide](#).

Additional information about [French-language rights](#) is available from the Ministry of Education.

School board employees

You cannot work for a school board and be a trustee in Ontario at the same time.

If you are an employee of any Ontario school board and you want to run for a trustee position on any school board in the province, you must take an unpaid leave of absence that begins the day you are nominated. If you are elected, you must resign from your job.

Municipal officials

If you are a clerk, deputy clerk, treasurer or deputy treasurer of a municipality within the jurisdiction of a school board, you are not permitted to run for office as a trustee of that board unless you take a leave of absence. If you are elected, you must resign from your job.

Who is not eligible?

The following people are disqualified from being elected as a school trustee:

- any person who is not eligible to vote in the school board election
- an employee of a school board or a municipal official who has not taken an unpaid leave of absence and resigned (see above)
- a judge of any court
- an MP, an MPP or a senator
- an inmate serving a sentence in a penal or correctional institution

Note for MPs, MPPs and senators

If you are an MP, MPP or senator, you may file your nomination for municipal or school board office without resigning your current seat in parliament, the legislature or the senate. However, you must resign your seat by the close of nominations (2 p.m. on Friday August 19, 2022). If you are a federal or provincial cabinet minister, you must step down from cabinet prior to filing your nomination and must resign your seat by the close of nominations.

If you have not resigned by nomination day, your nomination will be rejected and your name will not appear on the ballot.

Nominations

Filing your nomination

To file your nomination you must give the following to your municipal clerk:

- a completed [nomination form \(Form 1\)](#)
- the nomination fee
- completed [endorsement of nomination forms \(Form 2\)**](#)

******If you are running for municipal council and your municipality has more than 4,000 electors, you must submit original endorsement signatures from 25 people who are eligible to vote in the municipality. Candidates for school board trustee and candidates for municipal council in municipalities with 4,000 or fewer electors do not have to submit endorsement signatures.

When you fill out the nomination form, write down your name as you want it to appear on the ballot. If you normally go by a different name than your legal first name, you may use that name provided that the clerk agrees.

You do not have to provide all of your names under the box entitled “Given Name(s)” on the form. Only provide the one(s) that you want to appear on the ballot. If your legal name is a single name you do not have to provide any given names.

Clerks can decide to allow nominations to be filed electronically. If your municipality allows electronic filing, contact the clerk for more information about how to file your nomination.

If electronic filing is not allowed in your municipality, you must file the nomination form that you have signed – the form may not be a copy and may not be scanned and submitted electronically. You must file the nomination form in person or have an agent file it on your behalf.

The clerk may require you to show identification or fill in an additional form to prove that you are eligible to be nominated. If an agent is going to file the form on your behalf you should check with the clerk to see if you are required to provide identification or additional paperwork.

Your campaign period begins when the clerk has received your nomination. If you file your nomination electronically at a time when the clerk’s office is not open, you may have to wait to begin your campaign. You should contact the clerk for more information.

The nomination fee

The fee to file a nomination is \$200 to run for head of council and \$100 for all other positions. This fee must be paid to the clerk at the time you submit your nomination form.

Your nomination fee will be refunded if you file your campaign financial statement by the deadline.

Endorsement signatures

If you are running for municipal council in a municipality that has more than 4,000 electors, you must submit 25 original signatures endorsing your nomination.

You must use [Form 2](#) to collect the endorsement signatures.

Anyone providing an endorsement signature must also fill in their name and address, including the postal code.

Anyone providing an endorsement signature must be eligible to vote in the municipality on the day that they signed the endorsement. In addition to their endorsement, they will also be required to sign a declaration that they are eligible to vote in the municipality.

A person who is eligible to vote in the municipality may provide endorsements to as many candidates as they would like and may endorse candidates for any office on the municipal council. A person who is running for a ward councillor office may submit signatures from voters who do not live in that ward.

Collection of signatures should be undertaken safely by following guidance related to and in compliance with all applicable laws and emergency orders, as well as any [guidance and safety standards established by the province for COVID-19](#). These measures are intended to keep Ontarians safe.

If you submit 25 original endorsement signatures and find out later that a person (or persons) was not eligible to vote on the day that they signed the endorsement, you will not lose your nomination. The person who supplied false information (by declaring that they were eligible to endorse your nomination when they were not eligible) could be subject to prosecution.

If the clerk has allowed electronic filing, you must still collect the endorsement signatures in person. You can submit an electronic copy of the forms when you file your nomination. You must keep the forms with the original signatures as part of your campaign records.

School board trustee candidates are not required to submit endorsement signatures.

The [Endorsement of Nomination Form \(Form 2\)](#) is a public document. Endorsements of candidates cannot be revoked if the document has already been filed with the clerk.

Deadline to file your nomination

The nomination period begins on May 1, 2022. As May 1 is a Sunday, you may not be able to file your nomination until May 2, 2022 when the clerk's office is open. The last day to file a nomination is Friday, August 19, 2022 by 2 p.m.

The clerk has until 4 p.m. on Monday, August 22, 2022 to certify or reject your nomination. The clerk must be satisfied that you are eligible to run in order to certify your nomination. If your nomination is not certified, your name will not appear on the ballot.

Where to file

If you are running for council office in a single-tier or lower-tier municipality (city, town, township, village, etc.), you must file your nomination with the clerk of that municipality.

If you are running for an office in an upper-tier municipality (region or county) that does not also sit on a lower-tier council, you must file your nomination with the clerk of the upper-tier municipality. For example, a person running for chair of Durham Region would file their nomination with the clerk of Durham Region rather than the clerk of a lower-tier municipality such as Oshawa or Pickering.

If you are running for a school trustee position that represents more than one municipality, contact your municipal clerk for information about where to file your nomination.

Changing your mind – withdrawal

If you decide to withdraw your nomination, you must notify the clerk in writing by the close of nominations (2 p.m. August 19, 2022).

If you withdraw your nomination, you are still required to file a campaign financial statement covering all the financial transactions you made in your campaign.

If your campaign did not have any financial transactions, you must file a financial statement reporting this. Your nomination fee will be refunded by the clerk if you file your financial statement by the deadline.

Changing your mind – running for a different office

You can only run for one office at a time. If you decide to run for a different office, your first nomination is deemed to be withdrawn when you file your second nomination.

If you decide to run for a different office on the same council or school board, and both offices are elected at large (for example, an office such as the mayor, which everyone in the municipality may vote for), everything (contributions, expenses, etc.) from your first campaign is simply transferred to your second campaign.

Example:

You file your nomination to run for deputy mayor on May 12, 2022. During the summer you decide to run for mayor instead, and file your second nomination form on June 29, 2022.

- Your first nomination for deputy mayor is deemed to be withdrawn.
- The nomination fee you paid on May 12 is transferred to your second nomination (in this case, you would have to pay an additional \$100 to make up the \$200 fee to run for head of council).

- You do not have to submit new endorsement signatures. Your initial 25 original endorsement signatures still qualify since you withdrew and filed a nomination for a different office on the same municipal council.
- Your campaign for mayor is deemed to have started on May 12.
- Any campaign contributions or expenses that occurred prior to June 29 are transferred to your mayoral campaign.
- You must file one campaign financial statement covering your campaign finances from May 12 until January 3, 2023.
- Your nomination fee will be refunded if you file your campaign financial statement by the filing deadline.

If you decide to run for a different office on the same council or school board, and one or both of the offices is elected by ward, then you must keep the two campaigns separate.

Example:

You file your nomination to run for mayor on May 12, 2022. During the summer you decide to run for councillor in ward 1 instead and file your second nomination form on June 29, 2022.

Your first nomination for mayor is deemed to be withdrawn, and your campaign for mayor ends. You may not transfer any contributions or expenses from your mayoral campaign to your ward councillor campaign.

- You must pay a separate nomination fee when you file your nomination for ward councillor.
- You do not have to submit new endorsement signatures. Your initial 25 original endorsement signatures still qualify since you withdrew and filed a nomination for a different office on the same municipal council.
- You must file a campaign financial statement covering your campaign for mayor (May 12 to June 29) – your first nomination fee will be refunded if you file this financial statement by the filing deadline.
- You must file a separate campaign financial statement covering your campaign for ward councillor (June 29 to January 3) – your second nomination fee will be refunded if you file this financial statement by the filing deadline.

If you decide to run for office on a different council or school board, then you must keep the two campaigns separate. If you decide to run for council in a municipality that has more than 4,000 electors, you will need to submit original endorsement signatures from electors eligible to vote in that municipality. If you are unsure if the municipality has more than 4,000 electors, you should contact the municipal clerk.

Example:

You file your nomination to run for school board trustee on May 12. During the summer you decide to run for councillor instead, and file your second nomination form on June 29, 2022.

- Your first nomination for school board trustee is deemed to be withdrawn.
- You are required to pay a nomination fee when you file your nomination for ward councillor.
- If the municipality where you are running for ward councillor has more than 4000 electors, you must submit 25 endorsement signatures.
- Your campaign for school board trustee ends. You may not transfer any contributions or expenses from your trustee campaign to your ward councillor campaign .
- You must file a campaign financial statement covering your campaign for school board trustee (May 12 to June 29) – your first nomination fee will be refunded if you file this financial statement by the filing deadline.
- You must file a separate campaign financial statement covering your campaign for ward councillor (June 29 to January 3) – your second nomination fee will be refunded if you file this financial statement by the filing deadline.

Acclamations

If there is only one certified candidate running for an office at 4 p.m. on Monday, August 22, that candidate will be declared elected by acclamation. Similarly, in a municipality where multiple candidates are elected at large, if the number of certified candidates is the same as or less than the number of offices, those candidates will be declared elected by acclamation.

If you are elected by acclamation, you must still file a campaign financial statement.

Additional nominations

If there are positions that no candidates have run for or positions that are still vacant after the candidates who did run have been acclaimed, the clerk will call for additional nominations.

Additional nominations for the remaining vacant seats must be filed between 9 a.m. and 2 p.m. on Wednesday, August 24, 2022. The clerk must either certify or reject each nomination by 4 p.m. on Thursday, August 25, 2022.

Campaigning

Signs

Your municipality may have rules about when you can put up campaign signs and how signs may be displayed on public property.

All of your campaign signs and other advertising must identify that you are responsible for the sign. This is so that people seeing the sign or advertisement can tell that it is from your campaign, rather than from a third party advertiser.

Please see [Leftover campaign inventory](#) (page 23) if you plan to reuse signs from the last election.

You are responsible for ensuring that your campaign signs are removed after voting day. Your municipality may require a sign deposit or have penalties for failing to remove your signs. Contact your local clerk for more information.

You are entitled to have your nomination fee refunded if you file your campaign financial statement by the filing deadline. The clerk cannot make removing your signs a condition for receiving your refund.

Getting information out

It is up to you to provide voters with information about you as a candidate and about your campaign. The municipal clerk is not responsible for providing your contact information to voters.

All candidates' debates

The *Municipal Elections Act, 1996* does not require candidate debates to be held, and the municipal clerk is not responsible for organizing meetings or debates. Debates can be organized by community groups, media outlets, candidates or any other interested persons.

Joint campaigns / running on a slate

There is nothing in the *Municipal Elections Act, 1996* that would prevent like-minded candidates from campaigning on the same platform or identifying themselves as a group or slate. However, each candidate must keep their campaign finances separate and any joint expenses (for example, signs with two candidates' names on them) must be divided between the campaigns.

For information on campaign finance rules please see [Campaign Finance](#) (page 16).

Third party advertising

General information

There are rules for third party advertising in Ontario's municipal council and school board elections.

A third party advertisement is an ad that supports, promotes or opposes a candidate or a "yes" or "no" answer to a question on the ballot.

The meaning of "third party" in this context means a person or entity who is not a candidate. Eligible individuals, corporations and trade unions can register to be third party advertisers. Third party advertising is separate from any candidate's campaign and must be done independently from a candidate.

Third party advertisers who want to spend money on advertisements during the election must register with the municipal clerk and must file a financial statement.

For more information about third party advertising rules, including eligibility, spending limits and enforcement, see the [Third Party Advertisers' Guide](#).

On voting day

Campaigning on voting day

The *Municipal Elections Act, 1996* does not prohibit campaigning on voting day. While there are restrictions on advertising for federal and provincial elections on voting day, these “blackouts” do not exist for municipal council and school board elections.

The Act prohibits the display of campaign material inside a voting place. The “voting place” could include the entire property of a building that has a voting place inside it, including the parking lot. You are not allowed to have campaign brochures, campaign buttons, signs or any other material inside the voting place.

Remaining in a voting place

As a candidate, you are allowed to stay in a voting place to observe but you are not allowed to interfere with voters, attempt to influence how they vote or ask a voter how they voted. Scrutineers may also stay in the voting place.

You and your scrutineers are entitled to be in the voting place 15 minutes before it opens and to inspect the ballot boxes, the ballots and any other papers or forms relating to the vote. However, you may not delay the opening of the voting place.

You and your scrutineers are entitled to place a seal on the ballot box so that ballots put in the box cannot be removed without breaking your seal.

Note: If you have been acclaimed, you are not allowed to be in the voting place or to appoint scrutineers.

Scrutineers

You may appoint a scrutineer for each ballot box in a voting place. You do not have to appoint that many scrutineers, or any scrutineers at all. If you have appointed one scrutineer for each ballot box, a scrutineer must leave while you are in the voting place.

Scrutineers may observe but they are not allowed to interfere with voters, attempt to influence how they vote, or ask a voter how they voted.

You must provide each of your scrutineers with an appointment in writing. Scrutineers may be required to show their appointment document to election officials at the voting place.

Scrutineers may be required to take an oath of secrecy.

There are no general restrictions on who you can appoint as a scrutineer (for example, a scrutineer can be any age and does not have to be a citizen). However, an acclaimed candidate cannot be appointed as a scrutineer for another candidate.

Counting votes

If your municipality is using voting machines or vote counting equipment, the clerk must have the processes and procedures for use of this equipment in place by June 1, 2022. If vote counting equipment is used, the clerk will be able to provide you with information on how the votes will be counted and how many scrutineers may be present.

The vote count begins immediately after the close of voting at on October 24, 2022 at 8 p.m.

If the votes are counted manually, you and your scrutineers are entitled to view the ballots as they are counted, but you cannot touch the ballots. You and your scrutineers may object to a ballot or how it is counted (for example, if it is unclear who the vote is for or if the ballot has extra markings on it). The deputy returning officer is responsible for deciding whether to accept the objection and must keep a list of all the objections raised.

Results

After the votes have been counted, the deputy returning officer will prepare a statement showing the results and seal all the other election documents, including the ballots, inside the ballot box. You and your scrutineers are entitled to put your or their own seal on the ballot box at this time, and are entitled to sign the statement showing the results.

The sealed ballot box and the statement of the results will then be delivered to the municipal clerk, who will compile the results and declare who has been elected.

Note: results announced on voting night are unofficial. It may take the clerk a few days or more to make the official declaration.

After voting day

Recounts

The *Municipal Elections Act, 1996* requires an automatic recount only if the votes are tied.

Your municipal council or school board may have a policy in place that sets out other specific circumstances under which the clerk must conduct an automatic recount. For example, a council may decide that if two candidates are within 10 votes of each other, an automatic recount will be held. The policy must be adopted at least 60 days before voting day.

A municipal council or school board may also order a recount within 30 days after the clerk has officially declared the results of the election. If you feel there should be a recount, you must either persuade council (or the school board) to order one or you may apply to the Superior Court of Justice to request that a judge order a recount. This application may be made by any eligible elector, and must be made within 30 days of the clerk declaring the results of the election.

Recounts must be conducted in the same way that the votes were originally counted, unless the recount is ordered by the court. For example, if the votes were counted by a vote tabulator, they may not be counted by hand during the recount.

If the recount is ordered by the court, the judge may order that the votes be counted in a different manner if the judge believes that the way the votes were counted the first time was an issue.

Tied votes

If two or more candidates get the same number of votes and they cannot all be elected, there is an automatic recount. The recount must be held within 15 days of the clerk declaring the results of the election. If you are one of the candidates in the tie, you are entitled to be present at the recount.

If the recount shows that there is still a tie, then the legislation states that the clerk will choose the winner by lot. This means putting the names of the tied candidates into a hat (or other suitable container) and drawing the name of the winner.

Wrapping up your campaign

After voting day, remove any election signs that have been put up and take down your campaign website, if you have one. If you would like to keep using your website, remove any references to the campaign. Websites that say “Vote for me” which are left up for years after the election can make it look like you are attempting to campaign for the next election early.

Usually, campaigns must end on December 31. However, since December 31, 2022 is a Saturday, the deadline moves to January 3, 2023. Your campaign must end on January 3, 2023 unless you have a deficit and inform the clerk in writing that you are going to extend your

campaign. Once your campaign has ended, you should close your campaign bank account and prepare your campaign financial statement.

Financial statements must be filed with the clerk by 2 p.m. on Friday, March 31, 2023.

Term of office

The council and school board term of office will run from November 15, 2022 to November 14, 2026.

Campaign finance

General information

Record keeping

You are responsible for keeping records of the financial activities related to your campaign. The *Municipal Elections Act, 1996* does not require you to use any specific accounting system. You may want to consult with an auditor or an accountant early in your campaign to make sure that you are using a bookkeeping and accounting system that will suit your needs.

You should also look through the [campaign financial statement \(Form 4\)](#) that you will be required to file to make sure that you are keeping records of all the information that must be included on the statement.

You are required to keep all of your campaign financial records until November 15, 2026 when the next council or school board takes office.

You must keep the following campaign records:

- receipts issued for every contribution including when you accepted the contribution and the date you issued the receipt (remember to issue receipts to yourself for any contributions you make)
- the value of every contribution, whether it is in the form of money or goods or services, and the contributor's name and address
- all expenses, including the receipts obtained for each expense
- any claim for payment of an expense that the campaign disputes or refuses to pay
- the funds raised and expenses incurred from each separate fundraising event or activity
- the terms of any loan received from a bank or other recognized lending institution

Campaign period

You may accept contributions or incur campaign expenses during your campaign period only.

Your campaign period begins on the day the clerk receives your nomination.

In most cases, your campaign will end on January 3, 2023. Exceptions are if you:

- withdrew your nomination, your campaign ends on the date you informed the clerk in writing that you wanted to withdraw
- were not certified as a candidate and your name did not appear on the ballot, your campaign ends on nomination day (August 19, 2022)

- know you will not have any more financial activity, you can end your campaign at any time after voting day and before January 3, 2023

If you have extended your campaign to pay down a deficit, the end date for the extended campaign period will be the earliest of:

- the day you notify the clerk in writing that you will be ending your campaign and not accepting any more contributions
- June 30, 2023

Bank account

You must open a bank account exclusively for your campaign if you accept any contributions of money (including contributions from yourself or your spouse) or incur any expenses. You do not have to open a campaign bank account if you do not spend any money and do not receive any contributions of money. If you receive contributions of goods or services, but no contributions of money, you do not have to open a campaign bank account.

You cannot use your personal bank account for campaign finances, even if you are planning a very small campaign.

All contributions – including contributions you make to yourself – must be deposited into the campaign bank account. All expenses must be paid for from the campaign account.

The nomination fee is considered to be a personal expense, not a campaign expense. You do not need to have a campaign bank account in order to pay the nomination fee.

