



Policy

Policy Name:	Allocation of Election Campaign Surpluses and Other Contributions Policy
Policy Owner:	City Clerk
Approved by:	Council
Effective Date:	new
Date of Last Revision:	new
Review Date:	as required

Purpose:

The purpose of this policy is to establish how the City will allocate any Candidate and Registered Third Party election Campaign Surpluses, or Other Contributions paid to the City pursuant to the requirements of the *Municipal Elections Act, 1996*, S.O. 1996, c.32, as amended.

Policy Principles:

Campaign Surpluses and Other Contributions paid to the City pursuant to the Act shall be allocated to offset the costs of administering Elections and any Contribution Rebate Program.

Definitions:

In this Policy, the following words have the associated meaning:

“Act”	means the <i>Municipal Elections Act, 1996</i> , S.O. 1996, c.32, as amended, and includes any regulation made thereunder.
“Campaign Financial Statement”	means any financial statement that the Act requires a Candidate or Registered Third Party to file with the City Clerk by a relevant date following an Election, and includes any supplementary filing, revised or otherwise.
“Campaign Surplus”	means any monies which a Candidate or Registered Third Party is required to pay to the City when filing a Campaign Financial Statement.
“Candidate”	means a person who has submitted a Nomination to the City Clerk, pursuant to Section 33 of the Act in any Election.
“City”	means the Corporation of the City of Richmond Hill.
“City Clerk”	means the person appointed by Council as Clerk of the City under Subsection 228(1) of the Act, or his or her designate.
“Contribution Rebate Program”	means the Municipal Elections Campaign Contribution Rebate Program or any program approved by Council pursuant to Section

88.11 of the Act that authorizes the City to pay rebates to persons who make contributions to Candidates for election to Council.

“Council”	means the Council of the Corporation of the City of Richmond Hill.
“Election”	means any election or by-election held in any part of the City of Richmond Hill pursuant to the Act.
“Election Reserve”	means the reserve established by Council pursuant to Section 417(1) of the <i>Municipal Act, 2001</i> , S.O. 2001, c.25, as amended, for the purpose of funding the costs of a Regular Election over a four-year period.
“Rebate Reserve”	means the Election Contribution Rebate Reserve established by Council pursuant to Section 417(1) of the <i>Municipal Act, 2001</i> , S.O. 2001, c.25, as amended, for the purpose of funding the Contribution Rebate Program.
“Other Contributions”	means any contribution that a Candidate, pursuant to Sections 88.22(1)(p) and 88.22(1)(q) of the Act, or Registered Third Party, pursuant to Sections 88.26(1)(p) and 88.26(1)(q) of the Act, is paid to the City Clerk.
“Post-Election Expense”	means any expense incurred by the City Clerk pertaining to: 1) Recounts under Sections 56 to 64 of the Act; and, 2) Compliance Audits under Sections 88.33 to 88.36 of the Act, that exceed the funding available from the Election Reserve.
“Regular Election”	means the Election currently held every four years pursuant to Section 4 of the Act.
“Registered Third Party”	means an individual, corporation or trade union who has filed a registration as a Third Party Advertiser to the City Clerk pursuant to Section 88.6 of the Act.
“Treasurer”	means the person appointed Treasurer of the City under Subsection 286(1) of the Act, or his or her designate.

Scope

This Policy applies to all Campaign Surpluses and Other Contributions paid to the City by any Candidate or Registered Third Party.

Policy

1. Pursuant to the Act, Campaign Surplus and Other Contributions paid to the City become the property of the City.
2. The City shall, and the City Clerk and Treasurer are authorized to, as required, return any

Campaign Surplus to a Candidate or Registered Third Party for subsequent expenses in accordance with the requirements of Section 88.32 of the Act.

3. Other Contributions, and any Campaign Surplus (not returned to a Candidate or Registered Third Party pursuant to Section 88.32 of the Act) shall be allocated according to the following in order of priority:
 - a. Firstly, to pay for any rebates owing under the Contribution Rebate Program, related to a regular election, that cannot be funded from the balance available in the Rebate Reserve;
 - b. Secondly, if any amount remains, to pay for any Post-Election Expense pertaining to a Regular Elections; and,
 - c. Thirdly, if any amount remains, to the Rebate Reserve for future payments under the Contribution Rebate Program.

Roles and Responsibilities

1. Candidate and Registered Third Parties

Candidate and Registered Third Parties are required and responsible for:

- Complying with the campaign finance rules in the Act.
- Paying to the City any Campaign Surplus or Other Contribution as required by the Act.
- Complying with Section 88.32 of the Act in respect to the return of any Campaign Surplus for subsequent expenses.

2. City Clerk

- The City Clerk is responsible for administering and interpreting this Policy.
- The City Clerk is responsible for receiving any Campaign Surplus or Other Contribution on behalf of the City.

3. Treasurer

- The Treasurer is responsible for allocating any Campaign Surplus or Other Contribution as set out in this policy.

Related Documents

- *Municipal Elections Act, 1996, S.O. 1996, c.32*