

**THE CORPORATION OF THE TOWN OF TILLSONBURG  
BY-LAW 2022-\_\_**

**A by-law to appoint a Joint Compliance Audit Committee**

**WHEREAS** Section 88.37 of the *Municipal Elections Act, 1996* requires municipalities to appoint Compliance Audit Committees to deal with matters regarding election campaign finances before October 1 in an election year;

**AND WHEREAS** the Township of Norwich, Township of Southwest Oxford, Township of Zorra, Township of East Zorra-Tavistock, Township of Blandford-Blenheim, Town of Tillsonburg, the City of Woodstock and Town of Ingersoll deem it expedient to establish a Joint Compliance Audit Committee.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF TILLSONBURG ENACTS AS FOLLOWS:**

1. THAT a Committee, to be known as the Joint Compliance Audit Committee, is hereby established to deal with the matters provided for in Section 88.33 to 88.36 of the *Municipal Elections Act, 1996*.
2. THAT the Joint Compliance Audit Committee shall consist of the individuals listed in Schedule "A" and will be utilized to deal with each compliance audit request in accordance with the Terms of Reference attached hereto as Schedule "B."
3. THAT the business of the Joint Compliance Audit Committee be conducted in accordance with the Terms of Reference, set out in Schedule "B" attached hereto, which shall form part of this By-law.
4. AND THAT this By-law shall come into force and take effect on the date of passage.

**READ A FIRST AND SECOND TIME THIS 27<sup>TH</sup> DAY OF JUNE, 2022.**

**READ A THIRD AND FINAL TIME THIS 27<sup>TH</sup> DAY OF JUNE, 2022.**

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MAYOR – Stephen Molnar

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CLERK – Michelle Smibert

**SCHEDULE "A"**

David Morris

Carol Symons

Keith Reibling

Joyce McAndrew

Christene Scrimgeour

## **SCHEDULE "B"**

### **TERMS OF REFERENCE FOR JOINT COMPLIANCE AUDIT COMMITTEE**

#### **MANDATE**

The powers and functions of the Committee are set out in Section 88.33 to 88.36 of the *Municipal Elections Act, 1996*.

Within 30 days of receipt of an application requesting a compliance audit, the Committee shall consider the compliance audit application and decide whether it should be granted or rejected;

If the application is granted, the Committee shall appoint an auditor to conduct a compliance audit of the candidate's election campaign finances;

The Committee will review the auditor's report within 30 days of receipt and decide whether legal proceedings should be commenced; and

If the auditor's report indicates that there were no apparent contraventions and if it appears that there were no reasonable grounds for the application, the Committee shall advise Council accordingly.

Within 30 days after receipt of a report from the Clerk of any apparent over-contributions to candidates or third-parties ("report of the Clerk"), the Committee shall consider the Clerk's report and decide whether legal proceedings should be commenced.

#### **COMPOSITION**

##### **As in Section 88.37 (2) of the Municipal Elections Act:**

The committee shall be composed of not fewer than three and not more than seven members and shall not include,

- (a) employees or officers of the municipality or local board;
- (b) members of the council or local board;
- (c) any persons who are candidates in the election for which the committee is established; or
- (d) any persons who are registered third parties in the municipality in the election for which the committee is established.

#### **TERM**

The term of the Committee is coterminous with that of Council.

#### **CHAIR**

At the orientation meeting, the Committee shall select one of its Members to act as a Chair.

#### **PROPOSED MEETING SCHEDULE**

The committee would be required to meet at least once to participate in an orientation session. Thereafter the Committee shall meet as needed with meetings to be scheduled by the Clerk of the municipality that receives a compliance audit request, in consultation with the Committee or when a report from the relevant Clerk is received.

#### **STAFFING AND FUNDING**

Staff from the applicable member municipality shall provide administrative support to the Committee. The member municipality requiring the services of the Committee shall be responsible for all associated expenses of the compliance audit request that they receive. The orientation meeting costs and any costs of establishing and training the committee (mutual costs) shall be shared by the member municipalities.

**RECORDS**

The records emanating from meetings of the Joint Compliance Audit Committee shall be retained and preserved by the municipality requesting the services of the Committee in accordance with that municipality's Record Retention By-law.

**MEETINGS**

Meetings of the Committee shall be conducted in accordance with the open meeting requirements of the provisions in the *Municipal Act, 2001*. The websites of the member municipalities will be utilized to communicate the meeting notices and agendas.

**REMUNERATION FOR EACH MEMBER**

\$150 per diem (plus mileage) for every day that the committee is required to meet including orientation session(s).

**MEMBERSHIP SELECTION**

Members are chosen with the intent of representation from all participating municipalities where possible.

**SELECTION CRITERIA**

Given the judicial nature of the committee, members should have accounting and audit experience, academic qualifications (college or university professors with expertise in political science or local government administration), legal professional experience, municipal experience and knowledge of campaign financing rules under the MEA, 1996.

**MUNICIPAL MEMBERSHIP**

Any participating municipality that wishes to no longer be a member may leave the group and form their own committee with 30 days' notice. Any mutual costs of the committee up to that point will be invoiced. The joint compliance audit committee will still continue with the same terms of reference.