Contributions and campaign income

Contributions

Campaign contributions are any money, goods or services that are given to you for use in your campaign, including money and goods that you contribute to yourself.

If you are given a special discount on a good or service that you are purchasing for your campaign, the difference between what you were charged and what the market value would be is considered to be a contribution.

Corporations and other businesses are not permitted to make contributions to candidates. If you are being offered a discount, you should make sure that whoever is offering the discount is entitled to make a personal contribution to your campaign.

If a professional who would normally charge for a service gives you that service for free, the market value of the service is considered to be a contribution.

If you sell tickets to a fundraising event, the cost of the ticket is considered to be a contribution. If you sell goods at a fundraising event for more than their market value, the difference between what the person attending the fundraising event paid you and what they would have normally paid for the item is considered to be a contribution.

If you have inventory such as signs left over from a previous campaign and you use them again, the current market value of the signs (what it would cost you to buy those signs today) is considered to be a contribution that you make to your campaign.

If you or your spouse guarantees your campaign loan and the campaign is unable to repay the full amount, any unpaid balance is considered to be a contribution by the guarantor.

Things that are not contributions

If you have volunteers working for your campaign, the value of their volunteer labour is not considered to be a contribution.

A cash donation of \$25 or less received at a fundraising event is not considered to be a contribution, and you may accept such donations without keeping track of who gave them to you. You will have to report the total amount of money that you received from these donations on your financial statement.

The value of free political advertising, provided that such advertising is made available to all candidates and is in accordance with the *Broadcasting Act* (Canada) is not considered to be a contribution.

If you obtain a campaign loan from a bank or a recognized lending institution, the amount of the loan is not considered to be a contribution.

Who can make a contribution

You can accept contributions only from individuals who are residents of Ontario. Corporations and trade unions are not permitted to make contributions to candidates.

If your spouse is not a resident of Ontario, they can still make contributions to your campaign. They may not make contributions to any other candidate.

Groups such as clubs, associations or ratepayer's groups are not eligible to make contributions. The members of these groups may make individual contributions from their personal funds (as long as they are residents of Ontario).

Who cannot make a contribution

The following individuals and organizations are not permitted to make contributions to municipal council and school board campaigns:

- a corporation
- a trade union
- an individual who is not normally a resident in Ontario
- a federal political party, constituency association, or a registered candidate in a federal election

- a provincial political party, constituency association, or a registered candidate or leadership contestant
- a federal or provincial government, a municipality or a school board

When you can receive contributions

You can only accept contributions after the clerk has received your nomination, and you cannot accept contributions after your campaign period has finished. Any contributions received outside the campaign period must be returned to the contributor. If you cannot return the contribution to the contributor, you must turn it over to the clerk.

Contribution limits – contributions from yourself and your spouse

If you are running for municipal council, there is a limit on the total amount that you and your spouse may collectively contribute to your own campaign. The contribution limit is calculated based on the number of electors who are eligible to vote for the office that you are running for. The formula to calculate the limit is:

- for head of council: \$7,500 plus \$0.20 per eligible elector
- for council member: \$5,000 plus \$0.20 per eligible elector

There is a cap of \$25,000. If the formula results in a number greater than \$25,000, the limit will still be \$25,000.

The clerk will tell you what your self-funding limit is.

All of the contributions that you and your spouse make to your own campaign count towards this limit, including:

- contributions of money
- the value of goods or services that you or your spouse donate to the campaign
- the value of any inventory from the previous election that you use again in this campaign

This limit does not apply to school board trustee candidates.

Contribution limits – contributions from other people

There is a \$1,200 limit that applies to contributions from other individuals. If a person makes more than one contribution (for example, contributes money, contributes goods, and purchases a ticket to a fundraising event), the total value of all the contributions cannot exceed \$1,200.

If you are running for mayor in the City of Toronto, the limit is \$2,500.

The maximum total amount that a contributor can give to candidates in the same jurisdiction (for example, running for the same council or for the same school board) is \$5,000.

You are required to inform every contributor of the contribution limits. An easy way to make sure that this is done is to include the contribution limits on the receipt that you provide for each contribution.

Only a contribution that is \$25 or less can be made in cash. All contributions above \$25 must be made by cheque, money order or by a method that clearly shows where the funds came from (such as certain debit, credit or electronic transfer transactions).

Contribution receipts

You must issue a receipt for every contribution you receive. The receipt should show who made the contribution, the date and the value. If the contribution was in goods or services, you must determine the value of the goods or services and issue a receipt for the full value.

If you receive a contribution from a joint account, the contribution can only come from one person. You must determine who is making the contribution and issue the receipt to that person.

You are required to list the names and addresses of every contributor who gives more than \$100 total to your campaign in your financial statement. You should keep a record of the names and addresses of every contributor, regardless of the value of their contribution, because the same contributor may make multiple contributions that end up totalling more than \$100.

Note: Contribution receipts are not tax receipts. Contributions to municipal council and school board campaigns cannot be credited against provincial or federal income taxes.

Returning ineligible contributions

You are required to return any contribution that was made or accepted in contravention of the *Municipal Elections Act, 1996* as soon as you learn that it was an ineligible contribution. If you cannot return the contribution, you must turn it over to the clerk.

Contributions should be returned or paid to the clerk if the contribution is:

- made outside your campaign period
- from an anonymous source (except for donations of \$25 or less at a fundraising event)
- from an ineligible source (someone who doesn't live in Ontario, a corporation, etc.)
- greater than the individual \$1,200 limit or the \$5,000 total limit per jurisdiction
- a cash contribution greater than \$25
- from funds that do not belong to the contributor who gave them to you

Unused contributions

If your campaign ends with a surplus, you can withdraw the value of contributions that you and your spouse made from the surplus. If you still have a surplus once you have withdrawn your contributions, the remaining surplus must be turned over to the clerk.

You are not permitted to refund eligible contributions made by anyone other than yourself or your spouse.

Contribution rebates

Your municipality may have a contribution rebate program. Contact your clerk for more information.

Contributions to municipal council and school board campaigns are not tax deductible.

Fundraising

Fundraising functions are events or activities held by you or on your behalf for the primary purpose of raising money for your campaign. If you hold an event to promote your campaign and you happen to receive some contributions or ask people to consider contributing to your campaign, this would not qualify as a fundraising event.

Similarly, if you have a sentence in your campaign brochure asking people to make a contribution or giving them information about how to contribute, this would not be a fundraising brochure since its primary purpose is to promote your campaign, not to raise money.

Fundraisers can only be held during your campaign period. You must record the gross income (including ticket revenue and other revenue) and the expenses related to each event and activity on your campaign financial statement.

If you sell tickets to an event, the ticket price is considered to be a contribution to your campaign and you must issue a receipt to each person who purchases tickets. If the ticket price is higher than \$25, tickets cannot be paid for in cash.

Campaign income

If you raise funds by selling goods or services for more than fair market value, the difference between the fair market value and the amount paid is considered to be a contribution. If the good or service is sold for \$25 or less, the amount paid is considered to be campaign income that is not a contribution.

Campaign expenses

Expenses

Campaign expenses are the costs that you incur (or that a person such as your campaign manager incurs under your direction) during your campaign.

Reminder: the nomination fee is a personal expense rather than a campaign expense. It should not be reported on your campaign financial statement.

Expenses must be paid from your campaign bank account. If you use a credit card to pay for purchases you should make sure that you keep clear records showing that the expense on the credit card was reimbursed from the campaign account.

Any taxes such as HST paid on purchases should be included in the amount of the expense.

You can incur expenses only during your campaign period, except for expenses related to the preparation of an auditor's report. If you are required to include an auditor's report with your financial statement, you may incur these expenses after the campaign period has ended. These expenses must also be reported on your financial statement.

Goods and services

Goods or services that are contributed to your campaign are also expenses. They should be treated as if the contributor gave you money and you went out and purchased the goods and services. You must record both the contribution and the expense.

Spending limits

Candidates are subject to two spending limits – a general limit, and a separate limit for expenses relating to parties and expressions of appreciation after voting day.

General spending limit

The general spending limit for your campaign is calculated based on the number of electors who are eligible to vote for the office that you are running for. The formula to calculate the limit is:

- for head of council: \$7,500 plus \$0.85 per eligible elector
- for council member or trustee: \$5,000 plus \$0.85 per eligible elector

When you file your nomination, the clerk will give you an estimate of your general spending limit. This estimate will be based on the number of electors in the previous election.

On or before September 25, 2022, the clerk must give you a final general spending limit which is based on the number of electors on the voters' list for the current election.

If the spending limit estimate that you received when you filed your nomination is higher than the final spending limit you receive in September, the estimate becomes your official spending limit.

While most of your expenses will be subject to the general spending limit, the following expenses are not:

- expenses related to holding a fundraising event or activity
- expenses relating to a recount
- expenses relating to a court action for a controverted election
- expenses relating to a compliance audit
- expenses incurred by a candidate with a disability that are directly related to the candidate's disability and would not have been incurred if not for the election
- audit and accounting fees

Note: Any materials, events or activities must have fundraising as the primary purpose in order to be exempt from the spending limit. An incidental mention of contributions is not enough to qualify as fundraising.

When the general spending limit applies

Your spending limit covers expenses that you incur between the beginning of your campaign and voting day. Expenses that you incur between the day after voting day and the end of your campaign are not subject to the spending limit.

Note: If you incur an expense before voting day, but don't get around to paying for it until after voting day, it would still be subject to the spending limit.

Spending limit for parties and expressions of appreciation

The spending limit for expenses related to holding parties and other expressions of appreciation after the close of voting is calculated as 10% of the amount of your general spending limit.

Expenses related to parties and expressions of appreciation are subject to the specific spending limit regardless of whether they are incurred before or after voting day.

Leftover campaign inventory

If you ran in the last municipal council or school board election and you want to reuse leftover goods such as signs or office supplies you must establish the current market value of the goods – what it would cost you to purchase them today. You must record the current market value as an expense.

If you have inventory left at the end of your campaign it becomes your personal property. If you want to store materials such as signs for use in another election, any costs related to storage are personal costs, not campaign expenses.

Note to accountants: The value of all goods must be recorded as an expense regardless of whether the campaign ends with used or unused goods in inventory. Do not deduct the value of unused goods from the campaign expenses, as this will result in the campaign having a surplus on paper that the candidate does not actually have.

Surplus and deficit

If your campaign has a surplus after you have refunded contributions made by yourself or your spouse, you must pay the surplus over to the clerk when you file your financial statement. The surplus will be held in trust, and you can use it if you incur expenses related to a compliance audit. If the surplus is not needed for these expenses it becomes the property of the municipality or the school board.

If your campaign expenses are greater than your campaign income, your campaign will be in deficit.

Note: Ending your campaign with a deficit may result in questions being raised about how expenses were paid for, and whether you contributed more than your self-funding limit by paying outstanding expenses with personal funds.

Campaign financial statement

It is your responsibility as a candidate to file a **complete and accurate financial statement on time**.

The filing deadline is 2 p.m. on the last Friday in March following the election (**March 31, 2023**).

If you have a bookkeeper or accountant complete the financial statement for you, you are still responsible for ensuring that it is complete and accurate and filed on time.

Financial statements are not required to have original signatures. You should contact your clerk for information about whether you can file your financial statement electronically if you are not able to file your statement in person.

If you filed a nomination form, you must file a financial statement. This includes candidates who withdrew their nomination, candidates who were not certified and did not appear on the ballot, and candidates who were acclaimed.

If you did not receive any contributions (including contributions from yourself) or incur any expenses, you are only required to fill out the first page of the financial statement and sign it.

If you received contributions or incurred any expenses you must complete the relevant parts of the financial statement.

If your campaign contributions (including contributions from yourself) or campaign expenses are greater than \$10,000 you must have your financial statement audited and include the auditor's report when you submit your financial statement to the clerk.

Filing early

You can file your campaign financial statement after you have ended your campaign. If you file your statement early and then discover that there is an error in it, you can submit a corrected statement at any time before the filing deadline on March 31, 2023. Your original statement is deemed to be withdrawn when you file the corrected statement. You cannot withdraw a financial statement without submitting a corrected one.

Applying for an extension

If you think that you will be unable to file your financial statement by the deadline, you may apply **before March 31, 2023** to the Superior Court of Justice for an extension. If the court grants the extension, you will receive the refund of your nomination fee if you file by the deadline given to you by the court.

Grace period for filing

If you have not filed your financial statement by the deadline, you may file your financial statement within 30 days after the deadline if you pay the municipality a \$500 late filing fee. This grace period ends at 2 p.m. on Monday, May 1, 2023. You will not receive a refund of your nomination fee if you file during the 30-day grace period.

If you have not filed your financial statement by the end of the 30-day grace period and you did not apply to the court for an extension prior to the deadline, automatic penalties apply:

- you will forfeit your elected office (if you won the election)
- you will be ineligible to run for office or be appointed to fill a vacancy until after the 2026 election

If you did not file your financial statement by the end of the grace period, you may still file it for the purposes of having your finances on the record. The clerk will accept the financial statement and make it available to the public. The penalties will still apply.

Separate statement for each office

If you filed a nomination and then changed your mind and filed a nomination for a different office, you may be required to file a separate financial statement for each campaign.

Extended campaigns

Your campaign period ends on January 3, 2023. However, if your campaign has a deficit, you can extend your campaign in order to do some additional fundraising. If you want to extend your campaign, you must notify the clerk on or before January 3, 2023 using the [Notice of Extension of Campaign Period form \(Form 6\)](#).

Your campaign may be extended until June 30, 2023.

If you extend your campaign you must file two financial statements:

- a financial statement reflecting your campaign until January 3, 2023 (due March 31, 2023)
- a supplementary financial statement that includes the information from your initial statement and adds financial information from your extended campaign

The supplementary financial statement must be filed with the clerk by 2 p.m. on Friday, September 29, 2023.

Auditor's report

You must have an auditor review your financial statement and provide a report if any of the following are true:

- your campaign expenses exceed \$10,000
- the contributions you received (including contributions from yourself) exceed a total of \$10,000
- both your expenses and your contributions exceed \$10,000 each

The auditor's report must be prepared by an auditor licensed under the [Public Accounting Act, 2004](#). Before you hire someone to prepare the report, ensure that they are properly qualified.

You can incur expenses relating to the auditor's report after January 3, 2023. These expenses do not count toward your spending limit. Include these expenses on the financial statement that you are filing.

Compliance and enforcement

Enforcement of the [Municipal Elections Act, 1996](#) is done through the courts. The Ministry of Municipal Affairs and Housing does not have a role in investigating elections or in determining penalties.

Automatic penalties

There are three contraventions of the *Municipal Elections Act, 1996* where penalties apply automatically:

1. if you fail to file a financial statement by the end of the 30-day grace period or fail to apply to the court before March 31, 2023 for an extension by the filing deadline
2. if your financial statement shows that you exceeded your spending limit
3. if you fail to turn over your surplus to the clerk when you file your financial statement

The penalty is that you forfeit your office (if you won the election) and you become ineligible to run or be appointed to fill a vacancy until after the 2026 election.

Compliance audits

Each municipality and school board must appoint a compliance audit committee.

If an eligible elector believes that you have contravened the election finance rules, they may apply for a compliance audit of your campaign finances. The application must be in writing and must set out the reasons why they believe you contravened the rules.

An 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.

The compliance audit committee will consider the application and decide whether to grant or reject the application. You may appeal the committee's decision to the Superior Court of Justice within 15 days after the decision is made.

If the committee grants the application, it will appoint an auditor to conduct a compliance audit of your campaign finances. The auditor is entitled to have access to all of the financial records related to your campaign. The auditor will produce a report, which you are entitled to receive.

The compliance audit committee will meet to consider the auditor's report. If the report concludes that there is an apparent contravention of the *Municipal Elections Act, 1996* the committee will decide whether to commence legal action.

The compliance audit committee does not have any authority to set penalties. Only the court can decide if you contravened the Act and, if so, which penalties should apply.

A person who does not want to or who is not able to apply for a compliance audit may decide to commence legal action on their own. A prosecution related to the 2022 election must be commenced before November 15, 2026.

Penalties

If you are convicted of an offence, you may be subject to the following penalties:

- a fine of up to \$25,000
- ineligibility to vote or run in the next general election
- up to six months in prison
- forfeiture of your elected office, if the judge finds that you committed the offence knowingly

If you are convicted of exceeding the spending limit, you may also be fined the amount by which you exceeded the limit.

Completing the financial statement

General information

All candidates must file a financial statement. This includes candidates who withdrew their nomination, candidates who were not certified and did not appear on the ballot, and candidates who were acclaimed.

Candidates must use [Form 4](#).

All candidates must complete Box A: Name of Candidate and Office and Box B: Declaration.

- **If you did not receive any contributions** (including contributions from yourself) or incur any expenses, check the box indicating this, and complete the Declaration in Box B. No further information is required.
- **If you did receive contributions** (including contributions from yourself) or incur expenses, you must fill in the information in Box C, Box D, Schedule 1 and Schedule 2, as appropriate. You may find it easier to fill out the form if you start with the more detailed sections such as the tables in Schedule 1 before filling in Box C (Statement of Campaign Income and Expenses).

If you received contributions or incurred expenses in excess of \$10,000, you must include an auditor's report with your financial statement.

Your completed financial statement must be submitted to the clerk by **2 p.m. on the last Friday in March (March 31, 2023)**.

Supplementary financial statements must be submitted to the clerk by **2 p.m. on the last Friday in September (September 29, 2023)**.

Tips for completing Form 4

Learn more about how to correctly fill out the campaign financial statement.

Box A: Name of Candidate and Office

Record your general spending limit and your spending limit for parties and other expressions of appreciation.

Note: automatic penalties will apply if the form reports that either of the spending limits have been exceeded.

If you are running for a council position, record your self-funding limit.

Box B: Declaration

By signing the form, you are declaring that the information recorded in the financial statement is true and accurate. If your financial statement was prepared by someone else, you as the candidate are still responsible for its accuracy.

Box C: Statement of Campaign Income and Expenses

Loan

If you obtained a loan for your campaign you must record the name of the bank or recognized lending institution and the amount borrowed.

You are permitted to get a loan only from a bank or other recognized lending institution in Ontario, and it must be paid directly into your campaign bank account. You may not receive a loan from family members or from any corporate accounts that you may have access to.

The loan is not considered to be campaign income, and paying it back is not a campaign expense. However, if you or your spouse guarantee the loan and the campaign does not repay all of it, the remaining balance is considered to be a contribution (since the guarantor is basically providing the campaign the means to repay the loan). This amount counts towards your self-funding limit.

Any interest that the campaign pays on the loan is a campaign expense.

Income

Your campaign income includes all contributions received from yourself, your spouse and other eligible contributors. This includes the value of contributions of goods and services. Income also includes any refunds of deposits, interest earned by your campaign bank account, and revenue from fundraising events or activities that is not deemed a contribution (for example, if you sold refreshments at market value).

Example:

You have 100 t-shirts printed to sell at a fundraiser. The cost to the campaign is \$10 per shirt, and you sell them for \$25 each.

The \$25 is not a contribution. You do not have to collect names and contact information, or issue a contribution receipt to anyone who buys a shirt.

The \$1,000 that you spent on the shirts must be recorded as a campaign expense.

The \$2,500 that you raised by selling the shirts must be recorded as revenue from fundraising events not deemed a contribution.

