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# **TOWNSHIP OF MCGARRY**

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## **2022 MUNICIPAL ELECTION PROCEDURES**

### **PART 1**

**Date Revised: April 2022**

As Clerk of the Township of McGarry for the municipal elections, I do hereby certify the following procedures for conducting the 2022 municipal elections and also certify the forms attached (or similar version, either paper or electronic) as being those permitted to be used during this election process.

April 29 / 2022  
Date Approved

K. Pelletier  
Clerk

# DEFINITIONS

## DEFINITIONS

- a) **Act** - means the *Municipal Elections Act, 1996*, S.O. 1996, C. 32, as amended.
- b) **Candidate** - means a person who has been nominated under Section 33 of the Act.
- c) **Certified Candidate** - means a candidate whose nomination has been certified by the Clerk under Section 35 of the Act.
- d) **Clerk** - means the Clerk of the municipality who is responsible for conducting municipal elections under the authority of the Act. All references to the Clerk for the purposes of this manual shall mean the Returning Officer (R.O.) for the 2022 Municipal Election. All references to Clerk's designate shall mean the delegated duties of the R.O.
- e) **Corporation** – means a firm that meets certain legal requirements to be recognized as having a legal existence, as an entity separate and distinct from its owners. Corporations are owned by their stockholders (shareholders) who share in profits and losses generated through the firm's operations. A legal entity has legal capacity to enter into agreements or contracts, assume obligations, incur and pay debts, sue and be sued in its own right, and to be held responsible for its actions.

A Corporation may include a numbered company, a co-op, an incorporated company, an association, a partnership, a proprietorship (excludes sole-proprietorship as it's not a legal entity), trust, etc. A legal entity cannot vote, only an individual (a person) can vote.

Test – if someone tripped and fell on your property who would they sue? You as the person or your company?

### What is a Sole Proprietorship?

Income and losses are taxed on the individual's personal income tax return. The **sole proprietorship** is the simplest business form under which one can operate a business. The **sole proprietorship** is not a legal entity. It simply refers to a person who owns the business and is personally responsible for its debts.

### What is a Co-op?

A business or organization that is owned and operated by the people who work there or the people who use its services.

- f) **Election Campaign Advertisement** – means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting or supporting the election of a Candidate.
- g) **Election Official** - means the Clerk or other person(s) appointed in writing by the Clerk to carry out election duties under the Act. An Election Official can only carry out the tasks and duties as assigned in writing by the Clerk, and must take the prescribed oath. [s.15(4)]

- h) **Friend** - means a person who has been requested by an elector to assist him or her in the voting process.
- i) **Lame Duck** - means there are restrictions on Council's powers (*Municipal Act*, Section 275). A Council is considered to be a Lame Duck Council when: before election day it is determined the new Council will include less than  $\frac{3}{4}$  of the members of the outgoing Council before election day; it is determined on election day after the results are known that the new Council is composed of less than  $\frac{3}{4}$  of the members of the outgoing Council.
- j) **Municipal Office** - means the Township of McGarry administration building located at 27 Webster Street, Virginiatown, Ontario.
- k) **Normally Resident in Ontario** – means the place in which an individual regularly returns if his or her presence is not continuous (sleep).
- l) **Owner or Tenant** - in relation to an election, means a person who is the owner or tenant shown on the assessment roll of land assessed under the *Assessment Act* and a non-residential tenant of land assessed under the *Assessment Act*, whether or not the tenant is shown on the assessment roll, but does not include an owner or tenant of land who is entitled to use the land under a time share contract unless the person is entitled to use the land,
  - (a) on voting day, or
  - (b) for a period of six weeks or more during the calendar year in which voting day of the election is held

**Tenant** - includes an occupant and a person in possession other than the owner or the spouse of such owner or tenant.
- m) **Preliminary List of Electors** - means a list of electors for the municipality compiled by the Municipal Property Assessment Corporation (MPAC) and provided to the municipality by July 31<sup>st</sup> of an election year.
- n) **Proof of Identification** - means proof of identity and residence as prescribed in O. Reg. 304/13 of the Act.
- o) **Regular Office Hours** - means Monday to Friday, 8:00 am to 12:00 pm and 1:00 pm - 4:00 pm.
- p) **Registered Third Party (Third Party Advertiser)** - means an individual who is normally resident in Ontario, a corporation that carries on business in Ontario or a trade union that holds bargaining rights for employees in Ontario, and who's Notice of Registration for Third Party Advertiser has been certified by the Clerk.
- q) **Restricted Period for Third Party Advertisements** - begins on the earliest day that an individual, corporation or trade union is permitted to file a notice of registration as a registered third party and ends at the close of voting on Voting Day.

- r) **Scrutineer** - means an individual, appointed in writing by a certified candidate, to represent him or her during the voting process, or an individual appointed by Council, a local board or the Minister in relation to a by-law or question, or by an elector in the case of a recount.
- s) **Third Party Advertisement** – means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing a candidate, or a “yes” or “no” answer to a question on the ballot, but does not include an advertisement by or under the direction of a candidate, or an advertisement that incurs no expenses in relation to the advertisement, or an advertisement that is transmitted to employees, shareholders, or directors of the registered third party.
- t) **Trade Union** – means a trade union as defined in the *Labour Relations Act, 1995* or the *Canada Labour Code* (Canada) and includes a central, regional or district labour council in Ontario.
- u) **Voters’ List** - means the Preliminary List of Electors, as corrected by the Clerk, under the provisions of Section 22 of the Act.
- v) **Voting Place** - means the only location, both convenient and accessible to the electors, for the purpose of casting a printed ballot as established by the Clerk. There is no Voting Place where an alternative voting method has been approved by Council such as Telephone and Internet or Vote by Mail.
- w) **Voting Day** - means the final day on which the final vote is to be taken in an election and shall be Monday, October 24, 2022 with the close of voting to be at 8:00 pm.
- x) **Advanced Vote** - means the location, dates and hours for casting a ballot prior to Voting Day.
- y) **Deputy Returning Officer** - means a person appointed by the Clerk for each Voting Place who will be delegated specific duties and powers by the Clerk.

