



NOTICE OF PENALTIES

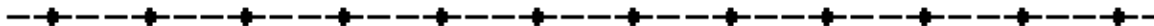
(Municipal Election Act, 1996)

Section 76 of the Municipal Elections Act outlines the details of expenses a candidate may incur. Pursuant to Section 76(7), within 10 days after nomination day, the Clerk will calculate the maximum permitted expenses for each office and will provide a Certificate of the applicable maximum to each candidate.

Section 78(1) of the Municipal Elections Act states that “on or before 2 p.m. on the filing date, a candidate shall file with the Clerk with whom the nomination was filed a financial statement and auditor’s report, each in the prescribed form reflecting the candidate’s election campaign finances,

- a) in the case of a regular election, as of December 31, in the year of the election; and
- b) in the case of a by-election, as of the 45th day after voting day.”

Section 79 of the Municipal Elections Act outlines details of a candidate’s “surplus” if contributions exceed expenses, and a candidate’s “deficit” if the reverse is true.



Section 80(1) of the Municipal Elections Act provides that a candidate is subject to the penalties listed in Subsection (2), in addition to any other penalty that may be imposed under this Act, if,

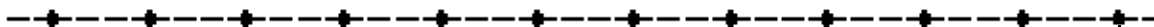
- a) he or she fails to file a document as required under Section 78 or 79.1 by the relevant date;
- b) a document filed under Section 78 shows on its face a surplus, as described in Section 79, and the candidate fails to pay the amount required by Section 79 (4) to the Clerk by the relevant date;
- c) a document filed under Section 78 shows on its face that the candidate has incurred expenses exceeding what is permitted under Section 76; or
- d) if a document filed under Section 79.1 shows on its face a surplus and the candidate fails to pay the amount required under subsection 79.1 (7) by the relevant date.

Section 80(2) of the Municipal Elections Act provides for the following penalties in the case of a default described in subsection (1):

- 1. In the case of the defaults described in subsection (1),
 - (a) the candidate forfeits any office to which he or she was elected and the office shall be 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.

Section 92(5) of the Municipal Elections Act provides that 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 Paragraph 1 of Subsection 80(2), if he or she,

- a) files a document under Section 78 or 79.1 that is incorrect or otherwise does not comply with that section; or
- b) incurs expenses that exceed what is permitted under Section 76.



The information above is provided to all candidates, however it is the responsibility of the candidate to refer directly to the Municipal Elections Act, 1996 for specific provisions and additional details. The Act is available from Publications Ontario (telephone 1-800-668-9938) or on line at www.e-laws.gov.on.ca.