If you sell goods (such as food and drink) at market value, the revenue is not considered to be a contribution and must be recorded as revenue from fundraising events not deemed a contribution.

Sign deposit

If your municipality requires a deposit for election signs, this should be recorded as a campaign expense and paid for using campaign funds. If your deposit is refunded, record the amount under Income.

Expenses

Your campaign expenses include the value of any goods or services that have been contributed to your campaign (it is as if the contributor gave money to the campaign, which the campaign then spent on acquiring the goods or services).

The general spending limit applies only to expenses incurred until the end of voting day. Expenses incurred after voting day are not subject to the spending limit.

Note: An expense subject to the general spending limit that was incurred prior to voting day but not paid for until after voting day is still subject to the limit.

Some types of expenses are not subject to the general spending limit even if they are incurred prior to voting day.

Expenses related to parties and expressions of appreciation after voting day are subject to that spending limit regardless of when they are incurred.

Box D: Calculation of Surplus or Deficit

Campaign deficit

At the top of Box D, you must subtract the total amount of your campaign expenses from the total amount of your campaign income. If your expenses are greater than your income, your campaign is in deficit.

If you have extended your campaign in order to fundraise, you must still file a financial statement reflecting your campaign finances to January 3, 2023.

Campaign surplus

At the top of Box D, you must subtract the total amount of your campaign expenses from the total amount of your campaign income. If your income is greater than your expenses, your campaign has a surplus.

You are entitled to reimburse contributions made by yourself or your spouse out of the surplus. For example, if the surplus was \$500 and you contributed \$400 to your campaign, you may deduct that \$400, leaving your campaign with a surplus of \$100. If the surplus was \$500 and you contributed \$600, you may deduct \$500 of your contribution, leaving your campaign with \$0. You may not deduct more than the value of the surplus.

If, after deducting contributions made by yourself or your spouse, the campaign still has a surplus, these funds must be turned over to the clerk.

Schedule 1: Contributions

Schedule 1 includes a summary of contributions from your campaign.

The following tables are included in Schedule 1 and need to be filled in, if applicable:

- Table 1: Contributions in goods or services from candidate or spouse
- Table 2: Inventory of campaign goods and materials from previous municipal campaign used in this campaign
- Table 3: Monetary contributions from individuals other than candidate or spouse where contributions exceed \$100 per contributor
- Table 4: Contributions in goods or services from individuals other than candidate or spouse where contributions exceed \$100 per contributor

Contributions from yourself and/or your spouse

If you are running for municipal council, you and your spouse are subject to limits on how much you can contribute to your campaign. This limit applies to contributions of money, goods and services, as well as the value of any inventory from a previous campaign that you have used in your current campaign.

Record these amounts on the lines provided in Schedule 1. Do not include them in the tables of contributions (Table 1 or Table 2). The other reason to identify the contributions from you and your spouse is because those contributions can be reimbursed by you and your spouse if the campaign ends with a surplus.

Note: you must report the full amount of the contributions made by you and your spouse, including any amounts that have been reimbursed from a surplus.

Contributions totalling \$100 or less

If the total amount contributed (including the value of goods and services) from a single contributor is \$100 or less, you do not need to provide details on the form. Simply indicate the total value of all such contributions on the line provided at the top of Schedule 1.

If an anonymous contribution is \$100 or less, include it in the total value of contributions not exceeding \$100 per contributor. Any anonymous contribution that is greater than \$25 must be turned over to the clerk.

Goods and services from candidate or spouse

If you or your spouse contribute goods and services to your campaign, this must be recorded as a contribution. Record any contributions in Table 1 of Schedule 1.

Inventory from previous campaign

Any inventory from a previous campaign that you are using again is a contribution in goods that you make to your campaign and counts towards your self-funding limit. You must calculate the

current market value (for example, if you have 100 signs left over from 2018 and use them again, you must calculate how much it would cost to purchase those same signs in 2022) and record it in Table 2. This inventory must also be recorded as a campaign expense.

Contributions totalling more than \$100

If a contributor makes 1 or more contributions totalling more than \$100 (including the value of goods and services and the cost of tickets to fundraising events), you must record all of these contributions in the tables provided in Schedule 1 (Tables 3 and 4).

If an anonymous contribution is more than \$100, include it in the total value of contributions exceeding \$100 per contributor, and include it in Table 3 (listing "anonymous" as the name of the contributor). Any anonymous contribution that is greater than \$25 must be turned over to the clerk.

Note: it is the total amount contributed that matters – if an individual buys a ticket to a fundraising event for \$50, and then later in the campaign contributes \$75, each of these contributions must be recorded in Table 3 because the total exceeds \$100.

Goods and services from individuals other than candidate or spouse

Eligible contributors may donate goods and services to the campaign. These must be recorded as a contribution and as an expense (as if the contributor donated money, which the campaign then spent on the goods and services).

Corporations and trade unions are not permitted to make contributions to candidates. This includes contributions of goods and services.

Example:

Your friend spends \$150 on coffee and baked goods which they donate for a campaign event. You should record a contribution of \$150 in goods or services from your friend and record an expense of \$150.

If you are given a special discount on a good or service that you are purchasing for your campaign, you should record the expense as if you were not given the discount (since the value of the discount is considered to be a contribution of the good or service to your campaign).

Example:

Your order for campaign signs would normally cost \$500, but the vendor lets you have them for \$300 because he wants to help out your campaign. You should record an expense of \$500 for the signs and record a contribution of \$200 in goods or services from the vendor. **Note:** As businesses are not permitted to make contributions, the contribution would have to be a personal contribution from the vendor.

Contributions in goods or services from individuals other than the candidate or spouse must be recorded in Table 4 of Schedule 1.

Schedule 2: Fundraising Events and Activities

The cost of holding fundraising events or activities is not subject to the spending limit. However, in order to be considered a fundraising cost, the primary purpose for the expense must be related to fundraising rather than promoting the candidate. Incidental fundraising that happens to occur during a promotional event is not sufficient to make it a fundraising event. Similarly, a line at the bottom of a campaign brochure asking people to donate does not make the production of the brochure a fundraising expense.

If you have included costs of fundraising events/activities as an expense in Box C, you must provide details of these events and activities in Schedule 2.

Contributions received at a fundraising event may include:

- the price of the ticket
- if goods or services are offered for sale, any amount of money paid that exceeds their market value (for example, if a \$100 item is sold for \$175, the purchaser has made a \$75 contribution to the campaign)
- personal cheques collected from contributors at the event

If contributors have donated goods or services for the fundraising event, these must be recorded as contributions and as expenses.

These contributions must be recorded in Schedule 1, and where the total from a contributor exceeds \$100, be detailed in the appropriate tables. Refer to [Schedule 1: Contributions](#) (page 32) for more information.

The fundraising event may also generate revenue that is not considered to be a contribution:

- donations of \$25 or less
- if goods or services are offered for sale, the market value of those goods and services sold (for example, if a \$100 item is sold for \$175, \$100 is revenue)
- the amount paid for goods or services offered for sale for \$25 or less

Anonymous contributions

You may keep anonymous contributions that do not exceed \$25 each that are received at a fundraiser (such as those collected by passing the hat or having a tip jar). Report the total amount of money received from these donations in Schedule 2 for that fundraiser.

All other anonymous contributions must be turned over to the clerk.

You will then subtract the contribution as paid or payable to the clerk to arrive at the Total for Part II Contributions in Schedule 2.

Auditor's report

If your campaign expenses or the contributions you received total more than \$10,000 you must have an auditor review your financial statement and provide a report.

The auditor's report must be prepared by an auditor licensed under the [Public Accounting Act, 2004](#). Before you hire someone to prepare the report, you should ensure that they are properly qualified.

Forms referred to in this guide

You can get copies of forms from your municipal clerk, or you can download them from the [Government of Ontario's Central Form Repository](#).

- [Nomination Paper \(Form 1\)](#)
- [Endorsement of Nomination \(Form 2\)](#)
- [Financial Statement – Auditor's Report – Candidate \(Form 4\)](#)
- [Financial Statement – Subsequent Expenses \(Form 5\)](#)
- [Notice of Extension of Campaign Period \(Form 6\)](#)

2022 Third Party Advertisers' Guide

Ontario



2022 Third Party Advertisers' Guide

This guide provides information to those who want to register as third party advertisers for the 2022 municipal council and school board elections. The information also applies to any by-elections that may be held during the 2022-2026 council and school board term.

This guide is not meant to replace provincial legislation. It provides general information about the rules contained in the [Municipal Elections Act, 1996](#) and other legislation and regulations, such as:

- [Municipal Act, 2001](#)
- [City of Toronto Act, 2006](#)
- [Education Act](#)

General information

The [Municipal Elections Act, 1996](#) sets out a framework of rules for third party advertising.

This guide provides information about who can register to be a third party advertiser, what registration allows them to do, and the rules that third party advertisers must follow.

Contact us

If you have further questions or would like to give feedback on this Guide, please contact us at mea.info@ontario.ca.

You can also contact your regional [Municipal Services Office at the Ministry of Municipal Affairs and Housing](#).

The municipal clerk

Every municipality has a municipal clerk who is in charge of running the election.

The municipal clerk is the main contact for registered third party advertisers and those who are interested in becoming registered.

Third party advertisers must file any election forms, such as the registration form and campaign financial statements, with the municipal clerk.

The clerk is also responsible for providing information about spending limits and filing deadlines to third party advertisers.

If your municipality does not have a website, you could visit or contact your municipality's offices for more information.

A municipality may have specific rules regarding issues such as where and when election signs may be displayed and whether third party advertising activities may occur on municipal property.

Contact your municipal clerk if you have questions about the election in your municipality.

Emergency declaration by the clerk

If the municipal clerk believes that circumstances have arisen that prevent the election from being conducted appropriately, they may declare an emergency. This declaration is specific to the election and separate from an emergency that may be declared by the municipality or the province.

Once the clerk has declared an emergency, they can decide what arrangements to make to allow the election to proceed appropriately. The arrangements that the clerk makes will depend on the nature of the emergency.

If your municipal clerk has declared an emergency in relation to an election or by-election in your municipality, you should contact the clerk for information about the arrangements that they have put in place and how those arrangements may affect voting and campaigning.

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Third party advertising

Third party advertising refers to advertisements or other materials that support, promote or oppose a candidate, or support, promote or oppose a “yes” or “no” answer to a question on the ballot. The meaning of “third party” in this context means a person or entity who is not a candidate.

Third party advertising is separate from any candidate’s campaign, and must be done independently from a candidate. Any advertisements or materials that are made and distributed by a candidate, or under a candidate’s direction, are part of the candidate’s campaign.

Third party advertising is a way for those outside of the candidate’s campaign to express support of or opposition to candidates (or a “yes” or “no” answer to a question on the ballot) and to try to persuade voters to vote a certain way.

A third party advertisement is an advertisement in any broadcast, print, electronic or other medium that promotes, supports or opposes a candidate, or a “yes” or “no” answer to a question on the ballot. Advertisement includes traditional ads as well as materials such as brochures or signs.

Third party advertisement

Activities that do not involve spending money, such as discussions or expressing an opinion about a candidate (or an answer to a question on the ballot) are not considered to be third party advertising. Examples include:

- speaking to friends and neighbours
- posting on social media, such as Twitter, Facebook or Instagram
- sending an email to a group or mailing list

Internal communications from an employer to their employees, a corporation to its shareholders, directors, members or employees or by a trade union to its members or employees are not considered to be third party advertising.

Advertising about an issue, rather than a candidate or a “yes” or “no” answer to a question on the ballot is not considered third party advertising. For example, signs saying “Support local businesses” or “Keep the waterfront green” would not be third party advertising, even if a candidate has made those issues part of their campaign.

Advertising period

The *Municipal Elections Act, 1996* sets out a restricted period for third party advertising. This restricted period runs from May 1 in the year of the election to the close of voting on voting day. For the 2022 election, the restricted period is May 1, 2022 to the close of voting on October 24, 2022.

Candidates can begin filing their nominations on May 1. If any individual or group wanted to spend money before May 1 on signs or advertisements supporting someone who intended to become a candidate, or someone who they hoped would become a candidate, the third party advertising rules would not apply. However, once the restricted period begins on May 1, any signs or other advertisements would have to be taken down or discontinued.

Who can be a third party advertiser

Only those who have registered can spend money on third party advertising. The following are eligible to register as a third party advertiser:

- any person who is a resident in Ontario
- a corporation carrying on business in Ontario
- a trade union that holds bargaining rights for employees in Ontario

If two or more corporations are owned or controlled by the same person or people, or if one corporation controls another, they are considered to be a single corporation. If the same person or people own or control multiple corporations, only one of those corporations may register to be a third party advertiser in a municipality.

There is no restriction against family members or campaign staff of candidates registering to be third party advertisers. However, third party advertising must be done independently of the candidate. If a person with close ties to a candidate wants to register they should consider how these activities may look to the public and how they would be able to demonstrate that they were not working in co-ordination with the candidate.

Who cannot be a third party advertiser

A candidate running for any municipal council or school board office cannot register to be a third party advertiser in any municipality.

Groups, associations or businesses that are not corporations are not eligible to register and may not spend money on third party advertising in municipal elections. For example, neighbourhood associations, clubs or professional associations cannot register and cannot make contributions to third party advertisers. Members may register as individual third party advertisers and may contribute individually.

Candidates in the provincial election cannot register. They may register after the provincial election, when they are no longer candidates.

Federal and provincial political parties cannot register to be third party advertisers. Political parties are not permitted to be financially involved in municipal elections.

Registration

An individual, corporation or trade union must register with the municipal clerk to be a third party advertiser in a municipality. Third party advertisers can register in any lower-tier or single-tier municipality (city, town, township, etc.). Third party advertisers cannot register in an upper-tier municipality (a region or county).

Being registered in a municipality allows the third party advertiser to advertise to the voters in that municipality. A third party advertiser can support or oppose any candidate or candidates who will be voted on by the people in that municipality. This includes candidates running for local council, school trustee and candidates running for offices on an upper tier council.

Third party advertisers do not need to decide before they register which candidate or candidates they want to support or oppose, and they do not have to tell the clerk what their intentions are.

A third party advertiser can only advertise to voters in the municipality where they are registered. There is no limit on the number of municipalities where a third party advertiser can register. If a third party advertiser wants to advertise to voters in more than one municipality they must register in each municipality where they want to advertise.

For example, if a third party advertiser wanted to advertise for or against a candidate running for an office that is voted on by people in more than one municipality, such as a school trustee or regional chair, they would need to register in each municipality.

Deadline to register

An individual, corporation or trade union can register to be a third party advertiser beginning on May 1, 2022, and can file a registration until the close of business on Friday, October 21, 2022. As May 1 is a Sunday, you may not be able to file your registration until May 2, 2022 when the clerk's office is open.

Where to register

Clerks can decide to allow registrations to be filed electronically. If your municipality allows electronic filing, contact the clerk for more information about how to register.

If electronic filing is not allowed in your municipality, an individual or a representative of a corporation or trade union must file a [Notice of Registration \(Form 7\)](#) with the municipal clerk in person or by an agent. It must have an original signature – the form may not be a copy and may not be scanned and submitted electronically. There is no registration fee.

The municipal clerk must be satisfied that the individual, corporation or trade union is eligible in order to certify the registration and may require that identification or additional documents be provided.

A person who is filing as the representative of a corporation or a trade union should make sure that they can provide proof that they are authorized to act on the corporation or trade union's behalf.

The clerk must certify your registration in order for you to begin your campaign as a registered third party advertiser.

Changing your mind

Withdraw your registration

If you want to end your advertising campaign before voting day, you can withdraw your registration by notifying the clerk in writing. The deadline to withdraw your registration is:

- the Friday before voting day for a regular election
- the last day the clerk's office is open prior to voting day for a by-election

Become a candidate

If you are a registered third party advertiser and decide to become a candidate instead, your third party advertising campaign automatically ends when the clerk receives your nomination to become a candidate.

You must keep your advertising campaign separate from your candidate campaign. This means:

- you cannot transfer any contributions or expenses from your advertising campaign to your candidate campaign
- you must file a financial statement for your advertising campaign
- you must file a separate financial statement for your candidate campaign.

For more information about running for office, please see the [Candidates' Guide](#).

Registering in more than one municipality

If a third party advertiser registers in more than one municipality, each of those registrations is considered to be a separate advertising campaign. Once the third party advertiser registers, they must keep each advertising campaign separate, and ensure that they follow the rules in each municipality where they are registered:

- The identification required on signs, advertisements and other materials must indicate that the third party advertiser is registered in that municipality.
- There must be a separate bank account for each campaign.
- Contributions may not be shared between the advertising campaigns – if a contributor has given money to the advertising campaign in municipality A, that money cannot be used to fund expenses in municipality B.
- If the third party advertiser wants to use the same signs or the same advertisement in more than one municipality, the separate advertising campaigns can produce a “joint”

advertisement. The advertisement would indicate that the third party advertiser is registered in both municipality A and municipality B, and each advertising campaign would pay for its share of the expense for the advertisement.

- The third party advertiser must file a separate financial statement in each municipality where they were registered. The financial statement must reflect the financial activities relating to advertising in that municipality.

Responsibilities of registered third party advertisers

Third party advertisers are required to follow many of the same financial and reporting rules as candidates.

Unlike candidates, third party advertisers cannot appoint scrutineers to observe the voting, or to be present when votes are counted.

Identification on advertising

A third party advertiser must provide the following information on all of its advertisements, signs and other materials:

- the legal name of the registered third party advertiser (if the third party advertiser is a corporation or trade union, the name of the corporation or trade union must appear, not the name of the representative who filed the registration)
- the municipality where the third party advertiser is registered
- a telephone number, mailing address or email address where the third party advertiser can be contacted

A registered individual cannot act on behalf of a group or organization that is not eligible to register as a third party advertiser. For example, if Chris Smith is the president of a business improvement association (BIA), the signs and materials must identify Chris Smith as the person responsible for the advertising, not the BIA.

If ads are going to be broadcast or published (for example, on a radio station or in a newspaper), the ad must contain the information required above, and the third party advertiser must also provide the broadcaster or publisher with the following:

- the name of the registered third party advertiser
- the name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the registered third party advertiser
- the municipality where the third party advertiser is registered

Any additional content of signs is not regulated under the act.

Sign bylaws

A municipality may have rules in place about when signs can be put up, and how signs may be displayed on public property.

If you plan to reuse signs from the last election, you should be aware of rules on the use of [leftover advertising campaign inventory](#) (page 15).

The third party advertiser is responsible for removing their signs after voting day. The municipality may require a sign deposit or have penalties for failing to remove signs. Contact the municipal clerk for more information.

Advertising on voting day

The *Municipal Elections Act, 1996* does not prohibit campaigning or advertising on voting day. While there are restrictions on advertising for federal and provincial elections on voting day, these “blackouts” do not exist for municipal council and school board elections.

The Act prohibits campaign material in a voting place. The voting place could include the entire property of a building that has a voting place inside it, including the parking lot. A third party advertiser is not allowed to have brochures, buttons, signs or any other advertising material in the voting place.

Wrapping up the advertising campaign

After voting day, the third party advertiser must remove any signs or other advertisements that have been put up, including online ads.

Usually, advertising campaigns must end on December 31. However, since December 31, 2022 is a Saturday, the deadline moves to January 3, 2023. The advertising campaign must end on January 3, 2023, unless it has a deficit and the third party advertiser informs the clerk in writing that they are going to extend their campaign. Once the campaign has ended, the third party advertiser should close the designated bank account and prepare the financial statement.