# **AUTHORITY**

## **AUTHORITY**

### ***Municipal Elections Act, 1996***

#### **Duties of Clerk**

**11. (1)** The clerk of a local municipality is responsible for conducting elections within that municipality, subject to the following exceptions:

1. The clerks specified in the regulations made under the *Education Act* are responsible for certain aspects of the elections of members of school boards, as set out in those regulations.
2. The clerks specified in section 11.1 are responsible for certain aspects of the election of members of the council of an upper-tier municipality, as provided for in that section.
3. Repealed: 2002, c. 17, Sched. F, Table.
4. The clerks specified in subsection (5) are responsible for certain aspects of the election with respect to a question an upper-tier municipality submits to its electors under clause 8 (1) (b) or (c).

**(2)** Responsibility for conducting an election includes responsibility for,

- (a) preparing for the election;
- (b) preparing for and conducting a recount in the election;
- (c) maintaining peace and order in connection with the election; and
- (d) in a regular election, preparing and submitting the report described in subsection 12.1 (2).

#### **Powers of Clerk**

**12. (1)** A clerk who is responsible for conducting an election may provide for any matter or procedure that,

- (a) is not otherwise provided for in an Act or regulation; and
- (b) in the clerk's opinion, is necessary or desirable for conducting the election.

#### **Forms**

(2) The power conferred by subsection (1) includes power to establish forms, including forms of oaths and statutory declarations, and power to require their use.

Also see the section on DISCRETIONARY POWERS OF THE CLERK later on in the manual.

#### **Procedures and Forms**

Section 42(4) states that the procedures and forms established by the Clerk, if they are consistent with the principles of this Act, prevail over anything in this Act and the regulations made under it.

Any unforeseen cases not dealt with in these procedures will be recorded, action taken, and reflected in an addendum signed by the Clerk, to these procedures and circulated to all candidates and third-party advertisers, as applicable.



# LANGUAGE

## LANGUAGE (SECTION 9)

### English

With respect to an election held for offices of a municipal council and an English public or separate school board, notices, forms and other information provided under this Act shall be made available in English only, unless the council of the municipality passes a by-law to authorize the use of:

- a) French, in addition to English, in the prescribed forms; and
- b) French, other languages other than English, or both, in notices, forms (other than prescribed forms) and other information provided under this Act.

### English and French

Section 9.1 of the Act requires notices, forms and other information provided under the Act to be made available in **both** English and French for the election of:

- a) Members of a French-language district school board; or
- b) Members of a school authority that,
  - i. has established, operated or maintained a French-language instructional unit within the year before Voting Day, or
  - ii. is subject to an agreement, resolution or order under Part XII of the *Education Act* that requires the school authority to establish, operate or maintain a French-language instructional unit.

### Other Languages

A municipal council may pass a by-law to authorize the use of other languages other than English and French in notices, forms (other than the prescribed forms) and other information provided under the Act with respect to the election of the aforementioned members.

See "Sample By-Law – Use of Other Languages" [Form TD67](#).

## **SAMPLE BY-LAW USE OF OTHER LANGUAGES**

**By-Law XX-2022**

**of The Corporation of the XXXXXX**

**WHEREAS**, Section 9(2) of the Municipal Elections Act, 1996, as amended provides that the council of a municipality may pass a by-law allowing the use of languages other than English on information provided to voters;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of the XXX ENACTS AS FOLLOWS:

1. That voter information related to the October 24, 2022 municipal election be provided in alternate languages at the discretion of the City Clerk.
2. This by-law shall come into force and take effect on the date it is passed.

By-law passed this \_\_\_\_ day of March, 2022.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

# **PRINCIPLES OF THE ACT**

## **PRINCIPLES OF THE ACT**

Some of the principles that were considered during the development of the legislation were that:

- the secrecy and confidentiality of the individual votes is paramount;
- the election should be fair and non-biased;
- the election should be accessible to the voters;
- the integrity of the process should be maintained throughout the election;
- there be certainty that the results of the election reflect the votes cast; and
- voters and candidates should be treated fairly and consistently within a municipality.

# NOMINATIONS

## 2022 NOMINATION PROCEDURE

### NOMINATION PAPERS (SECTION 33)

The giving of notice (Section 32) for nominations shall be on the "Notice of Nomination for Office" **Form TD01/Form TD01A** and shall be placed, at a minimum, in a local newspaper(s) prior to May 1, 2022 and in one (1) conspicuous place in the municipality and on the municipal website.

For the 2022 election, the dates of publication of the "Notice of Nomination for Office" will be once in the Temiskaming Speaker, The Weekender and The Northern News before May 1, 2022 and published a second time at a time agreed upon by the Temiskaming Regional Clerks' Elections Working Group.

