

ELECTION POLICY

POLICY TITLE: ELECTRONIC FILING OF FINANCIAL STATEMENT (CAMPAIGN CONTRIBUTIONS)

POLICY NO.: EL-002

Section:	Elections		
Effective Date:	July 17, 2018	Date of Last Review:	April 1, 2022
Approval Authority: City Clerk / Returning Officer		Policy Owner: City Clerk / Returning Officer	

POLICY STATEMENT
A policy providing for electronic filing of Candidate and Registered third party financial statements.
PURPOSE
The <i>Municipal Elections Act, 1996</i> (the “Act”) permits the City Clerk to provide for electronic filing of financial statements for Candidates and Registered third parties. The objective of this policy is to provide direction on the conditions and limitations with respect to such electronic filing.
SCOPE
This policy applies to all candidates (including those who withdraw) and third parties who have filed their nomination or registration with the City Clerk in the City of Vaughan and are required to file a financial statement(s) in accordance with the Act.
LEGISLATIVE AUTHORITY AND REQUIREMENTS
<p><i>Municipal Elections Act, 1996:</i></p> <p>Powers of clerk</p> <p>12 (1) A clerk who is responsible for conducting an election may provide for any matter or procedure that,</p> <ul style="list-style-type: none"> (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. <p>1996, c. 32, Sched., s. 12 (1).</p>

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Candidates' financial statements, etc.

88.25 (11) The clerk may provide for electronic filing under this section and may establish conditions and limits with respect to electronic filing. 2016, c. 15, s. 60.

Financial statements, etc., of registered third parties

88.29 (9) The clerk may provide for electronic filing under this section and may establish conditions and limits with respect to electronic filing. 2016, c. 15, s. 61.

Ontario Regulation 101/97 and City of Vaughan By-Law 031-2022

The contribution reporting requirements in this policy shall be set at a value necessary to meet the requirements of Part II of the Form 4 – Financial Statement as prescribed in Ontario Regulation 101/97 and also the minimum requirement necessary to administer the City's Contribution Rebate Program pursuant to By-law 031-2022.

DEFINITIONS

Campaign Financial Statement: The prescribed form established for the purposes of section 88.25 and 88.29 of the Act.

Candidate: A person who has been nominated under section 33 of the Act, including those who have withdrawn their nomination.

Candidate Access Portal: A website provided to candidates for the purposes of receiving and uploading documents in an electronic format.

Contribution Tracking Form: The electronic form(s) provided by the City Clerk to a candidate or registered third party for the purposes detailed in the policy.

Registered third party: In relation to an election in a municipality, an individual, corporation or trade union that is registered under section 88.6 of the Act.

POLICY

1. General

1.1. Notwithstanding the responsibility of Candidates and Registered third parties to understand and comply with the Act, the City Clerk shall provide every Candidate or Registered third party advertiser with a Contribution Tracking Form. The Contribution Tracking Form will allow a Candidate or Registered third party to record and report financial contributions of \$50 or greater and contributions of

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goods and services greater than \$100.00 (\$100.01 and above) on the Campaign Financial Statement.

- 1.2. A Candidate or Registered third party shall be required to track all financial contributions of \$50 or greater and contributions of goods and services greater than \$100.00 (\$100.01 and above) on the Contribution Tracking Form.
- 1.3. A Candidate or Registered third party shall file with the City Clerk, by the initial financial filing date, a copy of the Campaign Financial Statement. This statement shall be filed in person in paper format or electronically by email to the address provided by the City Clerk for that purpose, or by uploading the statement to the Candidate Access Portal.
 - 1.3.1. A Candidate or Registered third party may attach the appropriate completed Contribution Tracking Form to the paper copy of the Campaign Financial Statement in lieu of completing Table 1: Monetary contributions from individuals other than candidate or spouse and Table 2: Contributions in goods or services from individuals other than candidate or spouse included in Part II – Contributions exceeding \$100 per contributor – individuals other than candidate or spouse contained in Schedule 1 - Contributions of the Campaign Financial Statement, provided that they reference the attachment on the respective table.
 - 1.3.2. Notwithstanding sections 1.3 and 1.3.1 of this Policy, a Candidate or Registered third party must electronically file with the City Clerk an accurate electronic copy of the completed Contribution Tracking Form. The electronic copy filed must be identical to the information provided by the Candidate or a Registered third party on their Campaign Financial Statement submitted to the City Clerk.
- 1.4. A supplementary Campaign Financial Statement shall be filed with the City Clerk in the same manner as detailed in Section 1.3 of this Policy.
- 1.5. The City Clerk may use the Campaign Financial Statement and/or electronic copy of the completed Contribution Tracking Form filed by a Candidate or a Registered third party to fulfill the requirements of section 88.34 and section 88.36 of the Act.
- 1.6. The City Clerk may appoint one or more persons to assist them in fulfilling the requirements of section 88.34 and section 88.36 of the Act.
- 1.7. This policy, and the forms established in respect of this policy, do not replace or satisfy all of a Candidate or Registered third party's statutory responsibilities in

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respect of contribution tracking and financial record keeping under the *Municipal Elections Act, 1996*, or any other act.

ADMINISTRATION			
<i>Administered by the Office of the City Clerk</i>			
Review Schedule:	3 Years	Next Review Date:	January 2, 2025
Related Policy(ies):	None		
Related By-Law(s)	By-law 031-2022 Contribution Rebate Program for the 2022 Municipal Election		
Procedural Document:	None		
Revision History			
Date:	Description:		