Financial statements must be filed with the clerk by 2 p.m. on Friday, March 31, 2023.

Finance rules

Third party advertising campaign

This guide refers to activities related to third party advertising as the “advertising campaign”.

Record keeping

Every third party advertiser is responsible for keeping financial records related to their advertising campaign. The [Municipal Elections Act, 1996](#) does not require that third party advertisers use any specific accounting system. A third party advertiser may want to consult with an auditor or an accountant to make sure that they are using a bookkeeping and accounting system that will suit their needs.

The third party advertiser should also look through the [financial statement \(Form 8\)](#) that they will be required to file to make sure that they are keeping records of all the information that must be included on the statement.

Every third party advertiser is required to keep all of their advertising campaign financial records until November 15, 2026 when the next council or school board takes office.

A third party advertiser must keep the following advertising campaign records:

- the receipts issued for every contribution including when the contribution was accepted and the date the receipt was issued (receipts must also be issued to the third party advertiser for any contributions made to their own advertising campaign)
- the value of every contribution, whether it is money, goods or services, and the contributor’s name and address
- all expenses, including the receipts for each expense
- any claim for payment of an expense that the third party advertiser disputes or refuses to pay
- the funds raised and expenses incurred from each separate fundraising event or activity
- the terms of any loan received from a bank or other recognized lending institution

Advertising campaign period

A registered third party advertiser can only accept contributions or incur campaign expenses during their advertising campaign period.

The advertising campaign begins on the day the clerk certifies the registration of an individual, corporation or trade union to be a third party advertiser. Third party advertisers can register beginning on May 1, 2022 until the close of business on Friday October 21, 2022.

As the advertising is meant to influence voters, there is little point in continuing to advertise after voting day. However, the advertising campaign period runs until January 3, 2023. This extra time can be used to accept contributions if the advertising campaign has not paid for all of its expenses.

If a third party advertiser is certain that they will not have any more financial activity after voting day, they can end their advertising campaign at any time between voting day and January 3, 2023.

Bank account

Every third party advertiser must open a bank account exclusively for the advertising campaign.

An individual cannot use an existing personal bank account for advertising campaign finances, even if they are planning a very small advertising campaign. A corporation or trade union may not use an existing account.

All contributions – including contributions that the third party advertiser makes to itself – must be deposited into the third party advertising campaign bank account. All expenses must be paid for from the campaign account.

Contributions and advertising campaign income

Contributions

Contributions are any money, goods or services that are given to a third party advertiser for use in the advertising campaign, including money and goods that the third party advertiser contributes to their own campaign.

If a third party advertiser sells tickets to a fundraising event, the cost of the ticket is considered a contribution.

If a third party advertiser obtains a loan from a bank or other recognized lending institution and guarantees the loan, and the advertising campaign is unable to repay the full amount, any unpaid balance is considered to be a contribution by the guarantor. If the third party advertiser is an individual, either they or their spouse may guarantee a loan.

Things that are not contributions

The value of volunteer labour (for example, if a team of volunteers helps to put up signs) is not considered to be a contribution.

A cash donation of \$25 or less received at a fundraising event is not considered to be a contribution, and the third party advertiser may accept such donations without keeping track of who gave them. The total amount of money received from these donations must be reported on the financial statement.

If the third party advertiser obtains a campaign loan from a bank or a recognized lending institution, the amount of the loan is not considered to be a contribution.

Who can contribute

A third party advertiser can accept contributions from:

- any person who is a resident of Ontario
- corporations carrying on business in Ontario
- trade unions that hold bargaining rights for employees in Ontario

If the registered third party advertiser is an individual, and their spouse is not normally resident in Ontario, the spouse can still make contributions to the third party's advertising campaign. They may not make contributions to any other registered third party advertiser, or to any candidates.

Groups such as clubs, associations or ratepayer's groups are not eligible to make contributions. The members of these groups may make individual contributions from their personal funds, as long as they are residents of Ontario.

Who cannot contribute

The following are not allowed to make contributions to third party advertising campaigns:

- a federal political party, constituency association, or a registered candidate in a federal election
- a provincial political party, constituency association, or a registered candidate or leadership contestant
- a federal or provincial government, a municipality or a school board.

When can contributions be received

A third party advertiser can only accept contributions once they have registered as a third party advertiser, and cannot accept contributions after the advertising campaign period has finished.

Any contributions received outside the advertising campaign period must be returned to the contributor. If the contribution cannot be returned to the contributor, it must be turned over to the clerk.

Contribution limits

There is no limit on how much a registered third party advertiser (and, if the third party advertiser is an individual, their spouse) can contribute to their own advertising campaign.

There is a \$1,200 limit that applies to all other contributions. This amount includes the value of any goods or services donated to the third party advertiser. If an individual, corporation or trade union makes more than one contribution (for example, contributes money, contributes goods, and purchases a ticket to a fundraising event), the total value of all the contributions cannot exceed \$1,200.

The maximum total amount that a contributor can give to third party advertisers registered in the same municipality is \$5,000.

A contribution must come directly from the contributor – pooling contributions from others and giving them to a third party advertiser is not allowed. If a contribution is made from a joint account, it must be clear which person is making the contribution.

Only a contribution that is \$25 or less can be made in cash. All contributions above \$25 must be made by cheque, money order, or by a method that clearly shows where the funds came from (such as certain debit, credit or electronic transfer transactions).

Third party advertisers are required to inform every contributor of the contribution limits. Contributors should keep track of their donations to ensure they don't end up giving more than is permitted.

Contribution receipts

Third party advertisers must issue a receipt for every contribution they receive. The receipt should show who made the contribution, the date, and the value. If the contribution was in goods or services, the third party advertiser must determine the value of the goods or services and issue a receipt for the full value.

If a third party advertiser receives a contribution from a joint account, the contribution can only come from one person. The third party advertiser must determine who is making the contribution and issue the receipt to that person.

Third party advertisers are required to list the names and addresses of every contributor who gives more than \$100 total to the advertising campaign in their financial statement. The financial statement is a public document.

A third party advertiser should keep a record of the names and addresses of every contributor, regardless of the value of their contribution, because the same contributor may make multiple contributions that end up totalling more than \$100.

Contribution receipts are not tax receipts. Contributions to third party advertising campaigns cannot be credited against provincial or federal income taxes.

An easy way for third party advertisers to inform contributors of the contribution limits is to include the contribution limits on the receipt that is given for each contribution.

Review of contributions

The contributions that are reported on third party advertisers' financial statements will be reviewed by the municipal clerk to see if any contributors have given too much.

If the contributions reported on the financial statements show that a contributor gave more than \$1,200 to an individual third party advertiser, or if they show that a contributor gave more than \$5,000 to third party advertisers registered in the same municipality, the clerk will report this to the compliance audit committee. The compliance audit committee will hold a meeting and determine whether the municipality will begin court proceedings against the contributor.

Returning ineligible contributions

Third party advertisers are required to return any contribution that was made or accepted in contravention of the [Municipal Elections Act, 1996](#) as soon as they learn that it was an ineligible contribution. If the contribution cannot be returned, it must be turned over to the clerk.

Contributions should be returned or paid to the clerk if the contribution is:

- made outside the campaign period
- from an anonymous source (except for donations of \$25 or less at a fundraising event)
- from an ineligible source (someone who doesn't live in Ontario, a business that is not a corporation, etc.)
- greater than the \$1,200 individual limit or the \$5,000 total limit
- a cash contribution greater than \$25
- from funds that do not belong to the contributor who gave them

Unused contributions

If the advertising campaign ends with a surplus, the third party advertiser can withdraw the value of contributions that they made to their own campaign. If the third party advertiser is an individual, they can also withdraw the value of contributions made by their spouse. If there is still a surplus once these contributions have been withdrawn, it must be turned over to the clerk.

A third party advertiser cannot refund any other unused contributions.

Fundraising

Fundraising functions are events or activities held for the primary purpose of raising money for a third party's advertising campaign.

If a third party advertiser has created brochures or other advertising materials that include a sentence asking people to make a contribution or providing information about how to contribute, this would not be a fundraising brochure since its primary purpose is to persuade voters to vote a certain way, not to raise money.

Fundraisers can only be held during the advertising campaign period. Third party advertisers must record the gross income, including ticket revenue and other revenue, and the expenses related to each event and activity on their campaign financial statement.

If tickets are sold to the event, the ticket price is considered to be a contribution to the advertising campaign and a receipt must be issued to each person who purchases tickets. If the ticket price is higher than \$25, tickets cannot be paid for in cash.

Advertising campaign income

If funds are raised by selling goods or services for more than fair market value, the difference between the fair market value and the amount paid is considered to be a contribution. If the good or service is sold for \$25 or less, the amount paid is considered advertising campaign income that is not a contribution.

Advertising campaign expenses

Expenses

Advertising campaign expenses are the costs that are incurred during the campaign. These include costs directly related to producing, distributing or publishing advertisements, as well as indirect costs such as hiring someone to keep track of contributions and issue receipts.

Goods and services that are contributed to the advertising campaign are also expenses. They should be treated as if the contributor gave the third party advertiser money and the third party advertiser went out and purchased the goods and services at fair market value – both the contribution and the expense must be recorded.

Expenses must be paid from the advertising campaign bank account. If a credit card is used to pay for purchases, the third party advertiser should keep clear records showing that the expense on the credit card was reimbursed from the campaign account.

Any taxes such as HST paid on purchases should be included in the amount of the expense.

Third party advertisers can only incur expenses during their advertising campaign period, except for expenses related to the preparation of an auditor's report. If a third party advertiser is required to include an auditor's report with their financial statement, they may incur these expenses after the advertising campaign period has ended. These expenses must also be reported on the financial statement.

Spending limits

The general spending limit for a third party advertiser's advertising campaign is calculated based on the number of electors who are eligible to vote in the municipality where the third party advertiser is registered. The formula to calculate the limit is \$5,000 plus \$0.05 per eligible elector, to a maximum of \$25,000.

Examples:

A third party advertiser registered in a municipality with 50,000 electors would have a spending limit of \$7,500.

A third party advertiser registered in a municipality with 500,000 electors would have a spending limit of \$25,000. \$5000 plus \$0.05 per elector is \$30,000, so the maximum \$25,000 applies.

When a third party advertiser registers in a municipality, the clerk will give them an estimate of their general spending limit. This estimate will be based on the number of electors in the last election.

On or before September 25, 2022 the clerk must give a final general spending limit that is based on the number of electors on the voters' list for the current election.

If the initial spending limit estimate is different than the final spending limit received in September, the higher of the two becomes the official spending limit. The clerk will also provide the spending limit for expenses related to parties and other expressions of appreciation.

Types of expenses

While most expenses will be subject to the general spending limit the following expenses are not:

- expenses related to holding a fundraising event or activity
- expenses related to a compliance audit
- expenses incurred by a registered third party advertiser who is an individual with a disability, and the expenses are directly related to the disability and would not have been incurred if not for the election
- audit and accounting fees

Any materials, events or activities must have fundraising as the primary purpose in order to be exempt from the spending limit. An incidental mention of contributions is not enough to qualify as fundraising.

When the general spending limit applies

The spending limit covers expenses that are incurred between the beginning of the advertising campaign (the day the third party advertiser is registered) and voting day. Expenses incurred between the day after voting day and the end of the advertising campaign period are not subject to the spending limit.

If a third party advertiser incurs an expense before voting day, but doesn't get around to paying for it until after voting day, it would still be subject to the spending limit.

Spending limit for parties and expressions of appreciation

There is a separate spending limit for expenses related to holding parties and other expressions of appreciation after the close of voting. This spending limit is calculated as 10% of the amount of the general spending limit.

Example:

A third party advertiser's general spending limit is \$20,000. The spending limit for throwing a party on voting night and making expressions of appreciation such as giving gifts to the

members of the advertising campaign team would be \$2,000. These expenses do not count toward the \$20,000 general spending limit.

Expenses related to parties and expressions of appreciation after voting are subject to the specific spending limit regardless of whether they are incurred before or after voting day.

Leftover advertising campaign inventory

If a third party advertiser registered as a third party advertiser in the last election and wants to reuse leftover goods such as signs or office supplies, the third party advertiser must establish the current market value of the goods — what it would cost to purchase them today. Record the current market value as an expense.

If the third party advertiser has inventory left at the end of their advertising campaign it becomes their personal property. If the third party advertiser wants to store materials such as signs for use in another election, any costs related to storage are personal costs, not advertising campaign expenses.

Note to accountants: The value of all goods must be recorded as an expense regardless of whether the advertising campaign ends with used or unused goods in inventory. Do not deduct the value of unused goods from the campaign expenses, as this will result in the campaign having a surplus on paper that the candidate does not actually have.

Surplus and deficit

If the advertising campaign has a surplus after the third party advertiser has refunded contributions made by the third party advertiser (and, if the third party advertiser is an individual, their spouse), the remaining surplus must be paid over to the clerk when the financial statement is filed. The surplus will be held in trust, and the third party advertiser can use it if they incur expenses related to a compliance audit. If the surplus is not needed for these expenses, it becomes the property of the municipality.

If the advertising campaign expenses are greater than the campaign income, the campaign will be in deficit.

Advertising campaign financial statement

Every registered third party advertiser must file a complete and accurate financial statement on time.

The filing deadline is **2 p.m. on March 31, 2023**.

Third party advertisers must use [Form 8](#) (Do not use Form 4, as that is the financial statement for candidates).

If a bookkeeper or accountant completes the financial statement, the third party advertiser is still responsible for ensuring that it is complete, accurate and filed on time.

Financial statements do not require original signatures. Contact the clerk for information about whether a financial statement can be filed electronically.

If an individual, corporation or trade union registered in more than one municipality, they must file a separate financial statement with each municipal clerk.

If a third party advertiser did not receive any contributions or incur any expenses, they are only required to fill out the first page of the financial statement and sign it.

If a third party advertiser received contributions or incurred any expenses, they must complete the relevant parts of the financial statement.

If the advertising campaign contributions or campaign expenses are greater than \$10,000, the financial statement must be audited and the auditor's report included when the financial statement is submitted to the clerk.

Filing early

A third party advertiser can file their financial statement after they have ended their advertising campaign. If a third party advertiser files a statement early and then discovers that there is an error in it, they can submit a corrected statement at any time before the filing deadline on March 31, 2023. The original statement is deemed to be withdrawn when the corrected statement is filed. A third party advertiser cannot withdraw a financial statement without submitting a corrected one.

Applying for an extension

If a third party advertiser will be unable to file the financial statement by the deadline, they may apply for an extension to the Superior Court of Justice before March 31, 2023.

Grace period for filing

If a third party advertiser has not filed a financial statement by the deadline, they may file the financial statement within 30 days after the deadline if they pay the municipality a \$500 late filing fee. This 30-day grace period ends at 2 p.m. on Monday, May 1, 2023.

Penalty for filing late

If a third party advertiser has not filed a financial statement by the end of the 30-day grace period and did not apply to the court for an extension prior to the March 31st deadline, the individual, corporation or trade union will not be eligible to register as a third party advertiser in the municipality until after the 2026 election.

If a third party advertiser did not file a financial statement by the end of the 30-day grace period, they may still file it for the purposes of having their finances on the record. The clerk will accept the financial statement and make it available to the public. The penalty will still apply.

Extended advertising campaigns

If the advertising campaign has a deficit, the third party advertiser can extend their campaign in order to do some additional fundraising.

A third party advertiser can extend their campaign by notifying the clerk using the [Notice of Extension of Campaign Period \(Form 6\)](#) on or before January 3, 2023. The end date for the extended period will be the earliest of:

- the day the third party advertiser notifies the clerk in writing that they will be ending their advertising campaign and not accepting any more contributions
- June 30, 2023

If a third party advertiser extends their advertising campaign they must file two financial statements:

- a financial statement reflecting the advertising campaign until January 3, 2023 (due March 31, 2023)
- a supplementary financial statement that includes the information from the primary statement and adds financial information from the extended advertising campaign.

The supplementary financial statement must be filed with the clerk by 2 p.m. on Friday, September 29, 2023. There is also a 30-day grace period for this deadline in which the statement can be filed late provided the \$500 fee is paid.

Auditor's report

A third party advertiser must have an auditor review the financial statement and provide a report if any of the following are true:

- the advertising campaign expenses exceed \$10,000
- the contributions received exceed a total of \$10,000
- both the expenses and contributions exceed \$10,000 each

The auditor's report must be prepared by an auditor licensed under the [Public Accounting Act, 2004](#). Before a third party advertiser hires someone to prepare the report, they should ensure that the person is properly qualified.

A third party advertiser can incur expenses relating to the auditor's report after January 3, 2023. These expenses do not count toward the spending limit. These expenses should be included on the financial statement that will be filed.

Compliance and enforcement

Enforcement of the *Municipal Elections Act, 1996* is done through the courts. The Ministry of Municipal Affairs and Housing does not have a role in investigating elections or in determining penalties.

Automatic penalties

Under the *Municipal Elections Act, 1996* a penalty applies automatically if:

- a third party advertiser fails to file a financial statement by the end of the 30-day grace period or fails to apply to the court for an extension by the filing deadline
- the financial statement shows that the third party advertiser has exceeded a spending limit
- a third party advertiser fails to turn over their surplus to the clerk when they file their financial statement

The penalty is that the individual, corporation or trade union will not be eligible to register as a third party advertiser in the municipality until after the 2026 election.

Compliance audits

Each municipality and school board must appoint a compliance audit committee.

If an eligible elector believes that a third party advertiser has not followed the election finance rules, the elector may apply for a compliance audit of the third party's advertising campaign finances. The application must be in writing, and must set out the reasons why they believe the third party advertiser did not follow the rules.

An application for a compliance audit must be submitted to the clerk of the municipality where the third party advertiser is registered within 90 days of the deadline to file the advertising campaign financial statement.

The compliance audit committee will consider the application and decide whether to grant or reject the application. The committee's decision may be appealed to the Superior Court of Justice within 15 days after the decision is made.

If the committee grants the application, it will appoint an auditor to conduct a compliance audit of the third party's advertising campaign finances. The auditor is entitled to have access to all of the financial records related to the advertising campaign. The auditor will produce a report, which the third party advertiser is entitled to receive.

The compliance audit committee will meet to consider the auditor's report. If the report concludes that there is an apparent contravention of the *Municipal Elections Act, 1996*, the committee will decide whether to commence legal action.

The compliance audit committee does not have any authority to set penalties. Only the court can decide if a third party advertiser contravened the Act and, if so, which penalties should apply.

A person who does not want to or who is not able to apply for a compliance audit may decide to commence legal action on their own. A prosecution related to the 2022 election must be commenced before November 15, 2026.

Penalties

If a person is convicted of committing an offence, they may be subject to the following penalties:

- a fine of up to \$25,000
- up to six months in prison
- ineligibility to register to be a third party advertiser until after the next regular election
- ineligibility to vote or run in the next regular election (in the case of conviction for bribery or other corrupt practices)

If a corporation or trade union is convicted of committing an offence, they may be subject to a fine of up to \$50,000, and ineligibility to register to be a third party advertiser until after the next regular election.

If any third party advertiser is convicted of exceeding a spending limit, they may also be fined the amount by which they exceeded the limit.

