

THE CORPORATION OF THE TOWNSHIP OF BONFIELD

BY-LAW NO. 2026-24

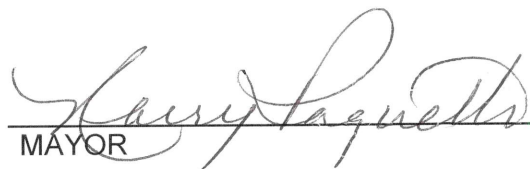
Being a by-law to appoint a Compliance Audit Committee under the *Municipal Elections Act* for the Corporation of the Township of Bonfield.


WHEREAS Section 88.37(1) of the *Municipal Elections Act* provides that a Council or local board shall, before October 1 of an election year, establish a Compliance Audit Committee;

NOW THEREFORE be it resolved that the Council of the Corporation of the Township of Bonfield hereby enacts as follows:

1. Amanda Wallace, Karin Ann Brent, Joel Montagnes and Michel Champagne are hereby appointed as a Compliance Audit Committee (the "Committee" herein) under the *Municipal Elections Act* with respect to the 2026 Municipal Election.
2. The Council does hereby delegate to the Committee its powers and functions under Sections 88.33 to 88.37 of the *Municipal Elections Act* (the "Act" herein) with respect to any applications which may be received under the Act and that Council shall pay all costs in relation to the operation and activities of the Committee.
3. In the event of the receipt of a request for a compliance audit under the Act, the Committee shall be convened by the Municipal Clerk or designate.
4. The Municipal Clerk or designate shall act as Secretary to the Committee and the Municipal Solicitor shall be available to the Committee for advice.
5. The Committee shall exercise the powers and duties delegated to it herein with respect to the 2026 Municipal Election.
6. That remuneration for the Compliance Audit Committee shall be as set out in Schedule "A" attached hereto and forming part of this by-law.
7. That the operation of the Compliance Audit Committee shall be subject to the Terms of Reference as set out in Schedule "B" attached hereto and forming part of this by-law.
8. That this by-law shall come into effect on the date of passing.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 28TH DAY OF APRIL, 2026.


MAYOR


CLERK

SCHEDULE "A" TO BY-LAW NO. 2026-24

**REMUNERATION PAID TO MEMBERS OF THE TOWNSHIP OF BONFIELD 2026
ELECTION COMPLIANCE AUDIT COMMITTEE**

1. The members of the Township of Bonfield 2026 Election Compliance Audit Committee for the Corporation of the Township of Bonfield shall be paid compensation as follows:

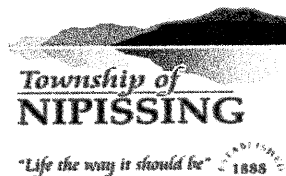
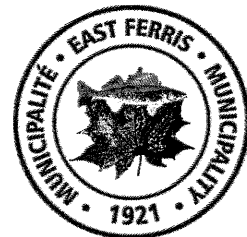
\$60.00 per meeting.

JOINT 2026 ELECTION COMPLIANCE AUDIT COMMITTEE

TERMS OF REFERENCE

Township of Bonfield; Township of Chisholm; Municipality of Callander; Municipality of East Ferris; Municipality of Powassan and Township of Nipissing

Amended April 10, 2026



The Municipal Elections Act, 1996 S.O. 1996, s. 88.37 states that municipalities in Ontario must appoint an Election Compliance Audit Committee for each municipal election.

Name of the Committee

Therefore, the Townships of Bonfield, Chisholm and Nipissing and the Municipalities of Callander, East Ferris and Powassan have formed a Joint Compliance Audit Committee.

Duration of the Committee

The term of office is from November 15, 2026 to November 14, 2030 to deal with applications from the 2026 election and any by-elections during Council's term.

Mandate

The powers and functions of the Committee are set out in Sections 88.33 to 88.37 of the *Municipal Elections Act, 1996* (Appendix "A"). The Committee will perform the functions relating to the compliance audit application process as outlined in the Act. These functions include:

- a. within 30 days receipt of a compliance audit application by an elector or a report submitted by the Clerk, consider the application and decide whether it should be granted or rejected;
- b. appoint a licensed auditor, if the application is granted;
- c. receive the auditor's report;
- d. within 30 days receipt of the auditor's report, consider the report;
- e. if the report concludes that the candidate or Registered Third Party appears to have contravened a provision of the Act relating to election campaign finances, commence legal proceedings against the candidate for the apparent contravention;
- f. if the report concludes that the candidate or Registered Third Party does not appear to have contravened a provision of the Act relating to election campaign finances and the Committee finds that there were no reasonable grounds for the application, Council may recover the auditor's costs from the applicant.

Membership

The Committee will be composed of four (4) voting members.