"Nomination Paper" **PR FORM 1** for the following offices will be available at the Clerk's Office from the first business day of May in 2022 to Thursday, August 18, 2022 during regular office hours, and between 9:00 a.m. and 2:00 p.m. on Friday, August 19, 2022 (Nomination Day) and on the municipal website for the following offices:

- (1) Mayor**
- (4) Councillors**

Nomination papers for school boards must be obtained and filed at the appropriate Municipal Office for the following offices:

- (2) School Board Trustee – English Public – City of Temiskaming Shores, Zone A
- (1) School Board Trustee – English Separate – Town of Kirkland Lake, Zone D
- (1) School Board Trustee – French Public – City of Temiskaming Shores, Secteur D
- (1) School Board Trustee – French Separate Township of Armstrong, Zone A

Nominations must be on the prescribed form and are to be filed with the Clerk at the appropriate Municipal Office in the following manner:

- in person or through an agent
- during regular office hours at the Clerk's Office from the first business day in May of 2022 to Thursday, August 18, 2022 and between 9:00 a.m. and 2:00 p.m. on Friday, August 19, 2022 (Nomination Day)
- with the prescribed statement of qualifications, signed by the person being nominated
- with the prescribed nomination filing fee of \$200 for Head of Council and \$100 for all other offices - the filing fee shall be paid by cash, debit, certified cheque or money order payable to the municipality or by an electronic method of payment that the Clerk specifies
- with proof of identity and residence as prescribed in *O. Reg. 304/13*, as amended
- no faxed or other electronically transmitted nomination paper will be accepted - original signatures are required

If a person is present at the Clerk's Office on Nomination Day at 2:00 p.m. and has not yet filed a nomination, he or she may file the nomination as soon as possible after 2:00 p.m.

The Clerk shall administer the Declaration of Qualifications on the Nomination Paper **PR FORM 1** and the “Declaration of Qualifications – Municipal Candidates” **Form EL18(A)** (or for the Clerk responsible for the School Board Elections, the “Declaration of Qualifications – School Board Candidates” **Form EL18(B)**), oath to the Candidate. The date and time of filing are to be filled in by the Clerk and initialled by the candidate or his/her agent. The Clerk will then sign the Nomination Paper and Declaration of Qualifications.

Nominations filed by an Agent must include the above and be accompanied by **Form TD20**, Appointment of an Agent to File a Nomination. The form must also include the name, date and signature of a witness.

The certified cheque, cash, debit, money order or an electronic method of payment that the Clerk specifies will be deposited with the Municipal Treasurer.

### **ESTIMATED MAXIMUM CAMPAIGN EXPENSES [SECTION 88.20(6)]**

The Clerk shall calculate the estimated maximum campaign expenses for each office on the “Estimated Maximum Campaign Expenses” **Form TD23** and provide a copy to the candidate or his/her agent the day that the Nomination Paper is filed in accordance with Section 33.0.1 (1). The Clerk’s calculation is final.



### **NOTICE OF PENALTIES (SECTION 33.1)**

The Clerk shall, before voting day, provide a notice of penalties on the "Notice of Penalties" Form TD31 to the candidate or their agent Form TD31A.

### **MUNICIPAL FREEDOM OF INFORMATION & PROTECTION OF PRIVACY ACT**

The candidate may sign the consent to release personal information Form TD02 authorizing the Clerk to release personal information to the public and media.

### **UNOFFICIAL LIST OF CANDIDATES**

The Clerk shall provide notice of the unofficial list of candidates by preparing and, at a minimum, posting in the Municipal Office and on the website an "Unofficial List of Candidates" Form TD03 which is to be updated as each Nomination Paper is filed. The list should be clearly marked "UNOFFICIAL".

### **NOMINATION DAY – August 19, 2022 (SECTION 31)**

Nomination Papers will be received at the Municipal Office between 9:00 a.m. and 2:00 p.m. on Nomination Day.

Procedure for the handling of Nomination Papers on Nomination Day will be the same as above.

### **CERTIFICATION OF NOMINATION PAPERS (SECTION 35)**

On or before Monday, August 22, 2022, at 4:00 p.m., the Clerk will do a review of each nomination received to determine qualification and if the nomination complies with the *Municipal Elections Act, 1996*. Once satisfied the candidate is qualified, complete the "Certification by Clerk" section on "Nomination Paper" PR Form 1.

## **REJECTION OF NOMINATION PAPER [SECTION 35(3), (4)]**

If the Candidate is not qualified to be nominated, or the nomination does not comply with the *Municipal Elections Act, 1996*, the Clerk will reject the Nomination. A telephone call or email shall be made to the candidate informing him/her of the rejection, and a "Notice of Rejection of Nominations" **Form TD04** shall be sent, by Registered Mail, as soon as possible, to:

- the person who sought to be nominated, and
- by regular mail to all candidates for the office.

## **WITHDRAWAL OF NOMINATION PAPERS (SECTION 36)**

Candidates may withdraw their Nomination by filing in person/or agent a withdrawal in writing on "Withdrawal of Nomination" **Form EL19** with the Clerk before 2:00 p.m. on Nomination Day, Friday, August 19, 2022, if the person was nominated on or before Nomination Day; and before 2:00 p.m. on the Wednesday following Nomination Day, (August 24, 2022), if the person was nominated under Section 33(5) - Additional Nominations.

The "Withdrawal of Nomination" by agent must be accompanied by **Form TD21**, "Appointment of an Agent to Withdraw a Nomination". The form must also include the name, date and signature of a witness.

The withdrawal shall be noted on the "Unofficial List of Candidates" **Form TD03**

## **OFFICIAL LIST OF CANDIDATES**

The final list of certified candidates will be posted at the Municipal Office and, as a minimum, on the website on or before, Friday, August 26, 2022 using the "Official List of Certified Candidates" **Form TD05**.