Completing the financial statement

General information

All third party advertisers must file a financial statement. This includes third party advertisers who withdrew their registration.

Third party advertisers must use [Form 8](#).

All registered third party advertisers must complete Box A: Name of Registrant and Box B: Declaration.

- If the third party advertiser did not receive any contributions or incur any expenses, check the box indicating this, and complete the Declaration in Box B. No further information is required.
- If the third party advertiser did receive contributions or incur expenses, fill in the information in Box C, Box D, Schedule 1, and Schedule 2 as appropriate. It may be easier to fill out the form by starting with the more detailed sections such as the tables in Schedule 1 before filling in the Statement of Campaign Income and Expenses.

If the third party advertiser received contributions or incurred expenses in excess of \$10,000, an auditor's report must be included with the financial statement.

The completed financial statement must be submitted to the clerk by **2 p.m. on the last Friday in March (March 31, 2023)**.

Supplementary financial statements must be submitted to the clerk by **2 p.m. on the last Friday in September (September 29, 2023)**.

Tips for completing Form 8

Learn more about how to correctly fill out the advertising campaign financial statement.

Box A: Name of Registrant

Record the general spending limit and the spending limit for parties and other expressions of appreciation.

Note: automatic penalties will apply if the form reports that either of the spending limits have been exceeded.

Box B: Declaration

Signing the form declares that the information recorded in the financial statement is true and accurate. If the financial statement was prepared by someone else, the registrant (or official representative) is still responsible for its accuracy.

Box C: Statement of Campaign Income and Expenses

Loan

If a loan is obtained for the advertising campaign, the name of the bank or recognized lending institution and the amount borrowed must be recorded.

A loan is permitted only if it is from a bank or other recognized lending institution in Ontario, and it must be paid directly into the campaign bank account. A loan cannot be received from family members or from any corporate accounts that the third party advertiser may have access to.

The loan is not considered to be advertising campaign income, and paying it back is not a campaign expense. However, if the third party advertiser (or their spouse, if the third party advertiser is an individual) guarantees the loan and the campaign does not repay all of it, the remaining balance is considered to be a contribution (since the guarantor is basically providing the campaign the means to repay the loan).

Any interest that the advertising campaign pays on the loan is a campaign expense.

Income

A registered third party's advertising campaign income includes all contributions received from themselves as the registrant, their spouse (if the registrant is an individual) and other eligible contributors. This includes the value of contributions of goods and services. Income also includes any refunds of deposits, interest earned by the registrant's campaign bank account, and revenue from fundraising events or activities that is not deemed a contribution (for example, if the third party advertiser sold refreshments at market value).

Sign deposit

If the municipality requires a deposit for election signs, this should be recorded as an advertising campaign expense and paid for using campaign funds. If the registered third party advertiser's deposit is refunded, record the amount under Income.

Expenses

Advertising campaign expenses include the value of any goods or services that have been contributed to their campaign (it is as if the contributor gave money to the campaign, which the campaign then spent on acquiring the goods or services).

The general spending limit applies only to expenses incurred until the end of voting day. Expenses incurred after voting day are not subject to the spending limit.

Note: An expense subject to the general spending limit that was incurred prior to voting day but not paid for until after voting day is still subject to the limit.

Some types of expenses are not subject to the general spending limit even if they are incurred prior to voting day.

Expenses related to parties and expressions of appreciation after voting day are subject to that spending limit regardless of when they are incurred.

Box D: Calculation of Surplus or Deficit

Campaign deficit

At the top of Box D, subtract the total amount of campaign expenses from the total amount of campaign income. If the expenses are greater than the income, the advertising campaign is in deficit.

If the advertising campaign has been extended in order to fundraise, the registered third party advertiser must still file a financial statement reflecting their campaign finances to January 3, 2023.

Campaign surplus

At the top of Box D, subtract the total amount of campaign expenses from the total amount of campaign income. If the income is greater than the expenses, the advertising campaign has a surplus.

The third party advertiser is entitled to reimburse contributions made by the registrant or, if the third party advertiser is an individual, their spouse out of the surplus. For example, if the surplus was \$500 and the registrant contributed \$400 to their advertising campaign, the third party advertiser may deduct that \$400, leaving the campaign with a surplus of \$100. If the surplus was \$500 and the registrant contributed \$600, the third party advertiser may deduct \$500 of their contribution, leaving the campaign with \$0. The third party advertiser may not deduct more than the value of the surplus.

If, after deducting contributions made by the registrant or their spouse (if the third party advertiser is an individual), the advertising campaign still has a surplus, these funds must be turned over to the clerk.

Schedule 1: Contributions

Schedule 1 includes a summary of contributions from the advertising campaign.

The following tables are included in Schedule 1 and need to be filled in, if applicable:

- Table 1: Contributions in goods or services
- Table 2: Inventory of campaign goods and materials from previous municipal campaign used in this campaign
- Table 3: Monetary contributions from individuals other than registrant or spouse where contributions exceed \$100 per contributor
- Table 4: Monetary contributions from corporations or trade unions where contributions exceed \$100 per contributor
- Table 5: Contributions in goods or services from individuals other than registrant or spouse where contributions exceed \$100 per contributor

- Table 6: Contributions in goods or services from corporations or trade unions where contributions exceed \$100 per contributor

Contributions from registrant and spouse

Record these amounts on the lines provided in Schedule 1.

Note: report the full amount of the contributions made by the registrant and their spouse (if the third party advertiser is an individual) including any amounts that have been reimbursed from a surplus.

Contributions totalling \$100 or less

Contributors that give \$100 or less in total do not have to be individually identified. The total amount contributed from these contributors will be recorded as a lump sum on the line provided at the top of Schedule 1.

If an anonymous contribution is \$100 or less, include it in the total value of contributions not exceeding \$100 per contributor. Any anonymous contribution that is greater than \$25 must be turned over to the clerk.

Goods and services from registrant or (if individual) spouse

If the registrant or their spouse (if the third party advertiser is an individual) contribute goods and services to their advertising campaign, this must be recorded as a contribution. Record any contributions in Table 1 of Schedule 1.

Inventory of campaign goods and materials from previous municipal campaign used in this campaign

Any inventory from a previous advertising campaign that a registered third party advertiser is using again is a contribution in goods that the third party advertiser makes to their campaign. Calculate the current market value (for example, if the third party advertiser has 100 signs left over from 2018 and uses them again, they must calculate how much it would cost to purchase those same signs in 2022) and record it in Table 2. This inventory must also be recorded as an advertising campaign expense.

Contributions totalling more than \$100

If a contributor makes one or more contributions totalling more than \$100 (including the value of goods and services and the cost of tickets to fundraising events), record all of these contributions in the tables provided in Schedule 1 (Tables 3-6).

If an anonymous contribution is more than \$100, include it in the total value of contributions exceeding \$100 per contributor, and include it in the relevant table (listing "anonymous" as the name of the contributor). Any anonymous contribution that is greater than \$25 must be turned over to the clerk.

Note: it is the total amount contributed that matters – if an individual buys a ticket to a fundraising event for \$50, and then later in the advertising campaign contributes \$75, each of these contributions must be recorded in the appropriate tables because the total exceeds \$100.

Eligible contributors may donate goods and services to the advertising campaign. These must be recorded as a contribution and as an expense (as if the contributor donated money, which the campaign then spent on the goods and services).

Corporations and trade unions are permitted to make contributions to third party advertisers. This includes contributions of goods and services.

Schedule 2: Fundraising Events and Activities

The cost of holding fundraising events or activities is not subject to the spending limit. However, in order to be considered a fundraising cost, the primary purpose for the expense must be related to fundraising rather than promoting the advertising campaign. Incidental fundraising that happens to occur during a promotional event is not sufficient to make it a fundraising event. Similarly, a line at the bottom of an advertising campaign brochure asking people to donate does not make the production of the brochure a fundraising expense.

If costs of fundraising events/activities are included as an expense in Box C, provide details of these events and activities in Schedule 2.

Contributions received at a fundraising event may include:

- the price of the ticket
- if goods or services are offered for sale, any amount of money paid that exceeds their market value (for example, if a \$100 item is sold for \$175, the purchaser has made a \$75 contribution to the campaign)
- personal cheques collected from contributors at the event

If contributors have donated goods or services for the fundraising event, these must be recorded as contributions and as expenses.

These contributions must be recorded in Schedule 1, and where the total from a contributor exceeds \$100, be detailed in the appropriate tables. Refer to [Schedule 1: Contributions](#) (page 22) for more information.

The fundraising event may also generate revenue that is not considered to be a contribution:

- donations of \$25 or less
- if goods or services are offered for sale, the market value of those goods and services sold (for example, if a \$100 item is sold for \$175, \$100 is revenue)
- the amount paid for goods or services offered for sale for \$25 or less

Anonymous contributions

Anonymous contributions that do not exceed \$25 each that are received at a fundraiser (such as those collected by passing the hat or having a tip jar) may be kept. Report the total amount of money received from these donations in Schedule 2 for that fundraiser.

All other anonymous contributions must be turned over to the clerk.

Subtract the contribution as paid or payable to the clerk to arrive at the Total for Part II Contributions in Schedule 2.

Auditor's report

If your advertising campaign expenses or the contributions you received total more than \$10,000 you must have an auditor review your financial statement and provide a report.

The auditor's report must be prepared by an auditor licensed under the [Public Accounting Act, 2004](#). Before you hire someone to prepare the report, you should ensure that they are properly qualified.

Where to find forms referred to in this guide

You can get copies of forms from your municipal clerk, or you can download them from the [Government of Ontario's Central Form Repository](#).

- [Financial Statement – Subsequent Expenses \(Form 5\)](#)
- [Notice of Extension of Campaign Period \(Form 6\)](#)
- [Notice of Registration – Third Party \(Form 7\)](#)
- [Financial Statement – Auditor's Report – Third Party \(Form 8\)](#)

Information for broadcasters and publishers

Broadcasters and publishers have responsibilities related to the campaign advertisements of candidates and third party advertisers. The campaign period begins on May 1 and ends on January 3, 2023.

Advertisements by candidates or third party advertisers

If a candidate is advertising, you must collect in writing the:

- candidate's name
- name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the candidate (Note: this individual may be the candidate themselves)

If a registered third party is advertising, you must collect in writing the:

- name of the registered third party advertiser (note: this may be the name of an individual, a corporation, or a trade union)
- municipality where the third party advertiser is registered
- name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the registered third party advertiser

You must not broadcast or publish any campaign advertising without recording this information.

Broadcasters and publishers must maintain records of:

- the information collected in writing
- a copy of the advertisement (or the means of reproducing the advertisement for inspection)
- a statement of the charge made for its appearance

These records must be kept for four years after the date the advertisement appears. Broadcasters and publishers must allow the public to inspect the records.

Third party advertising is restricted from the start of the campaign period on May 1 until the close of voting on October 24, 2022. Broadcasters and publishers are not required to collect information or retain records for advertisements that appear before May 1.

CANDIDATE'S DECLARATION- PROPER USE OF VOTERS' LIST

Municipal Elections Act, 1996 (s.23(4) (5));

I, _____, being a candidate for the office of
_____, hereby request the Clerk to provide me
with the following information when it becomes available:

☐ a paper copy of the Voters' List. Please note that a copy of all revisions made to the Voters' List will be provided on or before Monday, September 25, 2022.

OR

☐ an electronic copy of the Voters' List. Please note that a copy of all revisions made to the Voters' List will be provided on or before Monday, September 25, 2022.

AND

☐ a copy of the Lists showing the name of each person who has voted at each Advance Vote.

I, the undersigned, do hereby agree to use the Voters' List for election purposes only and I understand that I am prohibited by the Municipal Elections Act, 1996 from using the Voters' List for commercial purposes.

Signature:

Date

Name: _____
(please print)

APPLICATION FOR REMOVAL OF ANOTHER'S NAME FROM VOTERS' LIST

Municipal Elections Act, 1996 (s. 25)

Application to Amend Voters' List *Municipal Elections Act, 1996 (s.17, s.24, s.25)* Form EL15

Check only one ☐ **add** applicant's name to list
☐ **correct** applicant's information on list
☐ **delete** applicant's or family member's name from list (☐ deceased ☐ moved ☐ other)

Name of applicant		date of birth	<div>year</div> <div>month</div> <div>day</div>
last	first	middle	

Qualifying address on voting day	<input type="checkbox"/> commercial property	At qualifying address, applicant is:	
street number & name	apt. #	roll number	ward number
city	postal code	(if house apartment, indicate floor level - e.g. basement, 1st floor, etc.)	
		<input type="checkbox"/> owner <i>since</i> _____ <input type="checkbox"/> tenant <i>since</i> _____ <input type="checkbox"/> other <i>since</i> _____ <input type="checkbox"/> spouse <input type="checkbox"/> or s.s.p. date _____ <input type="checkbox"/> unqualified (deleted name only)	

Previous qualifying address (if applicable)	At previous address, applicant was:	
street number & name	apt. #	roll number
city	postal code	(if house apartment, indicate floor level - e.g. basement, 1st floor, etc.)
		<input type="checkbox"/> owner <input type="checkbox"/> tenant <input type="checkbox"/> other <input type="checkbox"/> spouse <input type="checkbox"/> or s.s.p.

Current mailing address of applicant	(if different than Qualifying address above)	At mailing address, applicant is:
street number & name	apt. / unit #	city
postal code		<input type="checkbox"/> owner <input type="checkbox"/> tenant <input type="checkbox"/> other <input type="checkbox"/> spouse <input type="checkbox"/> or s.s.p.

School Support

- ☐ Applicant is Roman Catholic (includes Greek & Ukrainian Catholics)
☐ Applicant has French Language Education Rights

Applicant wishes to be an elector for the following school board

- ☐ English-Public (anyone can support English-public)
☐ English-Separate (must be Roman Catholic)
☐ French-Public (must have French Language Education Rights)
☐ French-Separate (must be Roman Catholic & have French Language Education Rights)

I, the undersigned, hereby declare that I am a Canadian citizen, that I have attained the age of eighteen (18) on or before Voting Day, and that on Voting Day, I am entitled to be an elector in accordance with the facts or information submitted on this form, and that I understand the effect thereof. I hereby apply to have my name included or amendments made on the Voters' List in accordance with such facts or information.

signature of applicant

date

This information is collected under authority of s.17, s.24 and s.25 of the Municipal Elections Act and s.15 and s.16 of the Assessment Act and will be used to determine voter eligibility.

Certificate of Approval (to be completed by Clerk or designate)

☐ Approved

I hereby certify that the Voters' List for said voting subdivision in this municipality shall be amended in accordance with the statement of facts or information contained herein.

signature of clerk or designate

date

☐ Refused (state reason)



Telephone and Internet Voting

Election Policies and Procedures for the 2022 Municipal Elections

Approved by:

Cathy Cyr
Clerk / Returning Officer
Municipality of Wawa

Dated this 21st day of April, 2022.

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These Policies and Procedures have been prepared for the purposes of convenience ONLY. For accurate reference, please refer to the *Municipal Elections Act, 1996*, as amended and the *Good Government Act, 2009*.

1. AUTHORITY

On February 1, 2022, the Council of The Corporation of the Municipality of Wawa received staff report number cc 2022-01, recommending the use of an alternative voting method for the October 24, 2022 Municipal Election.

On March 15, 2022, the Council of The Corporation of the Municipality of Wawa adopted By-Law Number 3480-22, authorizing the use of an alternative voting method, that being the Telephone/Internet Voting method.

The *Municipal Elections Act*, more specifically Subsection 42(3), states as follows:

Procedures and forms

(3) *The clerk shall,*

- (a) *establish procedures and forms for the use of,*
 - (i) *any voting and vote-counting equipment authorized by by-law,*
and
 - (ii) *any alternative voting method authorized by by-law; and*
- (b) *provide a copy of the procedures and forms to each candidate when his or her nomination is filed. 2009, c. 33, Sched. 21, s. 8 (22); 2016, c. 15, s. 31 (3).*

Subsection 42(4), states that the clerk shall provide the procedures and forms on or before June 1 in the year of the election.

Subsection 42(4), states that the procedures and forms established by the clerk, if they are consistent with the principles of the Act, prevail over anything in the Act and the regulations made under it.

In addition, the Council of The Corporation of the Municipality of Wawa has adopted By-Law Number 3470-22 on February 15, 2022 being a by-law to enter into an agreement with Intelivote Systems Inc. (eVoting Service Provider) for Telephone/Internet Voting service for the 2022 Municipal & School Board Elections.

Subsection 11(2) of the *Municipal Elections Act* states that the clerk of a local municipality has responsibility for conducting elections within that municipality and responsibility for,

- (a) *preparing for the election;*
- (b) *preparing for and conducting a recount in the election;*
- (c) *maintaining peace and order in connection with the election; and*

- (d) *in a regular election, preparing and submitting the report described in subsection 12.1 (2). 1996, c.32, Sched., s.11 (2); 2009, c.33, Sched. 21, s. 8 (7).*

With respect to the duties and authority of a municipal clerk, the *Municipal Elections Act* further states as follows:

- 12 (1) *A clerk who is responsible for conducting an election may provide for any matter or procedure that,*
- (a) *is not otherwise provided for in an Act or regulation; and*
 - (b) *in the clerk's opinion, is necessary or desirable for conducting the election.*
- 12 (2) *The power conferred by subsection (1) includes power to establish forms, including forms of oaths and statutory declarations, and power to require their use.*
- 12 (3) *The power conferred by subsection (1) includes power to require a person, as a condition of doing anything or having an election official do anything under this Act, to furnish proof that is satisfactory to the election official of the person's identity or qualifications, including citizenship or residency, or of any other matter.*
- 13 (1) *Any notice or other information that this Act requires the clerk to give shall be given in a form and manner and at a time that the clerk considers adequate to give reasonable notice or to convey the information, as the case may be.*
- 13 (2) *The clerk shall provide electors, candidates and persons who are eligible to be electors with information to enable them to exercise their rights under this Act.*

Subsection 42(5) states that when a by-law authorizing the use of an alternative voting method is in effect, Sections 43 (advance votes) and 44 (voting proxies) apply only if the by-law so specifies. Since the purpose for the use of the alternative voting – being Telephone/Internet Voting – was to eliminate proxies, and By-law Number 3480-22 of The Corporation of the Municipality of Wawa is silent on these issues, therefore voting proxies are not applicable.

The *Municipal Elections Act*, more specifically Section 53, also provides that the clerk may declare an emergency if he or she is of the opinion that circumstances have arisen that are likely to prevent the election being conducted in accordance with this Act and provides the authority to the clerk to make arrangements for the proper conduct of the election. Any arrangements made by the clerk, if they are consistent with the principles of

the *Municipal Elections Act*, prevail over anything in the Act and the regulations and all such arrangements, if made in good faith, shall not be reviewed or set aside on account of unreasonableness or supposed unreasonableness.

Therefore, as clerk of The Corporation of the Municipality of Wawa and Returning Officer for the 2022 Municipal & School Board Elections, I do hereby certify and approve the following procedures for conducting the 2022 Municipal & School Board Elections and also establish that the attached forms are the forms permitted to be used during this election process.

