



## FREQUENTLY ASKED QUESTIONS COMPLIANCE AUDIT COMMITTEE

### **Q. What is a Compliance Audit Committee?**

- A.** Pursuant to Sections 88.33 and 88.34 of the *Municipal Elections Act, 1996*, Council must establish a Compliance Audit Committee.

The Compliance Audit Committee receives and makes decisions on applications for compliance audits of campaign finances for Council candidates and registered third party advertisers in a municipal election or by-election. (Any compliance audit requests against a school board trustee candidate must be submitted to the appropriate school board).

### **Q. What is a Compliance Audit?**

- A.** An elector, who is entitled to vote in an election and believes on reasonable grounds that a candidate or registered third party advertiser has contravened a provision of the *Municipal Elections Act, 1996* relating to election campaign finances, may apply for a compliance audit of the candidate's or registered third party advertiser's election campaign finances, even if the candidate or registered third party has not filed a financial statement.

An application for a compliance audit shall be made to the Clerk of a municipality. This application shall be in writing and shall set out the reasons for the elector's belief within 90 days after the candidate's financial filing date.

### **Q. What are the functions of the Compliance Audit Committee?**

- A.** The Committee performs functions relating to the compliance audit application process as outlined in the [Municipal Elections Act, 1996](#).

These functions include:

- considering whether an application for a compliance audit filed by an elector should be granted or rejected
- appointing an auditor, if the application is granted
- receiving and considering the auditor's report and deciding whether legal proceedings should be commenced

### **Q. What is the composition of the Compliance Audit Committee?**

- A.** The Committee will be composed of three (3) voting members, with three (3) alternate members that would assume all the rights and privileges of a voting member if called upon. Alternate members will be ranked and will be called upon to replace a voting member that has resigned from the Committee.

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*.

**Q. Who is ineligible to apply to be a member of the Compliance Audit Committee?**

- A.** Municipal employees, members of Council and any candidates in the 2018 municipal election or in any by-election during the term of Council for any member municipality are ineligible to be appointed as a member of the Committee pursuant to subsection 88.37(2) of the of the *Municipal Elections Act, 1996*.

**Q. When does the Committee's term of office begin and end?**

- A.** The term of office is from December 1, 2018 to November 30, 2022 to deal with applications from the 2018 election and any by-elections during Council's term.

**Q. Where does an elector send their application?**

- A.** To request a compliance audit of a municipal council candidate (mayor, deputy mayor or councillor) or a registered third party advertiser, an elector can send their application to:

Attention: Municipal Clerk  
Mississippi Mills of Mississippi Mills  
3131 Old Perth Road  
PO Box 400  
Almonte, ON K0A 1A0

**Q. How long will it take before the application is heard?**

- A.** Within 30 days after receiving the application, the Compliance Audit Committee will consider the application and decide whether to grant it or reject it. The decision of the committee to grant or reject the application, and brief written reasons for the decision, shall be given to the candidate, the clerk with whom the candidate filed his or her nomination, and the applicant.

**Q. What happens if the Committee grants the application?**

- A.** If the Committee grants the application, they will appoint an auditor to promptly start the audit of the candidate's or registered third party advertiser's election campaign finances to determine if the candidate or registered third party advertiser complied with the provisions of the *Municipal Elections Act, 1996*.

**Q. Can Committee decisions be appealed?**

- A.** Yes. The decision of the Committee may be appealed to the Ontario Court of Justice within 15 days after the decision is made and the court may make any decision the Committee could have made.

**Q. What happens once the auditor completes the audit?**

- A.** Once the auditor has completed the audit, the auditor will provide a report to the Committee, the Clerk, the candidate or registered third party advertiser and the applicant.

The Committee will consider the report within 30 days of receiving it and determine whether legal proceedings should be commenced against the candidate.