

TERMS OF REFERENCE FOR JOINT COMPLIANCE AUDIT COMMITTEE AND ITS PANELS

MANDATE

The powers and functions of the Committee are set out in Section 81 of the *Municipal Elections Act, 1996*.

1. 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;
2. If the application is granted, the Committee shall appoint an auditor to conduct a compliance audit of the candidate's election campaign finances;
3. The Committee will review the auditor's report within 30 days of receipt and decide whether legal proceedings should be commenced; and
4. 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.

Members of Council, staff or candidates running for office in the 2014 municipal election are not eligible to be appointed to the Committee. Should an appointed Member accept employment with any of the member municipalities or register as a candidate with any of the member municipalities, his or her appointment will be terminated.

All Committee Members must agree in writing that they will not work for or provide advice to any candidate running for municipal office within the member municipalities.

To avoid any potential conflict of interest, applicants with accounting or auditing backgrounds must agree in writing that they will not offer their services to any municipal election candidates. Anyone who has participated as a candidate in a municipal election, conducted by any of the member municipalities, or who has conducted audits or provided financial advice in respect of such an election campaign, is disqualified from participation on the Committee.

COMPOSITION

One Member shall be appointed for each participating municipality, for a total of [to be determined] Members, with three alternates to be agreed upon by said municipalities.

When a municipality is in receipt of an application, the Clerk of that municipality shall contact the Committee Members and arrange for a panel of three Members to sit as the compliance audit committee and hear the audit request.

TERM

The term of the Committee is co-terminous with that of Council.

CHAIR

The three-Member Committee called to hear a request for a compliance audit shall select one of its Members to act as a Chair at the first meeting.

PROPOSED MEETING SCHEDULE

The Committee shall meet as needed with meetings to be scheduled by the Clerk, in consultation with the Chair, when a compliance audit application 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.

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

\$400 - Retainer fee (includes compensation for review of any background materials).
\$350 - Per Diem rate, plus mileage.

MEMBERSHIP SELECTION

All applicants will be required to complete an application form outlining their qualifications and experience.

The City Clerk or his/her designate from each participating municipality will serve on the Selection Committee. The Selection Committee shall meet to review all applications based upon the approved selection criteria. The Selection Committee shall prepare a slate for consideration by the Councils of the member municipalities.

SELECTION CRITERIA

- Demonstrated knowledge and understanding of municipal election campaign financing rules;
- Proven analytical and decision-making skills;
- Experience working on committees, task forces or similar settings;
- Demonstrated knowledge of quasi-judicial proceedings;
- Availability and willingness to attend meetings;
- Excellent oral and written communication skill; and
- Avoidance of Potential Conflicts of Interest.