



THE CORPORATION OF THE UNITED TOWNSHIPS OF HEAD, CLARA & MARIA ELECTIONS 2018

Notice re: Municipal Elections Bank Account

Bank account

You must open a bank account if you accept any contributions (including contributions of money from yourself) or incur any expenses during your campaign.

The nomination fee is considered to be a personal expense – not a campaign expense so it is not included in the legislation.

If, after you pay the nomination fee, you do not spend any money on your campaign, and do not accept any contributions, you do not have to open a bank account.

However, if you do spend money on flyers, posters, buttons etc. all contributions – including contributions you make yourself – must be deposited into the campaign bank account first and then all expenses must be paid from the campaign account.

From the Municipal Elections Act...

Campaign account loans

88.17 (1) A candidate and his or her spouse may obtain a loan only from a bank or other recognized lending institution in Ontario, to be paid directly into the candidate's campaign account. 2016, c. 15, s. 55 (1).

Same, registered third party

(2) A registered third party and, in the case of an individual, his or her spouse, may obtain a loan in relation to third party advertisements only from a bank or other recognized lending institution in Ontario, to be paid directly into the campaign account. 2016, c. 15, s. 55 (2).

Who may guarantee

(3) Only the following persons, as applicable, may guarantee a loan:

1. The candidate and his or her spouse.
2. The registered third party and, in the case of an individual, his or her spouse. 2016, c. 15, s. 55 (3).

Section Amendments with date in force (d/m/y)

DUTIES OF CANDIDATES AND REGISTERED THIRD PARTIES

Duties of candidates

88.22 (1) A candidate shall ensure that,



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- (a) no contributions of money are accepted or expenses are incurred unless one or more campaign accounts are first opened at a financial institution exclusively for the purposes of the election campaign;
- (b) all contributions of money are deposited into the campaign accounts;
- (c) all funds in the campaign accounts are used exclusively for the purposes of the election campaign;
- (d) all payments for expenses are made from the campaign accounts;
- (e) contributions of goods or services are valued;
- (f) receipts are issued for every contribution and obtained for every expense;
- (g) records are kept of,
 - (i) the receipts issued for every contribution,
 - (ii) the value of every contribution,
 - (iii) whether a contribution is in the form of money, goods or services, and
 - (iv) the contributor's name and address;
- (h) records are kept of every expense including the receipts obtained for each expense;
- (i) records are kept of any claim for payment of an expense that the candidate disputes or refuses to pay;
- (j) records are kept of the gross income from a fund-raising function and the gross amount of money received at a fund-raising function by donations of \$25 or less or by the sale of goods or services for \$25 or less;
- (k) records are kept of any loan and its terms under section 88.17;
- (l) the records described in clauses (g), (h), (i), (j) and (k) are retained by the candidate for the term of office of the members of the council or local board and until their successors are elected and the newly elected council or local board is organized;
- (m) financial filings are made in accordance with sections 88.25 and 88.32;
- (n) proper direction is given to the persons who are authorized to incur expenses and accept or solicit contributions under the direction of the candidate;
- (o) a contribution of money made or received in contravention of this Act or a by-law passed under this Act is returned to the contributor as soon as possible after the candidate becomes aware of the contravention;
- (p) a contribution not returned to the contributor under clause (o) is paid to the clerk with whom the candidate's nomination was filed;



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- (q) an anonymous contribution is paid to the clerk with whom the candidate's nomination was filed; and
- (r) each contributor is informed that a contributor shall not make contributions exceeding,
 - (i) subject to subsection (2), a total of \$1,200 to any one candidate in an election, and
 - (ii) a total of \$5,000 to two or more candidates for offices on the same council or local board. 2016, c. 15, s. 60; 2017, c. 10, Sched. 4, s. 8 (13).