## **DECLARATION OF ELECTION (SECTION 40)**

If after 4:00 p.m. on Monday, August 22, 2022 the number of certified nominations filed for an office is more than the number of persons to be elected to the office, the Clerk shall declare an election to be conducted.

The Clerk shall give the electors notice of:

- a) The location of the voting places;
- b) The dates and times on which the voting places will be open for voting;
- c) If section 44 (voting proxies) applies, the manner in which electors may use voting proxies.

The Clerk shall post a "Notice of Election Information" **Form TD16** as a minimum, in two conspicuous places within the municipality and on the municipal website. The notice shall advise of the voting process and other relevant information.

## **ACCLAMATIONS [SECTION 37(1)]**

If after 4:00 p.m. on Monday, August 22, 2022, the number of certified candidates for an office is the same as or less than the number to be elected, the Clerk shall immediately declare the candidate(s) elected by acclamation. The Clerk shall post a "Declaration of Acclamation to Office" on Form EL20. In this situation there shall be no election conducted for this position(s).

## **FEWER NUMBER OF NOMINATION PAPERS THAN OFFICES [SECTION 33(5)]**

If at 4:00 p.m. on Monday, August 22, 2022, the number of certified nominations filed for an office is less than the number of persons to be elected to the office, additional nominations may be filed between 9:00 a.m. and 2:00 p.m. on Wednesday, August 24, 2022. The Clerk shall post a "Notice of Additional Nominations" Form TD06 advising that additional Nomination Papers may be filed for that office during the specified time. If at 2:00 p.m. on Wednesday, August 24, 2022, additional Nomination Papers have been filed, the procedure to certify or reject Nomination Papers shall be followed.

## **ADDITIONAL NOMINATIONS MORE THAN NUMBER OF OFFICES REMAINING [SECTION 33(5)]**

If between 9:00 a.m. and 2:00 p.m. on Wednesday, August 24, 2022, there are more than a sufficient number of certified Nominations to fill the office(s), an election shall be conducted with the names of the persons who have filed certified Nomination Papers.

## **WITHDRAWAL OF ADDITIONAL NOMINATIONS (SECTION 36)**

Withdrawal of additional nominations must take place prior to 2:00 p.m. on Wednesday, August 24, 2022. Follow the procedure in the Withdrawal of Nomination Paper section above.

## **ADDITIONAL NOMINATIONS EQUIVALENT TO NUMBER OF OFFICES [SECTION 35(2) and 37(2)]**

If at 4:00 p.m. on Thursday, August 25, 2022 there is a sufficient number of certified Nomination Papers filed to fill the office(s), the Clerk shall cause to be posted a "Declaration of Acclamation to Office - Additional Nominations" on Form TD07.

## **FILLING VACANCIES [SECTION 37(4)]**

If an office remains vacant after the declaration of candidates by acclamation under section 37 and the declaration of the election of candidates following the conduct of the election for offices on the Municipal Council, the following rules apply:

- **Insufficient Number to Form a Quorum – Municipal Council**  
If the number of candidates declared elected is insufficient to form a quorum of the Municipal Council, a by-election shall be held.

- **Sufficient Number to Form a Quorum – Municipal Council**

If the number of candidates declared elected is less than the number of positions for an office of the Municipal Council, but does form a quorum, Section 263 (1) (a) of the *Municipal Act, 2001* shall apply.

### **DEATH OR INELIGIBILITY OF A CANDIDATE (SECTION 39)**

If a certified candidate dies or becomes ineligible before the close of voting and

- if the result would be one less candidate only and no acclamation, the candidate's name shall be omitted from the ballot. If the ballots are already printed, the Clerk shall at a minimum, post the notice of the death or ineligibility in a conspicuous place in every Voting Place and the election shall proceed as if the deceased or ineligible candidate has not been nominated.
- if the result would be an acclamation for an office, the election to such office is void and a by-election for such office shall be held (Section 65(4)(1.)(v.)) provided that the sixty day (60) period starts as of the date of death or ineligibility).

No votes are to be counted for the candidate who has died or become ineligible.

### **FINAL CALCULATION OF CAMPAIGN EXPENSES [SECTION 88.20 (13) and (14)]**

The Clerk shall, after determining from the number of eligible electors from the Voters' List for each office, calculate the maximum amount of campaign expenses that each candidate may incur for that office and prepare a "Certificate of Maximum Campaign Expenses" Form EL37. The certificate shall be given to each candidate in the case of a regular election, on or before September 26, 2022; and in the case of a by-election, within 10 days after the Clerk makes the corrections under subparagraph 4 iii of subsection 65 (4).

The number of electors to be used in this final calculation is to be the greater of the following:

- the number determined from the Voters' List from the previous regular election, as it existed on September 15 in the year of the previous election, adjusted for changes under Section 24 and 25 that were approved as of that day;
- the number determined from the Voters' List for the current election as it exists on September 15 in the year of the current election, adjusted for changes under Section 24 and 25 that were approved as of that day. [Section 88.20 (11)]

The Clerk's calculation is final and shall be made in accordance with the prescribed formula in *Ontario Regulation 101/97*.

