

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



NOTICE TO CANDIDATE OF FILING REQUIREMENTS AND PENALTIES EL 42

Municipal Elections Act, 1996

TAKE NOTICE EVERY CANDIDATE SHALL FILE by 2 p.m., March 29, 2019, with the Clerk with whom their nomination was filed a financial statement and auditors report for the period ending December 31, 2018 in accordance with the *Municipal Elections Act, 1996*.

Notice of penalties

33.1 *The clerk shall, before voting day, give to each person nominated for an office notice of:*

(a) the penalties under subsections 88.23 (2) and 92 (1) related to election campaign finances; and

(b) the refund of the nomination filing fee that the candidate is entitled to receive in the circumstances described in section 34. 2016, c. 15, s. 25.

Refund

34 A candidate is entitled to receive a refund of the nomination filing fee if the documents required under subsection 88.25 (1) are filed on or before 2 p.m. on the filing date in accordance with that subsection. 2016, c. 15, s. 26.

Effect of default by candidate

88.23 (1) A candidate is subject to the penalties listed in subsection (2), in addition to any other penalty that may be imposed under this Act,

(a) if the candidate fails to file a document as required under section 88.25 or 88.32 by the relevant date;

(b) if a document filed under section 88.25 shows on its face a surplus, as described in section 88.31, and the candidate fails to pay the amount required by subsection 88.31 (4) to the clerk by the relevant date;

(c) if a document filed under section 88.25 shows on its face that the candidate has incurred expenses exceeding what is permitted under section 88.20; or

(d) if a document filed under section 88.32 shows on its face a surplus and the candidate fails to pay the amount required by that section by the relevant date. 2016, c. 15, s. 60.

Penalties

(2) Subject to subsection (7), in the case of a default described in subsection (1),

(a) the candidate forfeits any office to which he or she was elected and the office is deemed to be vacant; and

(b) until the next regular election has taken place, the candidate is ineligible to be elected or appointed to any office to which this Act applies. 2016, c. 15, s. 60.

Notice of default

(3) In the case of a default described in subsection (1), the clerk shall,

(a) notify the candidate in writing that the default has occurred;

(b) if the candidate was elected, notify the council or board to which he or she was elected in writing that the default has occurred; and

(c) make available to the public the name of the candidate and a description of the nature of the default. 2016, c. 15, s. 60.

Clerk's report re filing requirements

(4) The clerk shall make available to the public a report setting out all candidates in an election and indicating whether each candidate complied with section 88.25. 2016, c. 15, s. 60.

Offences re campaign finances

Offences by candidate

92 (1) A candidate is guilty of an offence and, on conviction, in addition to any other penalty that may be imposed under this Act, is subject to the penalties described in subsection 88.23 (2),

(a) if the candidate incurs expenses that exceed the amount determined for the office under section 88.20; or

(b) if the candidate files a document under section 88.25 or 88.32 that is incorrect or otherwise does not comply with that section. 2016, c. 15, s. 68 (1).

Date

Municipal Clerk or designate