

# Election Campaign Finances Committee Terms of Reference

## Mandate

The Election Campaign Finances Committee (the Committee) shall operate in accordance with the *Municipal Elections Act, 1996* (MEA) and the Procedure By-Law which governs and regulates the operation of meetings of Council and committees. Appointed members will review any applications received for a compliance audit of a candidate's campaign finances.

The committee will commit to the following:

1. Uphold the integrity of the election process.
2. All decisions and processes will be guided by the MEA and other acts and regulations.
3. The process of reviewing applications for compliance audits will be conducted in a non-biased, highly ethical and professional manner.
4. The Committee will be supported by City of Mississauga staff.
5. The Committee will work independently from Council and provide an update to Council periodically on its activities through notices of meeting, agendas, minutes, notices of decision and records of proceeding.

## Objectives/Goals

The Committee will work in accordance with section 88.33 of the MEA to ensure that compliance audit requests are reviewed objectively. The goal is for the Committee to uphold the integrity of the election process.

## Work Plan

Due to the nature of the Committee, a work plan will not be presented to Council on an annual basis. The Committee will meet on an as needed basis.

## Definitions

The following are defined in the MEA:

Applicant – an elector who is entitled to vote in an election who makes a request for a compliance audit of a candidate's campaign finances believing on reasonable grounds that a candidate has contravened a provision of the MEA relating to election campaign finances (MEA s. 88.33(1)).

Candidate – the candidate whose election campaign finances are the subject of the application (MEA s. 88.33 (1) and 88.33 (2))

Compliance Audit Application – a request for a review of a candidate's campaign finances, made by an applicant who believes on reasonable grounds that the candidate has contravened a provision of the MEA relating to election campaign finances. The application shall be made to the Clerk of the municipality for which the candidate was nominated for office; it shall be in writing and shall set out the reasons for the elector's beliefs (MEA s. 88.33(1) and 88.33(2)).

## Procedures and Frequency of Meetings

All Committees are subject to the Council Procedure By-law, which outlines the procedures for Council and Committee meetings.

[http://www7.mississauga.ca/documents/bylaws/Council\\_Procedure.pdf](http://www7.mississauga.ca/documents/bylaws/Council_Procedure.pdf)

Committee meetings will be tentatively scheduled every other week at 9:00 a.m. following a regular election or by-election to accommodate a possible compliance audit request. Meetings will be convened at the discretion of the Clerk only if a compliance audit request is received or a business meeting is required. It can be estimated that the committee will meet two (2) to four (4) times a year following a regular election or by-election.

## Membership

Five (5) members have been appointed to the Committee. All members are subject to the Code of Conduct and Complaint Protocol for Local Boards. [http://www7.mississauga.ca/documents/CityHall/pdf/Local\\_Boards\\_Code\\_of\\_Conduct.pdf](http://www7.mississauga.ca/documents/CityHall/pdf/Local_Boards_Code_of_Conduct.pdf) and Corporate Policy 02-01-01: Citizen Appointments to Committees, Boards and Authorities. <http://inside.mississauga.ca/Policies/Documents/02-01-01.pdf>

The Committee (or a majority of its members) will be requested to ensure, to the best of their ability, that they are available on the pre-determined meeting dates in the event that an application is received by the Clerk and a meeting is called.

## **Role of Chair**

The role of the Chair is to:

1. Preside at the meetings of the Election Campaign Finances Committee using City of Mississauga's Procedure By-law, and keep discussion on topic.
2. Provide leadership to the Election Campaign Finances Committee to encourage that its activities remain focused on its mandate.
3. Review agenda items with the Committee Coordinator and Elections Office.
4. Recognize each Member's contribution to the Committee's work.
5. Liaise with the Manager of Elections on a regular basis.

## **Role of Committee Members**

The role of Committee Members is to:

1. Ensure that the mandate of the Election Campaign Finances Committee is being fulfilled.
2. Provide the Chair with solid, factual information regarding agenda items.
3. When required, advise Council on matters relating to the matters that the Election Campaign Finances Committee deals with.
4. Actively participate in the promotion of the Committee meetings.
5. Notify the Committee Coordinator if they are unable to attend Election Campaign Finances Committee meetings to ensure that quorum will be available for all meetings.

## **Quorum**

1. Quorum of the Election Campaign Finances Committee shall be reached with the presence of three (3) Committee members, being a majority of the appointed members, at a time no later than thirty (30) minutes past the time for which the beginning of the meeting was scheduled and so noted on the agenda or notice of the meeting.
2. The issuance of an agenda for a meeting of the Committee will be considered as notice of that meeting.