# NOTICE OF NOMINATION FOR OFFICE

*Municipal Elections Act, 1996 (s. 32)*

## ARE YOU INTERESTED IN RUNNING FOR MUNICIPAL OFFICE?

### 2022 MUNICIPAL ELECTIONS NOTICE TO MUNICIPAL ELECTORS

#### NOMINATIONS

Nominations for the positions listed below must be made on the prescribed form available at your Municipal Office. Nomination forms must be filed, either in person or by your agent, with the Returning Officer of the appropriate Municipality during Normal office hours between the first business day of May in 2022 to Thursday, August 18, 2022.

On Nomination Day forms must be filed between 9:00 a.m. and 2:00 p.m. on Friday, August 19, 2022 (Nomination Day). Candidates for municipal council in municipalities with more than 4,000 electors, must submit original endorsement signatures from 25 people who are eligible to vote in the municipality, made on the prescribed form available at your Municipal Office. Candidates for municipal council in municipalities with 4,000 or fewer electors do not have to submit endorsement signatures.

The required filing fee for the Head of Council is \$200 and all other offices are \$100 (cash, debit/credit (where available), certified cheque or money order made payable to the appropriate municipality or by an electronic method of payment that the Clerk specifies) must accompany the signed form. Full details on the procedures to be followed may be obtained from the appropriate Municipal Clerk.

#### MUNICIPAL OFFICES FOR WHICH PERSONS MAY BE NOMINATED:

MAYOR	(1)
COUNCILLOR	(4)

Returning Officer-Karine Pelletier  
27 Webster Street  
Virginiatown, Ontario P0K 1X0  
(705) 634-2145

In the event there is an insufficient number of certified candidates to fill the positions available in each municipality, nominations will be reopened by the appropriate Returning Officer for the vacant positions only. Additional nomination papers would then be accepted between 9:00 a.m. and 2:00 p.m. on Wednesday August 24, 2022.

For further information contact the appropriate Returning Officer above.

Dated this \_\_\_ day of \_\_\_\_\_, 2022

**NOTICE OF  
NOMINATION FOR OFFICE**  
*Municipal Elections Act, 1996 (s. 32)*

**Are You Interested in Running as a School Board Trustee?  
School Board Elections 2022**

Municipal and School Board Elections will be held on Monday, October 24, 2022. The term of office will be from November 15, 2022 to November 14, 2026.

Notice is hereby given that as of Monday, May 2, 2022, nominations may be filed in person, or by agent during regular business hours, **by appointment only**, with the Returning Officer of the appropriate Municipality for School Board Elections. Nomination Papers must be filed during normal office hours between the first business day of May in 2022, to Thursday, August 18, 2022, and on Nomination Day (Friday, August 19, 2022), between the office hours of 9:00 a.m. and 2:00 p.m. Nomination Papers must be filed before you can accept contributions or spend money for your campaign.

Nominations must be submitted on the prescribed form, be signed by the candidate and be accompanied by the prescribed nomination filing fee (\$100). Payment can be made in cash, debit/credit (if available), cheque or money order made payable to the appropriate municipality (or by an electronic method of payment that the Municipal Clerk specifies), and must accompany the signed form. Full details on the procedures to be followed may be obtained from the appropriate Municipal Clerk (Returning Officer).

**School Board Offices for Which Persons May be Nominated**

**English Public – District School Board Ontario North East**

<b>Zone A – Trustee (2)</b>	<b>Zone B – Trustee (1)</b>	<b>Zone C – Trustee (1)</b>
Representing: <b>McGarry</b> , Brethour, Casey, Cobalt, Coleman, Harley, Harris, Hilliard, Hudson, Kerns, James (Elk Lake), Latchford, Temiskaming Shores, Thornloe, Temagami Area, Timiskaming Locality - Lorrain, Gillies, Firstbrook, Bridgestocke, Kittson, Barr, Lundy, Henwood, Cane, Barber, Beauchamp, Bryce, Tudhope, Nicol, Milner, Haultain, Auld, Corkhill, Willet, Roadhouse, Lawson, Muckle and Chown, Timiskaming Locality- Hammell, Gooderham, Flett, Hartle, Elridge, Kenny, McCallum, Gladman, McLaren, Thistle, Townships Returning Officer - Logan Belanger 325 Farr Drive, PO Box 2050 Haileybury, ON P0J 1K0 (705) 672-3363 <a href="http://www.temiskamingshores.ca">www.temiskamingshores.ca</a>	Representing: Chamberlain, Charlton and Dack, Englehart, Evanturel, Gauthier, Larder Lake, Matachewan, <b>McGarry</b> , Kirkland Lake Locality, Timiskaming Locality - Pense, Ingram, Robillard, Truax, Mulligan, Bayly, Marter, Savard, Sharpe, Catherine, Pacaud, Marquis, Gowganda, Smyth, Farr, Davidson, and Willison Townships  Returning Officer - Hailey Clarke 61 Fifth Avenue, PO Box 399 Englehart, ON P0J 1H0 (705) 544-2244 <a href="http://www.engehart.ca">www.engehart.ca</a>	Representing: Town of Kirkland Lake  Returning Officer- Jennifer Montreuil 3 Kirkland St. W., PO Box 1757 Kirkland Lake, ON P2N 3P4 (705) 567-9361 <a href="http://www.tkl.ca/2022_elections">www.tkl.ca/2022_elections</a>