Membership will be drawn from the following groups:

- a. accounting and audit - accountants or auditors with experience in preparing or auditing the financial statements of municipal candidates;
- b. legal;
- c. professionals who in the course of their duties are required to adhere to codes or standards of their profession which may be enforced by disciplinary tribunals; and/or
- d. other individuals with knowledge of the campaign financing rules of the *Municipal Elections Act, 1996*.

Selection of the Chair

The Committee will select a Chair from amongst its members at its first meeting when a compliance audit application is received.

The Chair is the liaison between the members and the Secretary of the Committee on matters of policy and process.

The Chair shall enforce the observance of order and decorum among the Committee members and the public at all meetings.

When the Chair is absent, the Committee may appoint another member as Acting Chair. While presiding, the Acting Chair shall have all the powers of the Chair.

Staffing and Costs

The Clerk from the applicable member municipality shall act as Secretary to the Committee.

The member municipality requiring the services of the Committee shall be responsible for all associated expenses.

Committee Member Remuneration - \$60.00 per diem per meeting.

Meetings

Meetings of the Committee will be conducted in accordance with the open meeting provisions of the *Municipal Act, 2001*.

a. Timing of Meetings

The first meeting will be called by the Clerk of the member municipality upon receipt of an application. The date and time of the meeting will be determined by the Clerk and communicated directly to the Committee members. Subsequent meetings will be held at the call of the Chair in consultation with the Clerk.

Committee activity shall be determined primarily by the number and complexity of applications for compliance audits that may be received. The frequency and duration of meetings will be determined by the Committee in consultation with the Clerk.

b. Meeting Location

The Committee shall meet at the location determined by the member municipality.

c. Notices, Agendas and Minutes

The agenda shall constitute notice. The Clerk of the member municipality requiring the services of the Committee shall cause notice of the meetings to be provided to members of the Committee and involved parties by electronic mail and regular mail a minimum of two (2) business days prior to the date of each meeting, not including weekends or holidays. The agenda shall be posted on the member municipality's website and shall serve as public notice.

Minutes of each meeting shall outline the general deliberations and specific actions and recommendations that result. Minutes of the meeting shall be

The Auditor shall submit a report to the Clerk with whom the Candidate filed his or her nomination, the Candidate and the Applicant. The Clerk will forward the report to Committee members by electronic mail and assist with scheduling a meeting of the Committee within 30 days, at the call of the Chair.

Administrative Practices and Procedures

The Terms of Reference constitute the Administrative Practices and Procedures of the Committee. Any responsibilities not clearly identified within these Terms of Reference shall be in accordance with Section 88 of the *Municipal Elections Act, 1996*.

The Clerk at any time has the right to develop additional administrative practices and procedures.

Appointment of auditor

(10) If the committee decides under subsection (7) to grant the application, it shall appoint an auditor to conduct a compliance audit of the candidate's election campaign finances. 2016, c. 15, s. 63.

Same

(11) Only auditors licensed under the *Public Accounting Act, 2004* or prescribed persons are eligible to be appointed under subsection (10). 2016, c. 15, s. 63.

Duty of auditor

(12) The auditor shall promptly conduct an audit of the candidate's election campaign finances to determine whether he or she has complied with the provisions of this Act relating to election campaign finances and shall prepare a report outlining any apparent contravention by the candidate. 2016, c. 15, s. 63.

Who receives report

(13) The auditor shall submit the report to the candidate, the clerk with whom the candidate filed his or her nomination, the secretary of the local board, if applicable, and the applicant. 2016, c. 15, s. 63.

Report to be forwarded to committee

(14) Within 10 days after receiving the report, the clerk of the municipality or the secretary of the local board shall forward the report to the compliance audit committee. 2016, c. 15, s. 63.

Powers of auditor

(15) For the purpose of the audit, the auditor,

- (a) is entitled to have access, at all reasonable hours, to all relevant books, papers, documents or things of the candidate and of the municipality or local board; and
- (b) has the powers set out in section 33 of the *Public Inquiries Act, 2009* and section 33 applies to the audit. 2016, c. 15, s. 63.

Costs

(16) The municipality or local board shall pay the auditor's costs of performing the audit. 2016, c. 15, s. 63.

Decision

(17) The committee shall consider the report within 30 days after receiving it and, if the report concludes that the candidate appears to have contravened a provision of the Act relating to election campaign finances, the committee shall decide whether to commence a legal proceeding against the candidate for the apparent contravention. 2016, c. 15, s. 63.

Notice of decision, reasons

(18) The decision of the committee under subsection (17), and brief written reasons for the decision, shall be given to the candidate, the clerk with whom the candidate filed his or her nomination, the secretary of the local board, if applicable, and the applicant. 2016, c. 15, s. 63.