March 17, 2022
Date Approved

Cathy Cyr
Clerk / Returning Officer

2. DEFINITIONS

- (a) **Ballot** - means either an image on a computer screen, or any web enabled device, of a ballot card for an election to be voted for, including all choices available to the electors and containing spaces in which the electors mark their votes; or when voting using a telephone or wireless phone, an audio set of instructions which describe all choices available to the electors and instruction to mark their selection by depressing the numbered touchtone keypad.
- (b) **Candidate** - means a person who has been nominated under Section 33 of the Municipal Elections Act, 1996.
- (c) **Certified Candidate** - means a candidate whose nomination has been certified by the municipal clerk under Section 35 of the Municipal Elections Act, 1996.
- (d) **Clerk** - means the clerk of The Corporation of the Municipality of Wawa who is responsible for conducting this election under the authority of the Municipal Elections Act, 1996, as amended. (This legislation provides that the clerk of a municipality may provide for any matter that is not otherwise provided for in an Act or regulation and is, in the clerk of the municipality's opinion, necessary or desirable - Section 12 of the Municipal Elections Act)
- (e) **Election official** - means the clerk or other person(s) appointed in writing by the clerk to carry out election duties under the Municipal Elections Act, 1996. An election official can only carry out the tasks and duties as assigned in writing by the clerk and must take the prescribed oath.
- (f) **Eligible Elector** - means a person who is entitled to be an elector at an election held in the local municipality, if on voting day he or she meets the qualifications outlined in Section 17(2) and 17(3) of the Municipal Elections Act, 1996.
- (g) **Password** - means an additional access control word assigned by the eVoting Service Provider to each authorized user to provide additional security for access to the voting system.
- (h) **Personal Identification Number (PIN)** - means a unique multiple digit number assigned by the eVoting Service Provider to each voter to provide security for access to the voting system.
- (i) **Preliminary List of Electors** - means a list of electors for The Corporation of the Municipality of Wawa compiled by the Municipal Property Assessment Corporation (MPAC) and provided to The

Corporation of the Municipality of Wawa between July 31 and September 1 of an election year as agreed upon by MPAC and the clerk.

(j) **Satisfactory Identification** - means the identification required under the Municipal Elections Act, 1996 (Ontario Regulation 304/13) which would provide proof of identity and residence of an individual to the satisfaction of an election official.

a. An individual shall provide proof of residency showing their name and address. Such proof may include any two of the following, one of which must be photo ID:

- (i) An Ontario driver's licence;
- (ii) An Ontario Health Card (photo card)
- (iii) An Ontario Photo Card
- (iv) An Ontario motor vehicle permit (vehicle portion)
- (v) A cancelled personalized cheque
- (vi) A mortgage statement, lease or rental agreement relating to property in Ontario
- (vii) An insurance policy or insurance statement
- (viii) A loan agreement or other financial agreement with a financial institution
- (ix) A document issued or certified by a court in Ontario
- (x) Any other document from the government of Canada, Ontario or a municipality in Ontario or from an agency or such a government
- (xi) Any document from a Band Council in Ontario established under the Indian Act (Canada)
- (xii) An income tax assessment notice
- (xiii) A Child Tax Benefit Statement
- (xiv) A Statement of Employment Insurance Benefits Paid T4E
- (xv) A Statement of Old Age Security T4A (OAS)
- (xvi) A Statement of Canada Pension Plan Benefits T4A (P)
- (xvii) A Canada Pension Plan Statement of Contributions
- (xviii) A Statement of Direct Deposit for Ontario Works
- (xix) A Statement of Direct Deposit for Ontario Disability Support Program
- (xx) A Workplace Safety and Insurance Board Statement of Benefits T5007
- (xxi) A property tax assessment
- (xxii) A credit card statement, bank account statement, or RRSP, RRIF, RHOSP or T5 statement
- (xxiii) A CNIB Bard or a card from another registered charitable organization that provides services to persons with disabilities
- (xxiv) A hospital card or record
- (xxv) A document showing campus residence, issued by the office or officials responsible for student residence at a post-secondary institution

- (xxvi) A document showing residence at a long-term care home under the Long-Term Care Homes Act, 2007, issued by the Administrator for the home
 - (xxvii) A utility bill for hydro, water, gas, telephone or cable TV or a bill from a public utilities commission
 - (xxviii) A cheque stub, T4 statement or pay receipt issued by an employer
 - (xxix) A transcript or report card from a post-secondary school
- (k) **Script** - means all information flow and system prompts from the eVoting system including instructions, informational messages, error messages, and exceptions.
- (l) **Scrutineer** - means an individual, appointed in writing by a certified candidate, to represent him or her during the voting process.
- (m) **Support person** - means a person who has been requested by an elector to assist him or her in the voting process.
- (n) **Voter Help Centre** - means a location provided by The Corporation of the Municipality of Wawa to assist electors with the Telephone/Internet Voting process or other general election inquiries, including revisions. The Voter Help Centre(s) is located at the Municipal Offices, 40 Broadway Avenue, Monday to Friday between the hours of 8:30 am and 4:30 pm.

Voting Help Centres will be set up at the following locations:

Location	Date	Time
Hillcrest Heights 40 Hillcrest Heights	Wednesday, October 12, 2022	10:00 am to 12:00 pm
Wawa Goose Seniors Club, 63 Broadway Avenue	Thursday, October 13, 2022	1:00 pm to 3:00 pm
Lady Dunn Health Centre, 17 Government Road	Saturday, October 15, 2022	9:00 am to 12:00 pm
Mountain View Apartments, 35 Algoma Street	Saturday, October 15, 2022	1:00 pm to 4:00 pm
New Wawa Senior Complex 37 Algoma Street	Wednesday, October 19, 2022	9:00 am to 11:00 am
MMCC Lobby – 3 Chris Simon Drive	Wednesday, October 19, 2022	1:00 pm to 3:00 pm
Town Hall 40 Broadway Avenue	Monday to Friday ONLY Tuesday, October 11, 2022 to Friday, October 21, 2022	8:30 am to 4:30 pm

- (o) Voters' List - means the Preliminary List of Electors, as corrected by the clerk, under the provisions of Section 22 of the Municipal Elections Act 1996, c. 32, Sched., s. 22; 2006, c. 33, Sched. Z.3, s. 18 (3).
- (p) Voting Day - means the final day on which the vote is to be taken in an election and shall be until 8:00 p.m. on that day. Voting day in a regular election is the fourth Monday in October – October 24, 2022.
- (q) Voter Information Letter - means a sealed envelope containing a Personal Identification Number (PIN) for each person on the voters' list or who has completed an application, duly approved by an election official, for inclusion on the voters' list, a telephone access number and internet address for voting, a Voter Help Centre number for assistance and a list of candidates for office. These envelopes shall be mailed individually, or hand-delivered as required, to every person on the voters' list.

3. APPLICATION

- (a) This procedure has been developed under the authority of Subsection 42(4) pursuant to Subsection 42(3) (a) (ii) of the Municipal Elections Act, and applies to the Telephone/Internet Voting being conducted by The Corporation of the Municipality between October 11, 2022 and October 24, 2022.
- (b) The procedures and forms established by this document prevail over anything in the Act and its regulations, as per Subsection 42(4) of the Municipal Elections Act.
- (c) Where these procedures do not provide for any matter, the election shall be conducted as far as is consistent and practical within the principles of the Municipal Elections Act with the same being determined and established by the clerk.
- (d) These procedures may be amended, as necessary and deemed appropriate, by the clerk of The Corporation of the Municipality of Wawa. Any amendment to these procedures shall be signed by the clerk and a copy of the amendment(s) shall be provided forthwith to all certified candidates for office for The Corporation of the Municipality of Wawa and/or school boards.

4. SECRECY

- (a) The clerk shall require all election official(s) and/or other persons working in connection with the municipal elections to swear or affirm an oath of secrecy in accordance with Section 49 of the Municipal Elections Act, 1996.

- (b) No person shall interfere or attempt to interfere with an elector while in the process of accessing the Telephone/Internet Voting service or interfere or attempt to interfere in the voting process while using the Telephone/Internet Voting service unless expressly requested and authorized by an elector asking for assistance.
- (c) No person shall obtain or attempt to obtain information about how an elector intends to vote or has voted. Any individual requested by an elector to assist him or her in voting is required to maintain the secrecy of the vote(s) cast by the elector and shall vote according to the instructions and wishes of the elector.
- (d) No person shall communicate any information that might have been inadvertently obtained about how an elector intends to vote or has voted.
- (e) No elector shall reveal how he or she intends to vote except when obtaining assistance in voting from either a support person or an election official.
- (f) All electors voting at the Voter Help Centre(s) may vote with the assistance of a support person; however, the support person shall be required to take the appropriate oath prior to providing assistance.
- (g) All complaints regarding any and/or all breaches of secrecy shall be investigated by the proper authorities and shall be prosecuted according to the provisions of "Corrupt Practices and Other Offences - Penalties and Enforcement" under Sections 89 and 90 of the Municipal Elections Act, 1996.

5. PRELIMINARY LIST OF ELECTORS / VOTERS' LIST

- (a) The Preliminary List of Electors shall be requested from the Municipal Property Assessment Corporation (MPAC) in an electronic format. The list shall be reviewed by the clerk of The Corporation of the Municipality of Wawa and obvious errors shall be corrected as permitted under Section 22 of the Municipal Elections Act, and the list shall be approved for use as the Voters' List.
 - a. The list shall then be reproduced in paper or electronic format and distributed to those who are entitled to copies under Subsections 23(3), (4) and (5) of the Act. All certified candidates shall be entitled to two (2) copies or an electronic format and shall sign a statement acknowledging that the voters' list shall not be used for any commercial purposes.

If requested, the candidates shall receive login ID(s) and password(s) allowing them to view the voters' list that contains the names of the electors who are entitled to vote for their office. They can use the module to identify and track individual electors during the course of the election campaign and voting period to observe participation.

- b. The list shall be available in an electronic format to accommodate the administration in the voting process at the Voter Help Centre(s).
- c. Additions, corrections and deletions may be made to the list in accordance with the Municipal Elections Act, 1996.
- d. The clerk and/or the eVoting Service Provider shall produce an electronic list of the additions, corrections and deletions, as stated in paragraph (c) of this document, and make available online these additions, corrections and deletions to those who are entitled to copies of the voters' list under the Act and the same shall be the final voters' list. This list, as required under Section 27 of the Municipal Elections Act, shall be available on September 15, 2022 at the Municipal Offices located at 40 Broadway Avenue.
- e. The voters' list, as corrected by the clerk pursuant to Section 22 of the Municipal Elections Act, 1996 shall be provided to the eVoting Service Provider in computer format in order for the eVoting Service Provider to manage the Voter Information Letter.

Voter Information Letters shall be distributed by first class mail or hand-delivered as required, to all eligible electors to enable them to use the Telephone/Internet Voting service.

- (b) The Voter Help Centre(s) shall be responsible for the following:
 - a. Eligible electors who attend the Voter Help Centre(s) and are not on the voters' list will be able to be added to the list by filling out a declaration form and providing satisfactory identification.
 - i. Their names will be added to the voters' list and they will be assigned and receive (or mailed) a Voter Information Letter containing a (PIN); and
 - ii. they will be able to vote at the Voter Help Centre(s) if they so wish during the voting period.
 - b. Verifying and re-issuing a Voter Information Letter to qualified voters:

- i. where a person on the voters' list has lost his or her Voter Information Letter or did not receive it in the mail, or does not have access to it, he or she can attend a Voter Help Centre in order to receive a new one. The authorized election official will disable the voter's lost Personal Identification Number (PIN) and electronically mark it in the system with the appropriate details. Upon providing satisfactory identification to an election official, an oath shall be taken by the voter and a new Voter Information Letter containing a new Personal Identification Number (PIN) shall be issued.
- c. Verifying and re-issuing a Personal Identification Number (PIN) to qualified voters:
 - i. where a person on the voters' list has lost his or her Personal Identification Number (PIN), did not receive it in the mail, or does not have access to it, he or she can attend a Voter Help Centre in order to receive a new one. The authorized election official will disable the voter's previous PIN and electronically mark it in the system with the appropriate details. Upon providing satisfactory identification or information to a Voter Help Centre election official, as may be defined, a new Personal Identification Number (PIN) shall be issued.

6. NOTICES

- (a) The clerk of The Corporation of the Municipality of Wawa shall notify voters of the following election information through the use of advertisements:
 - a. that municipal & school board elections are being held for The Corporation of the Municipality of Wawa and that the Municipality has adopted an alternative voting method (and the manner in which electors may use the alternative voting method), being Telephone/Internet Voting;
 - b. the date(s), time(s) and location(s) for the holding of the vote including advance voting, and the methods of voting for each;
 - c. the office(s) of the council and/or school boards;
 - d. the manner in which electors may or may not use voting proxies;
 - e. who is eligible to vote in the municipal & school board elections; and
 - f. the location(s) and dates, and hours of operation of the Voter Help Centre(s), how persons can check to see if their name is on the

voters' list and the procedures by which their name can be added or information corrected on the voters' list.

- (b) At the clerk's discretion, notices will be published in the local newspapers and/or posted on the Municipality's website. All notices shall be made available in English only.

The following essential notices shall be issued:

- a. Notice of Election Information. See paragraph 6.1;
- b. Notice of Revision of Voters' List. See paragraph 6.1(f);
- c. Notice of Nomination; and
- d. Certified Election Results.

The clerk reserves the right to publish additional advertisements and notices as deemed appropriate.

- (c) Where possible, cooperative advertising may take place - costs to be approved and shared by the participating municipalities.
- (d) Each person on the voters' list shall be mailed, by "first-class" mail a sealed Voter Information Letter containing:
 - a. his or her Personal Identification Number (PIN), the telephone number(s) to call to cast a vote, and the designated internet address (URL) to access to cast a vote using the internet;
 - b. instructions on how to vote;
 - c. dates and hours of voting; and
 - d. the location(s) and telephone number(s) of the Voter Help Centre(s).
- (e) All Voter Information Letters shall be made available in English only.

7. VOTING

- (a) A Telephone/Internet Voting method shall be used for the 2022 Municipal & School Board Elections.
 - a. Telephone/Internet Voting:
 - i. Eligible voters shall be required to telephone a designated number or access a designated internet address and cast their vote.

- ii. Every eligible elector shall be limited to only one vote through the use of a PIN distributed by first class mail, or hand-delivered as required, in a sealed and personalized Voter Information Letter.
 - iii. The eVoting Service Provider, will allow the eligible voter to vote using a telephone or the internet.
 - iv. Following the voter's selection, the voting system response shall identify the voter's choice and provide the voter with the option of changing or confirming their vote.
 - v. The voting system shall enable the voter to decline from voting for an office(s) if he/she wishes to do so.
 - vi. Once the PIN has been used to complete all assigned races associated with the election it cannot be used again, and further access shall not be granted to the Telephone/Internet Voting service to vote again.
- b. Voting will commence on Tuesday, October 11, 2022 at 10:00 a.m.
- (b) Prior to the eVote activation, being on Tuesday, October 11, 2022 at 10:00 a.m., the auditor or other authorized election official will generate the confirmation report that contains all candidate names running for an office (through the eVoting system by secure ID and password). The report displays in real time the sum total of votes cast for each candidate running for an office. The timing of this report activity ensures that all totals for all candidates, confirms zero (0) votes before the electronic election begins.
The eVote will be activated unless any of the counts associated with the candidate names do not indicate a zero total, and unless directed otherwise by an election official.
- (c) The Intelivote Services Inc. (eVoting Service Provider) will make available online a list to the clerk and any other appropriate individuals of The Corporation of the Municipality of Wawa, of all voters' list individuals by order of polling subdivisions, who have voted during the voting period if such an event has taken place. The names of individuals who have voted will be marked as voted. A list of voters who have voted will be provided or made available to the candidates or their respective scrutineer through the clerk's office or by electronic means by the eVoting Service Provider at the clerk's discretion. This list shall be provided by the eVoting Service Provider in real time or as closely as possible to real time.
- (d) If so allowed by the clerk, Intelivote Services Inc. (eVoting Service Provider) will make available during the course of the election, IDs and

passwords for candidates and their scrutineers, who when using this authorization can connect to a Candidate module to review voter's list information previously identified by them to recognize participants in the election. This capability does not provide the candidate or their designate information on *how* a voter has voted, only if they *have* voted in the election. A voter who has voted at least one race during an election is considered a participant.

- (e) Candidates or their scrutineers may view this information any time after the start time of the election.
- (f) Where a voter is associated with multiple properties within The Corporation of the Municipality of Wawa, the voter may vote only once, and the qualifying address to determine eligibility for voting shall be the place of residence of the voter. All duplication of names on the Preliminary List of Electors shall be verified by the clerk and/or election official(s), and all duplicate names of individuals shall be deleted prior to the final preparation of the voters' list. Should a voter receive more than one Voter Information Letter, the voter may only vote once and must return the other Document(s) to the Municipal Administration Office. All voters that vote more than once or who improperly use the Voter Information Letter shall be reported to the Ontario Provincial Police for further investigation as to possible corrupt practices under the Municipal Elections Act, 1996.
- (g) Should a Voter Information Letter be returned to the Municipal Administration Office unopened, the PIN status will be disabled by an election official in a manner that prevents the PIN from being successfully validated in the voting process. The Voter Information Letters will then be marked "unused" and be retained in a secure means and subsequently destroyed at the same time as all other Municipal Election material as provided for under Section 88(2) of the Municipal Elections Act, 1996.
- (h) Should a Voter Information Letter be returned to the Municipal Administration Office that has been opened but has not been used for voting purposes, the PIN status will be disabled by an election official in a manner that prevents the PIN from being successfully validated in the voting process. In this circumstance, the Voter Information Letter shall be marked unused and be retained and destroyed as in item 8 above.
- (i) The clerk and the election official(s) shall ensure a complete audit trail is maintained of all Voter Information Letters:
 - a. that were sent to voters on the voters' list;
 - b. that were undeliverable and returned from the Post Office;

- c. that were returned by a voter or other individual(s) either opened or unopened but unused for voting purposes;
 - d. that were re-issued to an eligible elector;
 - e. whose PIN on the Letters were set to a status that prevented them from being validated in the voting process.
- (j)
 - a. Where an eligible voter has attempted to validate his or her PIN and they have determined that the PIN has already been used, the voter can attend the location determined by the clerk, bringing satisfactory identification and have an election official confirm that the PIN has been used by an impersonator.
 - b. Prior to authorizing the re-issuance of a new Voter Information Letter which contains a new PIN, the voter shall be required to respond and answer any and all questions from the election official. The election official shall document, to his or her satisfaction, questions and answers of the voter and, if deemed appropriate, the clerk shall submit same to the Ontario Provincial Police for further investigation and prosecution.
 - c. If the election official believes that all questions have been answered truthfully and to his or her satisfaction, the election official may authorize the provision of a new Voter Information Letter which contains a new PIN or, at the discretion of the election official the elector will be required to make a declaration as to his or her statement and take an oath which shall be given by the election official. A copy of this declaration shall also be submitted to the Ontario Provincial Police should further questioning be required in order to ascertain if corrupt practices have occurred. The elector will be required to assist and cooperate in the investigation in determining the individual(s) who has fraudulently used the voter's assigned PIN.
 - d. Once the voter has properly answered all questions and if required, taken the prescribed oath, a new Voter Information Letter containing a new PIN can be issued.
- (k)
 - e. Where an eligible voter has received an incorrect Voter PIN in terms of polling subdivision and/or school support association, the voter can contact a Voter Help Centre(s) and have the proper information applied to the existing PIN. The voter may re-access the system and vote all races not yet completed.
 - f. The eligible voter shall be able to re-enter the system at any time during the election using the existing PIN or the re-categorized PIN until voting for all races has been completed.