**English Separate – Northeastern Catholic District School Board**

<b>Zone B – Trustee (1)</b>	<b>Zone D – Trustee (2)</b>
<p>Representing: Cobalt, Coleman, Latchford; Temagami, Temiskaming Shores, and the Temiskaming Board of Education</p> <p>Returning Officer - Logan Belanger 325 Farr Drive, PO Box 2050 Haileybury ON P0J 1K0 (705) 672-3363 <a href="http://www.temiskamingshores.ca">www.temiskamingshores.ca</a></p>	<p>Representing: McGarry, Brethour, Casey, Chamberlain, Charlton &amp; Dack, Englehart, Evanturel, Gauthier, Harley, Harris, Hilliard, Hudson, James, Kerns, Kirkland Lake, Larder Lake, Matachewan, <b>McGarry</b>, Thornloe, Kirkland Lake Locality Education, and Timiskaming Locality Education</p> <p>Returning Officer – Jennifer Montreuil 3 Kirkland St. W, PO Box 1757, Kirkland Lake ON P2N 3P4 (705) 567-9361 <a href="http://www.tkl.ca/2022_elections">www.tkl.ca/2022_elections</a></p>

**French Public – Conseil scolaire public du Nord-Est de l’Ontario**

<b>Zone D – Trustee (1)</b>
<p>Representing: McGarry, Brethour, Casey, Chamberlain, Charlton &amp; Dack, Cobalt, Coleman, Englehart, Evanturel, Harley, Harris, Hilliard, Hudson, James, Kerns, Kirkland Lake, Latchford, Larder Lake, Matachewan, <b>McGarry</b>, Temagami, Temiskaming Shores, Kirkland Lake Locality Education, and Timiskaming Locality Education</p> <p>Returning Officer - Logan Belanger 325 Farr Drive, PO Box 2050 Haileybury ON P0J 1K0 (705) 672-3363 <a href="http://www.temiskamingshores.ca">www.temiskamingshores.ca</a></p>

**French Separate – Conseil scolaire catholique de district des Grandes Rivières**

<b>Zone A – Trustee (1)</b>	<b>Zone B – Trustee (1)</b>	<b>Zone C – Trustee (1)</b>
<p>Representing: McGarry, Brethour, Casey, Cobalt, Coleman, Harley, Harris, Hilliard, Hudson, James, Kerns, Latchford, Temagami, Thornloe, Temiskaming Board of Education and Temiskaming Locality Education</p> <p>Returning Officer - Amy Vickery-Menard 35 10th Street, Earleton, ON P0J 1E0 (705) 563-2375 <a href="http://www.armstrongtownship.com">www.armstrongtownship.com</a></p>	<p>Representing: Temiskaming Shores</p> <p>Returning Officer - Logan Belanger 325 Farr Drive, PO Box 2050 Haileybury ON P0J 1K0 (705) 672-3363 <a href="http://www.temiskamingshores.ca">www.temiskamingshores.ca</a></p>	<p>Representing: Chamberlain, Charlton and Dack, Englehart, Evanturel, Gauthier, Kirkland Lake, Larder Lake, Matachewan, <b>McGarry</b>, and Kirkland Lake Locality Education</p> <p>Returning Officer - Jennifer Montreuil 3 Kirkland St. W., PO Box 1757, Kirkland Lake ON P2N 3P4 (705) 567-9361 <a href="http://www.tkl.ca/2022_elections">www.tkl.ca/2022_elections</a></p>

In the event there is an insufficient number of certified candidates to fill the positions available in each municipality, nominations will be reopened by the appropriate Returning Officer, for the vacant positions only. Additional nomination papers would then be accepted between 9:00 a.m. and 2:00 p.m. on Wednesday, August 24, 2022. For further information contact the appropriate Returning Officer.

**TOWNSHIP OF MCGARRY  
DECLARATION OF QUALIFICATIONS  
MUNICIPAL CANDIDATES**

*Municipal Elections Act, 1996*

I, \_\_\_\_\_, a nominated candidate for the office of:

Mayor

Councillor

Do Solemnly Declare That:

1. I am qualified pursuant to the *Municipal Elections Act, 1996* and the *Municipal Act, 2001* to be elected to and to hold the office of:  
 Mayor  
 Councillor
2. Without limiting the generality of paragraph 1, I am at least eighteen (18) years of age, a Canadian citizen, a resident of the Township of McGarry or the owner or tenant of land in the Township of McGarry or the spouse of such owner or tenant.
3. I am not ineligible, disqualified or prohibited under the *Municipal Elections Act, 1996*, the *Municipal Act, 2001*, the *Municipal Conflict of Interest Act* or any other Act to be elected to or hold the above-mentioned office.
4. Without limiting the generality of paragraph 3,  
 I am not an employee of the Township of McGarry, or if I am an employee of the Township of McGarry, I am on an unpaid leave of absence as provided for by section 30 of the *Municipal Elections Act, 1996*.  
 I am not a person who is not an employee of the Township of McGarry but who is the Clerk, Treasurer, Integrity Commissioner, Auditor General, Ombudsman or registrar referred to in section 223.11 of the *Municipal Act, 2001* or an investigator referred to in subsection 239.2 (1) of Township of McGarry or a person who is not an employee of the Township of McGarry but who holds an administrative position of the Township of McGarry.  
 I am not a judge of any court.



- I am not a member of the Assembly as provided in the *Legislative Assembly Act* or of the Senate or House of Commons of Canada or, if I am such a person, I will provide proof of my resignation in a form satisfactory to the Clerk of the Township of McGarry prior to 2:00 p.m. on Nomination Day, August 19, 2022. I understand that the Clerk of the Township of McGarry will reject my nomination for the above-mentioned office if I fail to provide proof of resignation by this deadline.
- I am not a public servant within the meaning of the *Public Service of Ontario Act, 2006*, or if I am a public servant, I have followed and will continue to follow all the relevant provisions of Part V of such *Act*.
- I am not a Federal employee within the meaning of the *Public Service Employment Act*, or if I am a Federal employee, I have followed and will continue to follow all the relevant provisions of Part 5 of such *Act*.