Immunity

(19) No action or other proceeding for damages shall be instituted against an auditor appointed under subsection (10) for any act done in good faith in the execution or intended execution of the audit or for any alleged neglect or default in its execution in good faith. 2016, c. 15, s. 63.

Saving provision

(20) This section does not prevent a person from laying a charge or taking any other legal action, at any time, with respect to an alleged contravention of a provision of this Act relating to election campaign finances. 2016, c. 15, s. 63.

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

2016, c. 15, s. 63 - 09/06/2016

2017, c. 20, Sched. 10, s. 1 - 14/11/2017

Note: On April 1, 2018, the Act is amended by adding the following section: (Sec: 2016, c. 15, s. 64)

Review of contributions to candidates

88.34 (1) The clerk shall review the contributions reported on the financial statements submitted by a candidate under section 88.25 to determine whether any contributor appears to have exceeded any of the contribution limits under section 88.9. 2016, c. 15, s. 64.

Same

(10) Subsection (9.1) applies despite sections 207 and 208.1 of the *Education Act*, 2017, c. 20, Sched. 10, s. 2.

Notice of decision, reasons

(11) The decision of the committee under subsection (8), and brief written reasons for the decision, shall be given to the contributor and to the clerk of the municipality or the secretary of the local board, as the case may be. 2016, c. 15, s. 64.

Saving provision

(12) This section does not prevent a person from laying a charge or taking any other legal action, at any time, with respect to an alleged contravention of a provision of this Act relating to contribution limits. 2016, c. 15, s. 64.

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

2016, c. 15, s. 64 - 01/04/2018

2017, c. 20, Sched. 10, s. 2 - 01/04/2018

Note: On April 1, 2018, the Act is amended by adding the following sections: (See: 2016, c. 15, s. 65)

Compliance audit of registered third parties

Application by elector

88.35 (1) An elector who is entitled to vote in an election in a municipality and believes on reasonable grounds that a registered third party who is registered in relation to the election in the municipality has contravened a provision of this Act relating to campaign finances may apply for a compliance audit of the campaign finances of the registered third party in relation to third party advertisements, even if the registered third party has not filed a financial statement under section 88.29. 2016, c. 15, s. 65.

Requirements

(2) An application for a compliance audit shall be made to the clerk of the municipality in which the registered third party was registered, and it shall be made in writing and shall set out the reasons for the elector's belief. 2016, c. 15, s. 65.

Deadline

(3) The application must be made within 90 days after the latest of the following dates:

1. The filing date under section 88.30.
2. The date the registered third party filed a financial statement, if the statement was filed within 30 days after the applicable filing date under section 88.30.
3. The supplementary filing date, if any, for the registered third party under section 88.30.
4. The date on which the registered third party's extension, if any, under subsection 88.27 (3) expires. 2016, c. 15, s. 65.

Application of s. 88.33 (4) to (20)

(4) Subsections 88.33 (4) to (20) apply to a compliance audit under this section, with the following modifications:

1. A reference to a candidate shall be read as a reference to the registered third party.
2. A reference to the clerk with whom the candidate filed his or her nomination shall be read as a reference to the clerk of the municipality in which the registered third party is registered.
3. A reference to election campaign finances shall be read as a reference to the campaign finances of the registered third party in relation to third party advertisements that appear during an election in the municipality. 2016, c. 15, s. 65.

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

2016, c. 15, s. 65 - 01/04/2018

Review of contributions to registered third parties

88.36 (1) The clerk shall review the contributions reported on the financial statements submitted by a registered third party under section 88.29 to determine whether any contributor appears to have exceeded any of the contribution limits under section 88.13. 2016, c. 15, s. 65.

Report by the clerk

(2) As soon as possible following the day that is 30 days after the filing date or supplementary filing date, as the case may be, under section 88.30 for a registered third party, the clerk shall prepare a report identifying each contributor to the registered third party who appears to have contravened any of the contribution limits under section 88.13 and,

Same

(4) In appointing persons to the committee, the council or local board shall have regard to the prescribed eligibility criteria. 2016, c. 15, s. 66.

Term of office

(5) The term of office of the committee is the same as the term of office of the council or local board that takes office following the next regular election, and the term of office of the members of the committee is the same as the term of the committee to which they have been appointed. 2016, c. 15, s. 66.

Role of clerk or secretary

(6) The clerk of the municipality or the secretary of the local board, as the case may be, shall establish administrative practices and procedures for the committee and shall carry out any other duties required under this Act to implement the committee's decisions. 2016, c. 15, s. 66.

Costs

(7) The council or local board, as the case may be, shall pay all costs in relation to the committee's operation and activities. 2016, c. 15, s. 66.

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

2016, c. 15, s. 66 - 09/06/2016