- (l) New PIN(s) shall not be given out over the telephone or by mail without the expressed approval of the clerk or their designate. A Voter Information Letter containing a PIN shall not be given to any person at the Voter Help Centre(s) unless satisfactory identification is provided and the individual has taken the required oath, if required, as administered by an election official.

8. VOTER QUALIFICATIONS

- (a) A person is entitled to be an elector at an election held in a local municipality if, on Voting Day, October 24, 2022, he or she:
 - a. is a Canadian citizen,
 - b. is at least 18 years old,
 - c. resides in the local municipality, or is the owner or tenant of land in the local municipality, or the spouse, or same-sex partner of such a person; and
 - d. is not prohibited from voting under subsection 17(3) of the Municipal Elections Act, 1996 or otherwise, by law.

9. VOTING PROCESS

- (a) Eligible voters may vote by:
 - a. accessing the telephone number provided by using a touch-tone telephone - but not a rotary dial telephone. "Digi-pulse" telephones will be able to access the system if the telephone over-ride button is set to a "touch-tone" mode. Should the preceding not be done correctly, the interactive response system will provide an error message requesting that the eligible elector obtain assistance,
 - b. or by accessing the internet address provided by using a dial modem access or a high-speed connection.
- (b) Eligible voters may vote by:
 - a. Attending a Voter Help Centre during the following hours:
 - Municipal Offices, 40 Broadway Avenue, Monday to Friday, between the hours of 8:30 am and 4:30 pm
 - b. Attending the following other locations:

- Lobby, 96 Broadway Avenue, Wednesday, October 12, 2022, between the hours of 1:00 p.m. and 3:00 p.m.
- Lady Dunn Health Centre, 17 Government Road, Saturday, October 15, 2022. between the hours of 9:00 am and 12:00 pm.
- Mountain View Apartment Complex, 35 Algoma Street, Saturday, October 15, 2022, between the hours of 1:00 pm and 5:00 pm
- Wawa Goose Club (Wawa Seniors Centre), 63 Broadway Avenue, Wednesday, October 19, 2022 between the hours of 1:00 pm and 3:00 pm.

and using a touch-tone telephone or the internet access provided. Any telephone provided at the Voter Help Centre shall delete any display options on the telephone.

- c. Attending a Voter Help Centre during hours identified in paragraph 9 (b) a. with a support person, taking the appropriate oath(s), and having a support person vote using a touch tone telephone or the internet access provided. In the absence of a support person, the voter may request the assistance of an election official, who may provide assistance only after the appropriate oath, if required, has been taken.
- d. Attending a Voter Help Centre during hours identified in paragraph 9 (b) a. with an interpreter, taking the appropriate oral oath(s), and voting using a touch-tone telephone or the internet access provided.
- e. With the assistance of an election official(s) that will be present at the following institutions and retirement homes on the specified date(s) and hours:

Voting Help Centres will be set up at the following locations:

Location	Date	Time
Hillcrest Heights 40 Hillcrest Heights	Wednesday, October 12, 2022	10:00 am to 12:00 pm
Wawa Goose Seniors Club, 63 Broadway Avenue	Thursday, October 13, 2022	1:00 pm to 3:00 pm
Lady Dunn Health Centre, 17 Government Road	Saturday, October 15, 2022	9:00 am to 12:00 pm
Mountain View Apartments, 35 Algoma Street	Saturday, October 15, 2022	1:00 pm to 4:00 pm
New Wawa Senior Complex 37 Algoma Street	Wednesday, October 19, 2022	9:00 am to 11:00 am
MMCC Lobby – 3 Chris Simon Drive	Wednesday, October 19, 2022	1:00 pm to 3:00 pm
Town Hall 40 Broadway Avenue	Monday to Friday ONLY Tuesday, October 11, 2022 to Friday, October 21, 2022	8:30 am to 4:30 pm

10. SCRUTINEERS

- (a) Scrutineers may be appointed, in writing by the candidate, as stated under Section 16 of the Municipal Elections Act, 1996. If appointed, scrutineers will be entitled to the following:
 - a. upon request and after producing the properly signed “Appointment of Scrutineer” and prescribing to the oath(s) of secrecy, they will be provided access to a Candidate module; showing them a voter sequence number and/or the elector names who are entitled to vote for their designate office, allowing them to identify, observe, and list all electors that have participated. Scrutineers may log in to the system any time after the election has started and voters have cast ballots, and determine who has voted.
 - b. upon request and after producing the properly signed appointment of scrutineer form and prescribing to the oath(s) of secrecy, they may attend a Voter Help Centre(s) during hours of operation to observe the process. Scrutineers who do not follow the instructions of the Clerk or election official, or who attempt to interfere, influence or determine how an elector is voting, will be requested to leave the Voter Help Centre immediately. Their appointment will be revoked and they will not be permitted to re-attend a Voter Help Centre(s).

- c. to be present at the time and place where results are received by the clerk including signing the results report indicating the final results and votes cast.
- (b) Use of a cellular telephone or any other electronic device shall NOT BE PERMITTED within a Voter Help Centre by any candidate or scrutineer.

11. SYSTEM

- (a) The integrity of the voting process shall be the responsibility of the clerk of The Corporation of the Municipality of Wawa and shall be preserved by:
 - a. ensuring that every eligible elector on the voters' list is mailed, using first class mail or hand-delivered as required, a sealed Voter Information Letter which contains the voter's unique PIN;
 - b. ensuring that no one except the eVoting Service Provider, the clerk of The Corporation of the Municipality of Wawa, or designate, maintains a list of Personal Identification Numbers that matches each voter's name and address; and
 - c. providing an opportunity for eligible electors who do not appear on the voters' list to be added to the list, or to make amendments to the list, up to and including election day, October 24, 2022, at 8:00 p.m.
- (b) The voting system shall be tested on several occasions. The test(s) shall include, but not be limited to the following:
 - a. checking the wording of the script;
 - b. checking the Voter Help Centre telephones and internet access;
 - c. checking Script and input timing;
 - d. attempting to use a PIN more than once;
 - e. balancing a predetermined number of votes with those cast;
 - f. matching PINs to names and addresses;
 - g. checking the system which is used for activating PINs; and
 - h. deliberately entering the wrong information.

- (c) All certified candidates are to provide to the clerk the proper pronunciation of their name, in English and, in French if applicable, no later than August 19, 2022.

12. CORRUPT ELECTION PRACTICES – PROVINCIAL OFFENCE AND PROSECUTION

- (a) Sections 89 and 90 of the Municipal Elections Act provides for penalties and enforcement of corrupt practices and other offences during an election process.
- (b) Although The Corporation of the Municipality of Wawa will be using an alternative voting method, being Telephone/Internet Voting, the principles and the integrity of the election process will remain and is enforceable.
- (c) Section 89 of the Municipal Elections Act continues by stating:

"A person is guilty of an offence if he or she:

- a. votes without being entitled to do so;*
- b. votes more times than this Act allows;*
- c. votes in a voting place in which he or she is not entitled to vote;*
- d. induces or procures a person to vote when that person is not entitled to do so;*
- e. having appointed a voting proxy that remains in force, votes otherwise than by the proxy;*
- f. having been appointed a voting proxy, votes under the authority of the proxy when the elector has cancelled the proxy, is no longer entitled to vote or has died;*
- g. before or during an election, publishes a false statement of a candidates withdrawal;*
- h. furnishes false or misleading information to a person whom this Act authorizes to obtain information;*
- i. without authority, supplies a ballot to anyone;*
- j. delivers to the deputy returning officer to be placed in a ballot box a paper other than the ballot the deputy returning officer gave him or her;*
- k. takes a ballot away from the voting place;*
- l. at an election, takes, opens or otherwise deals with a ballot, a ballot box, or a book or package of ballots without having authority to do so;*
- m. attempts to do something described in clauses (a) to (l). 1996, c. 32, Sched., s. 89."*

Penalties for offences under the Act are described in Section 94.1 of the Act and include amounts of fines (not more than \$25,000) and terms of imprisonment (maximum six (6) months).

- (d) No person(s) shall solicit a Voter Information Letter from an eligible elector. All valid complaints or knowledge of solicitation shall be reported immediately to the Ontario Provincial Police for investigation of corrupt practices.
- (e) In addition, under the provisions of Section 90 of the Municipal Elections Act, if a person is convicted of an offence and the offence was committed knowingly, the offence also constitutes a corrupt practice and the person is liable, in addition to any other penalty, for a term or imprisonment not more than six (6) months.
- (f) Although many provisions of the Municipal Elections Act also deal with voting places, ballots and ballot boxes, etc. the same must be used interchangeably with the "alternative form" of voting since the principle of the Act must be maintained and is therefore enforceable and subject to penalties.
- (g) As such, the Municipal Clerk of The Corporation of the Municipality of Wawa in this alternative form of voting, has agreed to the following rules and regulations:
 - a. THAT all complaints about actions which may contravene the provisions of the Municipal Elections Act, either verbally or written, will be investigated by the clerk;
 - b. THAT all such valid complaints, once investigated to the extent and knowledge of the clerk, will be submitted to the local detachment of the Ontario Provincial Police;
 - c. THE Detachment Commander of the Ontario Provincial Police has been advised that all such complaints will be turned over to his or her office for further investigation;
 - d. THE Detachment Commander of the Ontario Provincial Police, once the investigation is completed will communicate with the Crown Attorney's Office to determine if an individual(s) will be prosecuted.
 - e. THE clerk or any election official will not attempt to intervene in the prosecution and may be called to give evidence during prosecution.

13. MAIL TAMPERING – CRIMINAL OFFENCE AND PROSECUTION

- (a) The Criminal Code of Canada states that tampering with the mail of an individual is a criminal offence and a person(s) found guilty is liable to a term of imprisonment not exceeding ten (10) years.
- (b) Since The Corporation of the Municipality of Wawa will be using an alternative voting method, that being Telephone/Internet Voting, and the notification of the voting process and how electors can access the voting system in order to exercise their right to vote will be completed through the mail, mail tampering is a criminal offence under the Criminal Code of Canada.
- (c) As such and in order to ensure the integrity and confidence of the voting process for all electors and the candidates, the Municipal Clerk of The Corporation of the Municipality of Wawa in this alternative form of voting has agreed to the following rules and regulations:
 - a. THAT all complaints about actions which may contravene the provisions of the Criminal Code of Canada with respect to mail tampering, either verbally or written, will be investigated by the clerk;
 - b. THAT all such valid complaints, once investigated to the extent and knowledge of the clerk, will be submitted to the local detachment of the Ontario Provincial Police;
 - c. THE Detachment Commander of the Ontario Provincial Police has been advised that all such complaints will be turned over to his or her office for further investigation;
 - d. THE Detachment Commander of the Ontario Provincial Police, once the investigation is completed, will communicate with the Crown Attorney's Office to determine if an individual(s) will be prosecuted.
 - e. THE clerk or any election official will not attempt to intervene in the prosecution and may be called to give evidence during prosecution.

14. RESULTS

- (a) The Corporation of the Municipality of Wawa shall keep its public internet and telephone voting open until 8:00 pm on Monday, October 24, 2022 and its Voter Help Centre(s) (not polling locations) access opened until the Clerk confirms that all eligible voters in the Voter Help Centre(s) at 8:00 pm on Monday, October 24, 2022 have completed voting.
- (b) The Clerk of The Corporation of the Municipality of Wawa, at 8:00 pm on Monday, October 24, 2022, providing that all eligible electors within

the Voter Help Centre(s) have voted, shall request the close and deactivation of the Telephone/Internet Voting service and shall also request the tabulation of the results for each candidate. The final results of each candidate by school support, and polling subdivisions shall be available at 8:30 pm on Monday, October 24, 2022 at the Municipal Administration Office located at 40 Broadway Avenue.

- (c) The Clerk shall report the “unofficial” results when received from Intelivote Systems Inc. Services Inc. (eVoting Service Provider) as soon as practicable after 8:00 pm on Monday, October 24, 2022 at Election Headquarters located at the Municipal Administration Office located at 40 Broadway Avenue.
- (d) Pursuant to Subsection 55(4) and subject to the provisions of Section 56 of the Municipal Elections Act, 1996 concerning “Recount”, the Clerk shall on Tuesday, November 7, 2022 at 12:00 p.m. at the Municipal Administration Office located at 40 Broadway Avenue.
 - i. declare the candidate or candidates, as the case may be, who received the highest number of votes to be elected.
 - ii. declare the result of any vote on a by-law or question.
- (e) The “Official Results” of each candidate shall be available at the 40 Broadway Avenue as soon as possible after Voting Day. Also, the Clerk shall post the “Official” results on the Municipality’s website.

15. TIE VOTE – RECOUNT PROCEDURES

- (a) In the case of a tie vote, as provided under Section 56 of the Municipal Elections Act, the Clerk of The Corporation of the Municipality of Wawa shall request from the Intelivote Systems Inc. Services Inc. (eVoting Service Provider) a re-tabulation of the votes cast.
- (b) Pursuant to Subsection 56(2) of the Municipal Elections Act, the recount shall be held within fifteen (15) days after the Clerk’s declaration of the results of the election, and therefore the recount shall occur on or before Tuesday, November 7, 2022 at 12:00 pm at the Municipal Administration Office located at 40 Broadway Avenue.
- (c) Pursuant to Subsection 61(1) of the Municipal Elections Act, the following persons will be authorized to attend the recount:
 - i. the clerk and any other election official appointed by the clerk for the recount procedure including the Municipal lawyer;
 - ii. every certified candidate for the office;

- iii. the lawyer for each of the candidate(s); and
 - iv. only one (1) scrutineer for each of the candidate(s).
- (d) Within 15 days after the declaration of the election results, the Clerk shall request the Intelivote Systems Inc. Services Inc. (eVoting Service Provider) to re-tabulate the results for the office(s) that are subject to the recount procedure and that the results be segregated by polling subdivisions. Intelivote Systems Inc. Services Inc. (eVoting Service Provider) shall send the results of the recount by facsimile transmission and/or by electronic mail (E-mail) and these results will be compared to the results tabulated by the Auditor assigned to the election.
- (e) The clerk shall announce the results of the recount and in the event of a tied vote, Subsection 62(3) of the Municipal Elections Act shall apply, being as follows:
- "If the recount indicates that two or more candidates who cannot both or all be declared elected to an office have received the same number of votes, the clerk shall choose the successful candidate or candidates by lot".*
- (f) In the event that a tied vote occurs after the statutory recount, the following procedure shall be used and applied:
- a. The clerk shall determine the texture and quality of the paper used for this process and each candidate or the candidates' lawyer and/or scrutineer will have an opportunity to examine the paper to be used to inscribe the names of the candidates;
 - b. The clerk shall inscribe the name of each candidate on a similar size paper and the candidates, the candidates' lawyer and/or scrutineer, without touching the paper, examine the same. In addition, all persons present will have an opportunity to examine the box which will be used for conducting the lot;
 - c. Upon acceptance by the all candidates, the candidates' lawyer and/or scrutineer, that the processes outlined in paragraphs a) and b) have been adhered to, the clerk shall fold the papers bearing each candidate's name twice in two (2) equal parts and shall deposit these papers, in full view of all persons present and authorized to attend, in an open-end box that will be acceptable to all persons present. In the event of a conflict or difference of opinion as to the selection of the box, the clerk shall determine the box to be used for this process.
- (g) Upon completion of this process, the clerk shall hold the box and, without looking into the box, ensure that the contents have been displaced sufficiently, and request the Municipal lawyer to draw only one

(1) or the required number for the purpose of determining the successful candidate(s).

- (h) The Municipal lawyer shall hand directly to the clerk the selected and required number of papers and the clerk shall read aloud the name of the candidate or candidates and proceed to declare this or these individuals elected.
- (i) Once completed, the Municipal lawyer shall remove the remaining contents from the box and provide an opportunity for all persons present to examine these slips of papers including the box.

16. AFTER VOTING DAY

- (a) At no time after voting day shall any information regarding the voter, PINs and ballots come together to allow anyone to know how an elector has voted.
- (b) All election materials shall be destroyed in accordance with the principles of Section 88 of the Municipal Election Act, 1996.

17. EMERGENCIES

- a) Pursuant to the Municipal Elections Act, 1996, Section 53, an emergency shall be declared in the event of a flood, fire or power failure in the municipality; acute illness or accident of the clerk/returning officer or assistant returning officer which prevents her/him from conducting the election pursuant to the Municipal Elections Act.
- b) In the event of an emergency, the clerk/returning officer shall advertise on radio and television stations if possible, and post notices to the extent possible, that the election has been delayed.
- c) In the event of an emergency, the eVoting Service Provider under direction from the clerk/returning officer, shall stop the eVote system from accepting calls via a telephone and connections from the Internet, thus preventing the election from continuing, or starting, as the case may be.
- d) In the event the clerk/returning officer or assistant returning officer is unable to be present to conduct procedures on voting day, there shall be a substitute qualified person appointed or available to attend to the election details.

18. ACCESSIBILITY

The clerk shall have regard for the needs of candidates and electors with disabilities.

The clerk shall ensure the Voter Help Centre(s) is accessible to candidates and electors with disabilities.

The clerk shall prepare a Report to be submitted to the Council 90 days after Voting Day about identification, removal, and prevention of barriers that affect voters and candidates with disabilities.

Election officials will be available for assistance during the Voting Period and on Voting Day.

The Corporation of the Municipality of Wawa has an Accessibility Policy No. PR-006. The Municipal Election for The Corporation of the Municipality of Wawa will be conducted with having regard to the policies as established.

19. AMENDMENTS TO PROCEDURES

The clerk has the right, at any time, up to and including Voting Day, to amend the procedures contained herein. A copy of any amendment will be forwarded to each candidate.