5. I am not prohibited from voting at the municipal election under section 17 (3) of the *Municipal Elections Act, 1996*.

- I am not a person who is serving a sentence of imprisonment in a penal or correctional institution.
- I am not a corporation.
- I am not a person acting as executor or trustee or in any other representative capacity.
- I am not prohibited because of a conviction of a corrupt practice described in subsection 90 (3), if voting day in the current election is less than five years after voting day in the election in respect of which I was convicted

6. I am not a person who was convicted of a corrupt practices under the *Municipal Elections Act, 1996* or of an offence under the *Criminal Code (Canada)* in connection with an act or omission that relates to an election to which this Act applies and I am not a person who is ineligible to be nominated for, any office until the next two regular elections have taken place after the election to which the offence relates (Section 91 (1)).

7. I am not ineligible from being elected to or holding office by reason of any violations of the election campaign financial requirements, violations for not filing the financial statement or any other violations pursuant to the *Municipal Elections Act, 1996*. (Section 88.23)

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Declared before me at the Township of McGarry

This \_\_\_\_\_ day of \_\_\_\_\_, 2022 \_\_\_\_\_  
 (Signature of Candidate)

\_\_\_\_\_  
 (Signature of Municipal Clerk or designate)

Personal information on this form is collected under the authority of the *Municipal Elections Act, 1996* and will be used for the nomination process for office in the municipal election and will be available for public inspection in the office of the Clerk, Township of McGarry until the next municipal election. Questions about this collection of personal information should be directed to the Clerk, 27 Webster Street, Box 99, Virginiatown, ON, P0K 1X0.

**TOWNSHIP OF MCGARRY**  
**DECLARATION OF QUALIFICATIONS**  
**SCHOOL TRUSTEE**  
*Municipal Elections Act, 1996*

I, \_\_\_\_\_, a nominated candidate for the office of:

School Board Trustee, – French Language Separate School Board

**Do Solemnly Declare That:**

1. I am qualified pursuant to the Municipal Elections Act, 1996 and the Education Act to be elected to and to hold the office of Trustee, \_\_\_\_\_ for the above-noted School Board.
2. Without limiting the generality of paragraph 1, I am a resident of the area of jurisdiction of the School Board, a Canadian citizen and at least eighteen years of age.
3. I am qualified under the Education Act to vote for members of the School Board to which I am seeking office.
4. I am not ineligible or disqualified under the Municipal Elections Act, 1996, the Education Act, the Municipal Conflict of Interest Act or any other Act to be elected to or hold the above-mentioned office.
5. Without limiting the generality of paragraph 4,
  - I am not an employee of the School Board or if I am an employee of the School Board, I am on an unpaid leave of absence as provided for by Section 219 of the Education Act and Section 30 of the Municipal Elections Act, 1996.
  - I am not a clerk or treasurer or deputy-clerk or deputy-treasurer of any municipality within the area of jurisdiction of the School Board or if I am such a person, I am on an unpaid leave of absence as provided for by Section 219 of the Education Act and Section 30 of the Municipal Elections Act, 1996.
  - I am not a member of the Assembly as provided in the Legislative Assembly Act or of the Senate or House of Commons of Canada or, if I am such a person, I will provide proof of my resignation in a form satisfactory to the Clerk of the Township of McGarry prior to 4:00 p.m. on nomination day, August 19, 2022. I understand that the Clerk of the Township of McGarry will reject my nomination for the above-mentioned office if I fail to provide proof of resignation by this deadline.
  - I am not a member of the Executive Council of Ontario of a federal Minister of the Crown.
6. I am not prohibited from voting at the municipal election under subsection 17(3) of the Municipal Elections Act, 1996.
7. Without limiting the generality of paragraph 6,

- I am not a person who is serving a sentence of imprisonment in a penal or correctional institution.
  - I am not a person who was convicted of a corrupt practice described in subsection 90(3) of the Municipal Act, 1996, during an election that occurred less than four years prior to Monday, October 24, 2022
8. I am not a candidate who was convicted of a corrupt practice under the Municipal Elections Act, 1996 or of an offence under the Criminal Code (Canada), in connection with an act or omission with respect to a municipal election if the Voting Day in that election is less than six years prior to Monday, October 24, 2022.
  9. I am not disqualified from being elected to or holding office by reason of any violations of the election campaign financial requirements or violations for not filing the financial statement pursuant to the Municipal Elections Act, 1996.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Declared before me at the Township of McGarry

This \_\_\_\_\_ day of \_\_\_\_\_, 2022 \_\_\_\_\_  
 (Signature of Candidate)

\_\_\_\_\_  
 (Signature of Municipal Clerk or designate)

Personal information on this form is collected under the authority of the *Municipal Elections Act, 1996* and will be used for the nomination process for office in the municipal election and will be available for public inspection in the office of the Clerk, Township of McGarry until the next municipal election. Questions about this collection of personal information should be directed to the Clerk, 27 Webster Street, Box 99, Virginiatown, ON, P0K 1X0.

