

THE CORPORATION OF THE TOWNSHIP OF PICKLE LAKE

BY-LAW NO. 2010-23



BEING A BY-LAW TO APPOINT A COMPLIANCE AUDIT COMMITTEE.

WHEREAS Section 81.1 of the *Municipal Elections Act, 1996* requires municipalities to appoint Compliance Audit Committees to deal with matters regarding election campaign finances before October 1 in an election year.

AND WHEREAS the Township of Pickle Lake deem it expedient to establish a Joint Compliance Audit Committee.

NOW THEREFORE the Council of the Corporation of the Township of Pickle Lake **ENACTS AS FOLLOWS:**

1. **THAT** a Committee, to be known as the Joint Compliance Audit Committee, is hereby established to deal with the matters provided for in Section 81 of the *Municipal Elections Act, 1996*.
2. **THAT** the Joint Compliance Audit Committee shall consist of the following individuals, at least three (3) of whom shall be selected to deal with each compliance audit request in accordance with the Terms of Reference attached hereto as Schedule "A":
 - Doris Dyson
 - Paul Heayn
 - Sheila Hintz
 - Bill Naturkach
 - Warren Paulson
3. Should any of the members of the Joint Compliance Audit Committee referred to in Section 2 resign or otherwise be unable to perform their duties, then Council shall consider applications of alternates without the necessity of taking any further steps to constitute them as members of the Joint Compliance Audit Committee.
4. **THAT** the business of the Joint Compliance Audit Committee be conducted in accordance with the Terms of Reference set out in Schedule "A" attached hereto, which shall form part of this By-Law.
5. **AND THAT** this By-Law shall come into force and take effect on the date of passage.

BE READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS

24th day of August, 2010.

Mayor

Clerk-Treasurer

TERMS OF REFERENCE FOR JOINT COMPLIANCE AUDIT COMMITTEE

MANDATE

The powers and functions of the Committee are set out in Section 81 of the *Municipal Elections Act, 1996*.

1. Within 10 days after receiving an application for a compliance audit, the Clerk of the Municipality shall forward the application to the compliance audit committee and provide a copy of the application to the Council. Within 30 days after receiving the application, the committee shall consider the application and decide whether it should be granted or rejected;
2. If the application is granted, the Committee shall appoint an auditor to conduct a compliance audit of the candidate's election campaign finances;
3. The Committee will review the auditor's report within 30 days of receipt and decide whether legal proceedings should be commenced; and
4. If the auditor's report indicates that there were no apparent contraventions and if it appears that there were no reasonable grounds for the application, the Committee shall advise Council accordingly.

Members of Council, staff or candidates running for office in the 2010 municipal election are not eligible to be appointed to the Committee. Should an appointed Member accept employment with any of the member municipalities or register as a candidate with any of the member municipalities, his or her appointment will be terminated.

All Committee Members must agree in writing that they will not work for or provide advice to any candidate running for municipal office within the member municipalities.

To avoid any potential conflict of interest, applicants with accounting or auditing backgrounds must agree in writing that they will not offer their services to any municipal election candidates.

Anyone who has participated as a candidate in a municipal election, conducted by any of the member municipalities, or who has conducted audits or provided financial advice in respect of such an election campaign, is disqualified from participation on the Committee.

COMPOSITION

When the municipality is in receipt of an application requesting a compliance audit, the Clerk shall contact the Committee Members and arrange for a minimum of three Members to hear the audit request.

TERM

The term of the Committee is co-terminous with that of Council.

CHAIR

The three-Member Committee called to hear a request for a compliance audit shall select one of its Members to act as a Chair at the first meeting.

PROPOSED MEETING SCHEDULE

The Committee shall meet as needed with meetings to be scheduled by the Clerk, in consultation with the Chair, when a compliance audit application is received.

STAFFING AND FUNDING

Staff from the applicable municipality shall provide administrative support to the Committee. The municipality requiring the services of the Committee shall be responsible for all associated expenses.

RECORDS

The records emanating from meetings of the Joint Compliance Audit Committee shall be retained and preserved by the municipality requesting the services of the Committee in accordance with that municipality's Record Retention By-law.

MEETINGS

Meetings of the Committee shall be conducted in accordance with the open meeting requirements of the provisions in the *Municipal Act, 2001*. The websites of the member municipalities will be utilized to communicate the meeting notices and agendas.

REMUNERATION FOR EACH MEMBER

\$100 - Retainer fee per member.

\$350 - Per Diem rate, plus mileage at the current municipality's rate.

Out of pocket expenses including accommodations and review materials.

MEMBERSHIP SELECTION

All applicants will be required to complete an application form outlining their qualifications and experience.

SELECTION CRITERIA

- a) Demonstrated knowledge and understanding of municipal election campaign financing rules;
- b) Proven analytical and decision-making skills;
- c) Experience working on committees, task forces or similar settings;
- d) Demonstrated knowledge of quasi-judicial proceedings;
- e) Availability and willingness to attend meetings; and
- f) Excellent oral and written communication skills.