20. ATTACHMENTS – FORMS

The following forms have been approved for use by The Corporation of the Municipality of Wawa for the election process:

Form #	Name of Form	Section
EL07	List of Certified Candidates	(S.11(4) 2)
EL08	Certificate of Election Results	(S.11(4) 3)
EL09	Final Summary of Election Results	(S.11(4) 4)
EL10	Appointment and Oath of DRO	(S.15(1))
EL11	Appointment and oath of an Election Official	(S.15(2))
EL12(A)	Appointment of Scrutineer by Candidate	(S.16(1))
EL12(B)	Oral Oath of Secrecy	
EL14	Candidate's Declaration-Proper Use of Voters' List	(S.23(5))
EL15	Application to Amend Voters' List	(S.24)
EL16	Application for Removal of Another's Name from the Voters' List	(S.25)
EL17	Notice of Nomination for Office	(S.32)
EL18(A)	Declaration of a Qualified Candidate – Municipal	(S.35(2))
EL18(B)	Declaration of a Qualified Candidate - School Trustee	
EL19	Withdrawal of Nomination	(S.36)
EL20	Declaration of Acclamation to Office	(S.37(1))
EL21	Notice of Death of Candidate	(S.39(A))
EL22	Certificate on Voters' List	(S.28(1))
EL10	FOI Freedom of Information Release	
EL24	Sample Notice of Election Information (For Newspaper Ad)	(S.40)
EL25(A)	Certificate and Receipt for Ballots	(S.41(1))
EL26	Oath of Qualification	(S. 52(1) 3)
EL27	Oral Oath of Friend or Interpreter	
EL 27A	Oath of Elector Requesting Assistance of a Friend	
EL29(A)	Voting Instructions	(S.52(3),(4))
EL29(B)	Voter Instructions and Sample Ballot	
EL30	List of Objections to Vote Count	(S.54(4))
EL31(A)	Statement of Election Results (Deputy Returning Officer)	(S.55(1) A)
EL32	Declaration of Election Candidate	(S.55(4) A)
EL34	Statutory Provisions Regulating Voting Procedures	(S.48, 49)
EL35	Notice of Offence, Notice of Corrupt Practice	(S.89)

Form #	Name of Form	Section
EL36	Disclaimer to Right to Office	(S.84(1)-(3))
EL37	Certificate of Maximum Campaign Expenses	(S.76(7))
EL38	Witness Statements as to Destruction of Ballots	(S. 88(2))

EL39	Notice of Recount	(S.56 - 58)
EL40	Recount Results	(S.62(1))
EL41	Declaration of Recount Results	(S.62(4))
EL42	Notice to Candidate of Filing Requirements	(S.78(6))
EL43	Notice of Default	(S.80(3))
EL46	Ballots Account	
EL47	Election Official Application	
EL48	Refund of Nomination Fee	

Additional forms have been prepared for the 2022 Municipal Elections and will be utilized when necessary or desirable for conducting the election under the direction of the Clerk, as per Section 12(1) and 12(2) of the Municipal Elections Act, 1996, S. O. 1996.



May 2, 2022

To: Financial Institution

Re: Municipal Campaign Account

A candidate, running in the 2022 municipal election, is required under the *Municipal Elections Act, 1996*, to open an account in the name of their campaign (for example: "Campaign for John Doe" or "John Doe's Campaign").

The Act does not contain any prohibition against a municipal candidate being a signing officer on the campaign account, nor does it require the candidate to have a chief financial officer, as is the case with provincial and federal candidates.

Section 69 (1) of the *Municipal Elections Act, 1996*, states:

'A candidate shall ensure that:

- (a) One or more campaign accounts are opened at a financial institution, exclusively for the purpose of the election campaign, and in the name of the candidate's election campaign;
- (b) All contributions of money are deposited into the campaign accounts;
- (c) All payments for expenses except for a nominate filing fee, are made from the campaign accounts.'

Should you have any further questions on this matter, please contact my office at 705-856-2244, extension 222.

Yours truly,

**Cathy Cyr
Deputy Clerk
Municipality of Wawa**



**THE CORPORATION OF THE
MUNICIPALITY OF WAWA**

BY-LAW NO. 2741-14

BEING A BY-LAW to regulate Municipal and School Board Election

Signs within the Municipality of Wawa.

WHEREAS Section 9 of the Municipal, S.O. 2001, Chapter 25, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Council of the Municipality of Wawa deems it desirable to have a by-law regulating Municipal Election Signs;

NOWTHEREFORE the Council of The Corporation of the Municipality of Wawa enacts the following as a By-Law:

1. Definitions

For the purposes of this B-Law:

- 1.1 “**Clerk**” means a person appointed by Council under the Municipal Act or designate, and who is the person responsible for conducting the election in the municipality in accordance with the Municipal Elections Act, 1996, as amended.
- 1.2 “**Jurisdiction**” means the Municipal boundaries for which a candidate is running.
- 1.3 “**Municipal Election Sign**” means any sign, poster or other advertising device posted by or on behalf of a municipal council candidate or a school board candidate.
- 1.4 “**School Board**” means the English Public, French Public, English Catholic or French Catholic school boards having authority over the Municipality of Wawa.

2. Sign Deposit

- 2.1 Prior to any municipal or school board election sign being erected within the Municipality of Wawa, candidates shall file a deposit fee of \$100.00.
- 2.2 Deposits must be submitted to the Clerk and may be in the form of cash, money order or cheque payable to the Municipality of Wawa.

- 2.3 Sign deposits are due and payable at the time of the filing nomination papers and prior to the erection of any signs for any municipal or school board candidates.
- 2.4 Election Signs must be removed within five (5) days following a municipal election. If not removed within this timeframe, the Clerk may direct that the signs be removed and the deposit retained by the municipality.
- 2.5 The Clerk's decision to retain the deposit shall be final and not subject to review.
- 2.6 In the event that the deposit fee is not retained, the Clerk shall direct the Treasurer to refund the deposit paid under this By-Law and upon satisfactory removal of all Election Signs.

3. Restrictions on Municipal Election Signs

- 3.1 No Election Sign shall be larger than 4 feet by 4 feet (1.2 metres).
- 3.2 No Election Sign shall be located within 150 feet (45.72 metres) of the Voting Place, including the parking lot, road allowance front of the Voting Place.
- 3.3 No Municipal Election Sign shall be located within 150 feet (45.72 metres) of the Municipal Offices, including the parking area located adjacent to the Municipal Offices at 40 Broadway Avenue.
- 3.4 No Municipal Election Sign shall be erected outside of the jurisdiction of the municipality.
- 3.5 No Municipal Election Sign in the Municipality of Wawa for a candidate of another municipal jurisdiction.
- 3.6 No Municipal Election Sign shall be erected prior to Nomination Day.
- 3.7 No Municipal Election Sign shall be placed on any tree, post, utility pole, fence or wall on any municipal property or road allowance.
- 3.8 No Municipal Election sign shall be placed so as to:
 - 3.8.1 Obstruct the visibility of any pedestrian or driver;
 - 3.8.2 Obstruct the visibility of any traffic sign or device;
 - 3.8.3 Interfere with the vehicular traffic in any manner;
 - 3.8.4 Obstruct openings required for light, ventilation, ingress, egress or fire or medical emergencies;

3.8.5 Constitute a danger or hazard to the general public.

3.9 No Municipal Election Sign shall be posted on private property without the express consent of the owner.

4. Removal of Signs

4.1 Where Election Signs have been posted in contravention of this By-Law, the Clerk may notify the owner, candidate or their agent to remove the sign and take the necessary action to ensure that the sign complies with the provisions of the By-Law within 24 hours.

4.2 Where action is not taken under Section 4.1, the Clerk may direct that the signs be removed and the deposit retained by the municipality.

5. Miscellaneous

5.1 This By-Law applies only to candidates and signage for Municipal Elections.

5.2 Signs and Advertising Devices other than municipal or school board election signs shall be subject to the Municipality of Wawa's Sign By-Law.

6. Force and Effect

6.1 This By-Law shall be called the Election Sign By-Law.

6.2 This By-Law takes force and effective on the date of passage.

7. That the Mayor and Deputy Clerk are hereby authorized to sign the by-law and affix thereto the seal of the Corporation.

READ a first, second and third time and be finally passed this 4th day of March, 2014.

LINDA NOWICKI, MAYOR

CATHY CYR, DEPUTY CLERK



Municipality of Wawa

Be Counted!

Election 2022

ELECTION SIGNS

Municipal Elections Act, 1996

Name of Candidate: _____

Candidate for the Office of:

- ☐ Mayor
- ☐ Councillor
- ☐ Trustee, Algoma District School Board
- ☐ Trustee, Huron-Superior Catholic District School Board
- ☐ Trustee, conseil scolaire catholique du nouvel-ontario
- ☐ Trustee, conseil scolaire du district du grand nord de l'ontario

☐ Deposit Amount: \$100.00, Receipt No. _____

Candidate Address:

Telephone Number(s): (Indicate if home, business or campaign office)

E-mail address:

(signature of candidate)

(date)

Personal information on this form is collected under the authority of the *Municipal Freedom of Information and Protection of Privacy Act, 1997* and the *Municipal Elections Act, 1996*, and will be used for the installation of Election Signs in the Municipality of Wawa. Questions about this collection of personal information should be directed to the -Clerk, 40 Broadway Avenue, Wawa, Ontario P0S 1K0 (705) 856-2244 ext. 222



Accessibility Plan for 2022

Municipal Election 2022

Approved by:

Cathy Cyr

Clerk / Returning Officer

Municipality of Wawa

Dated this 17th day of March, 2022.

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1. Introduction

This plan will address the specific accessibility requirements in relation to the 2022 Municipal Election in The Corporation of the Municipality of Wawa.

The Corporation of the Municipality of Wawa has made great efforts in promoting a barrier free community. In an effort to ensure that the 2022 Municipal Election is consistent with the core principles of the *Accessibility for Ontarians with Disabilities Act, 2005*, this planning document was developed in advance of the election in order to identify measures to be taken and reported to Council following the election.

2. Objectives

This plan is intended to highlight measures that The Corporation of the Municipality of Wawa will be implementing to ensure equal opportunity for all electors and candidates. These objectives include:

- That persons with disabilities are able to independently cast their vote and verify their selection.
- That persons with disabilities have full and equal access to all information on where and when to vote and on eligible candidates.
- That persons with disabilities can fully participate in the Municipal Election as an elector, candidate, or election official.
- That efforts are made to ensure that electors with disabilities are aware of the accessibility measures available via channels such as the newspaper, media launches, Municipality of Wawa's website and social media.
- That all voting locations/voting assistance locations are accessible.

3. Development of the Plan

This Plan is a “living” document which will be improved and updated as best practices are identified and new opportunities for improvement arise. In order to develop the plan below, several steps were taken in order to ensure that the statutory requirements were met and a feasible implementation plan was in place. During the development of the 2022 Municipal Election Accessibility Plan, the following steps shall be implemented:

- Review and analysis of documents, policies and other supporting materials from AMCTO, neighboring municipalities, the Ministry of Municipal Affairs and Housing, technology suppliers and other various stakeholder groups.
- Establish staff training standards and practices directly related to the Election to ensure that people with disabilities are able to vote in a positive customer service environment, and ensure that all Election Officials recognize that a voter’s needs shall be accommodated.

4. Voting Methods

The 2022 Wawa Municipal Election will be working with Intelivote Systems Inc. to provide eVoting services to eligible voters. This includes the convenience and independence of voting from anywhere via telephone, internet or in-person at a voting station during the October 11 – 24, 2022 voting period.

Everyday tools like computers, telephones and other aids can present accessible opportunities for persons with disabilities to accomplish more, while being consistent with the principles of independence, dignity, integration and equal opportunity.

The Intelivote Voting System provides voters with the capability to vote from the comfort of their own home. Voting from home facilitates the voting process for persons with disabilities who may have mobility restrictions, visual impairment, and/or have a difficult time with transportation. Additionally, persons who have assistive devices set up in their homes can now use them to assist with casting a ballot privately and independently.

By allowing persons with disabilities to vote from any location and from a selection of methods, there is an increase in the capability for the voter to vote without any assistance. This provides persons with disabilities the same independence and privacy in participating in the election as other voters. If persons with disabilities do require assistance in the voting process, trained Election Officials will be present at in-person Voting Locations offered across the Municipality of Wawa throughout the voting period.

4.1 Telephone Voting

Eligible voters may vote using a touch-tone telephone, and the toll-free telephone number, date of birth, and the PIN number contained in their Voter Information Letter to access an audio ballot. Communications barriers can make it difficult for people to receive or convey information. Barriers may be identified as low volume, use of language that is not clear or plain, and confusing or unorganized menu options.

The Intelivote telephone voting application provides the following:

- Service on all types of touch tone phones and wireless devices.
- Clear, plain language.
- Menu options that are easy to follow, advising when to select options and provision of confirmation of the voter's selections.
- Standard volume is used to allow for adjustment dependent of the telephone or device being utilized.

4.2 Internet Voting

Eligible voters may vote online, using a smart phone, tablet device, gaming device or computer and any accompanying assistive devices or software, along with their date of birth and PIN and qualifying information, to access the internet address provided in their Voter Instruction Letter.

The Intelivote System has been created to meet the Web Content Accessibility Guidelines (WCAG-2 Level AA), so that persons with disabilities can perceive, understand, navigate and interact with the online voting system. It is compliant with the guidelines of the World Wide Web Consortium website principles, which include organization, functionality and readability of information provided, as well as alternative ways of representing information, such as with audio.

4.3 In-person Voting at Voting Station(s)

For those individuals without means to access voting via telephone or Internet, or who require the assistance of a trained Election Official, several voting station(s) and Election Day voting station(s) will be open to provide in-person internet voting opportunities via a laptop, or tablet.

Access to the voting station interior and voting area shall be level and slip-resistant. Any doormats or carpeting shall be level with the floor to prevent potential tripping hazards. The voting area shall be well lit and seating shall be available. Entrance corridors shall be clear of obstructions and tripping hazards and will allow sufficient space for use of a wheelchair or scooter.

An accessible voting area will be available at each voting location. These areas shall be low in height and have a wide area to allow for individuals who use a wheelchair or scooter to vote independently and secretively.

Voters may attend any voting station location throughout the voting period. The Municipality of Wawa will be operating the following voting place location(s) during the Voting Period:

Location	Date	Time
Hillcrest Heights 40 Hillcrest Heights	Wednesday, October 12, 2022	10:00 am to 12:00 pm
Wawa Goose Seniors Club, 63 Broadway Avenue	Thursday, October 13, 2022	1:00 pm to 3:00 pm
Lady Dunn Health Centre, 17 Government Road	Saturday, October 15, 2022	9:00 am to 12:00 pm
Mountain View Apartments, 35 Algoma Street	Saturday, October 15, 2022	1:00 pm to 4:00 pm
New Wawa Senior Complex 37 Algoma Street	Wednesday, October 19, 2022	9:00 am to 11:00 am
MMCC Lobby – 3 Chris Simon Drive	Wednesday, October 19, 2022	1:00 pm to 3:00 pm
Town Hall 40 Broadway Avenue	Monday to Friday ONLY Tuesday, October 11, 2022 to Friday, October 21, 2022	8:30 am to 4:30 pm

The following voting locations will be open on Election Day, Monday October 24, 2022 from 10:00 a.m. to 8:00 p.m.

Michipicoten Memorial Community Centre, Banquet Room, 3 Chris Simon Drive

4.4 Special Voting Provisions

Election staff shall visit sites including long-term care facilities and the seniors apartment complex on Algoma Street, to set-up on-site voting kiosks, or bedside voting opportunities for residents.

5. Voting Location(s)

An accessibility assessment of each physical polling location will be conducted. The following considerations are taken into account when determining which location(s) will be used:

5.1 Accessible Route

The name and/or address of the voting location shall be clearly visible. An easily navigable route will be marked for entry into the voting location and into the voting area within the location. The voting area shall be identified with clear and understandable signage. Seating areas shall be provided throughout the voting location for individuals needing a rest.

5.2 Entrance and Exit

The route to the entrance of the voting location shall be unobstructed and accessible. The route shall be wide enough to allow for an individual using a wheelchair, scooter, other assistive device, or service animal to travel safely. Doors into the voting location and voting area shall be accessible and easy to open or shall remain propped open for the duration of the voting location hours. Routine checks of entrance and exit routes will be made throughout the hours of operation.

5.3 Parking

Accessible parking shall be available at all voting locations. The designated parking space(s) shall be clearly marked with the international Symbol of Accessibility and will be on firm and level ground, close to the entrance of the voting location.

6. Voting Assistance

6.1 Support Person/Friend of the Voter

Pursuant to the Municipality of Wawa Corporate Accessibility Policy No. PR-006 provides that people with disabilities shall be permitted to be accompanied by a support person at any voting location. A designated support person and/or 'Friend of the Voter' will be administered an oath of secrecy/confidentiality by an Election Official prior to providing any such assistance.

6.2 Service Animals

Pursuant to the Municipality of Wawa Corporate Accessibility Policy No. PR-006 provides that individuals requiring service animals are permitted to be accompanied by a service animal at all voting locations.

6.3 Election Officials

At in-person voting locations, upon request, Election Officials are available to assist any voter who requires assistance in casting their online ballot. All individuals working in the capacity of an Election Official are formally appointed as such and administered an oath of secrecy prior to voting day.

7. Communication

The 2022 Municipal Election Accessibility Plan will be made available at the Municipal Offices located at 40 Broadway Avenue and by way of the Wawa website at www.wawa.cc. Alternative formats will be made available upon request.

Information regarding the accessibility measures provided for the 2022 Municipal Election shall be included in general election advertising as well as in the 2022 Municipal Election Nomination Package.

7.1 Election Materials

The Municipality of Wawa is required, as per the Accessible Customer Service Standard, to provide a copy of a document to a person with a disability, or the information contained in the document, in a format that takes into account the person's disability.

Alternate Formats

Alternate formats are other ways of publishing information besides regular print. Some of these formats can be used by everyone while others are designed to address the specific needs of a user.

The Municipality of Wawa and the person with a disability may agree upon the format to be used for the document or information.

In the event the information is not generated by the Municipality of Wawa or is supplied by a third party, the Municipality of Wawa will make every effort to obtain the information from the third party in an alternate format and/or will attempt to assist the Elector by providing assistive equipment.

General Election Materials

Large Print – Printed material generated by the Municipality of Wawa will be provided in Arial font, minimum 11 point, and can be made available in a font (print) size that is 16 to 20 points or larger.

Website – Information generated by the Municipality of Wawa on the website in relation to the election will be compliant with WCAG 2.0 Level AA, and allow for assistive software to be utilized. In addition, website font can be adjusted within the browser's functionality to aid the user in reading the information.

Video – Promotional and educational videos created for the 2022 municipal election shall incorporate audio and captioning.

7.2 Service Disruptions

From time to time and/or for unforeseen circumstances beyond the Municipality of Wawa's control, temporary service disruptions may be experienced. In the event of a temporary accessible service disruption, Election Officials will commit to making reasonable efforts to ensure that services are reinstated as quickly as possible and that alternative services are provided where feasible.

In these instances of service disruptions, the Municipality of Wawa shall provide reasonable notice in the event of a planned or unexpected disruption in the facilities or services usually used by persons with disabilities.

Notice of these temporary disruptions shall be provided in a conspicuous place and manner at the respective location(s) and information shall also be posted on the Municipality of Wawa's website. This notice shall include information about the reason for the disruption, its anticipated duration, and a description of alternative facilities or services, if available.

Accessible services in relation to this plan include voting places, election materials and/or voting provisions for Electors with disabilities at the voting place.

In the event of disruptions to service or unforeseen circumstances that affect the accessibility of voting places during the voting period or on Election Day, notices of disruption will be posted in real time on the Municipality of Wawa's website.

8. Candidates

Candidates must also have regard to the needs of electors with disabilities. Campaign offices, election materials and canvassing should all be reviewed in order to ensure that they are fully accessible. The Accessibility Directorate of Ontario has released several quick reference documents to assist candidates with accessible elections considerations:

- [Count Us In: Removing Barriers to Political Participation - Quick Reference Guide to Accessible Campaign Information and Communication](#)
- [Count Us In: Removing Barriers to Political Participation - Quick Reference Guide to Accessible Constituency, Riding Association, Central Party and Campaign Offices](#)
- [Count Us In: Removing Barriers to Political Participation - Quick Reference Guide to Accessible All Candidates Meetings](#)

9. Reporting

Pursuant to Section 12.1 of the Municipal Elections Act, 1996, within 90 days after voting day, the Municipality of Wawa's Clerk shall submit a report to Council about the identification, removal and prevention of barriers that affect electors and candidates with disabilities.