**TOWNSHIP OF MCGARRY  
DECLARATION OF QUALIFICATIONS  
THIRD PARTER ADVERTISER**

*Municipal Elections Act, 1996*

I, \_\_\_\_\_, do solemnly declare that I am hereby qualified under the Municipal Elections Act to be registered as a third party advertiser, and affirm I am (check one):

- An individual who is normally a resident in Ontario
- A corporation that carries on business in Ontario
- A trade union that holds bargaining rights for employees in Ontario I intend to provide advertising within the Township of McGarry that supports or opposes a candidate or "yes" or "no" vote on a question on the ballot, and will not be advertising under the direction of a candidate whose nomination has been filed under section 33 of the Municipal Elections Act.

I further confirm that I am not ineligible or disqualified under the Municipal Elections Act to be a registered third-party advertiser and am not:

1. A candidate whose nomination has been filed under section 33 of the Municipal Elections Act.
2. A federal political party registered under the Canada Elections Act (Canada) or any federal constituency association or registered candidate at a federal election endorsed by that party.
3. A provincial political party, constituency association, registered candidate or leadership contestant registered under the Election Finances Act.
4. The Crown in right of Canada or Ontario, a municipality or local board.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Declared before me at the Township of McGarry

This \_\_\_\_\_ day of \_\_\_\_\_, 2022 \_\_\_\_\_  
(Signature of Third-Party Advertiser)

\_\_\_\_\_  
(Signature of Municipal Clerk or designate)

Personal information on this form is collected under the authority of the *Municipal Elections Act, 1996* and will be used for the nomination process for office in the municipal election and will be available for public inspection in the office of the Clerk, Township of McGarry until the next municipal election. Questions about this collection of personal information should be directed to the Clerk, 27 Webster Street, Box 99, Virginiatown, ON, P0K 1X0.

TOWNSHIP OF MCGARRY

**ESTIMATED MAXIMUM CAMPAIGN EXPENSES**

*Municipal Elections Act, 1996 [s. 33.0.1(1)]*

TO:

_____ / _____	_____
(Name of Candidate)	(Office)
_____	_____
(Address)	(Postal Code)

I hereby certify that the estimated maximum campaign expenses that a candidate is permitted to incur, in the Municipal Election to be held on October 24, 2022, for the office of is:

<b>Candidate for the Office of:</b>	<b>Preliminary Maximum Campaign Expenses</b>
<i>Based on the number of electors on the Voters' List for the office on September 15, 2018 (base amount + \$0.85 for each eligible elector – O. Reg. 101/97)</i>	
<input type="checkbox"/> <b>Mayor \$7,500.00 + \$ _____</b> <b>(\$0.85 X _____ electors)</b>	\$ _____
<input type="checkbox"/> <b>Councillor (\$5,000.00 + \$ _____</b> <b>(\$0.85 X _____ electors)</b>	\$ _____

\_\_\_\_\_

Date

\_\_\_\_\_

Municipal Clerk or designate

The Clerk shall give candidates a Preliminary Calculation of the estimated maximum campaign expenses at the time of filing the nomination paper, based upon the number of electors on the Voters' List as of Nomination Day for the 2018 election. (Section 33.0.1 (1))

On or before September 25, 2022; and in the case of a by-election, within 10 days after the clerk makes the corrections under subparagraph 4 iii of subsection 65 (4), the Clerk shall give a Final Calculation of the applicable maximum campaign expenses to each candidate. The number of electors to be used in this final calculation is to be the greater of the following:

- the number determined from the Voters' List from the previous regular election, as it existed on September 15 in the year of the previous election, adjusted for changes made under Sections 24 and 25 that were approved as of that day;
- the number determined from the Voters' List for the current election, as it exists on September 15 in the year of the current election, adjusted for changes made under Sections 24 and 25 that were approved as of that day (Section 88.20 (11))

\* Formula for calculation provided in Ontario Regulation 101/97.

**TOWNSHIP OF MCGARRY**  
**NOTICE OF PENALTIES**  
*Municipal Elections Act, 1996 (s. 33.1)*

TO:

_____ / _____	
(Name of Candidate)	(Office)
_____	
(Address)	(Postal Code)

**EFFECT OF DEFAULT BY CANDIDATE [88.23 (1)]**

**TAKE NOTICE THAT A CANDIDATE SHALL** be subject to the penalties listed below, in addition to any other penalty that may be imposed under the *Municipal Elections Act, 1996*:

- a) if he or she fails to file documents with the Municipal Clerk as required under section 88.25 or 88.32 by the relevant date;
- b) if a document filed under section 88.25 shows on its face a surplus, as described in section 88.31, and the candidate fails to pay the amount required by subsection 88.31 (4) to the Municipal Clerk by the relevant date;
- c) if a document filed under section 88.25 shows on its face that the candidate has incurred expenses exceeding what is permitted under section 88.20; or
- d) if a document filed under section 88.32 shows on its face a surplus and the candidate fails to pay the amount required by subsection 88.32 by the relevant date.

**OFFENCES [92 (1)]**

**TAKE NOTICE THAT A CANDIDATE SHALL** be guilty of an offence and, on conviction, is subject to the penalties listed below, in addition to any other penalty that may be imposed under the *Municipal Elections Act, 1996*:

- a) incurs expenses that exceed what is permitted under section 88.20; or
- b) files a document under section 88.25 or 88.32 that is incorrect or otherwise does not comply with that section.

## **PENALTIES [88.23 (2)]**

In the case of a default described above:

- (a) the candidate forfeits any office to which he or she was elected and the office is deemed to be vacant; and
  - (b) until the next regular election has taken place, the candidate is ineligible to be elected or appointed to any office to which the *Municipal Elections Act* applies.
- 

## **REFUND (34)**

A candidate is entitled to receive a refund of the nomination filing fee if the documents (financial statement and auditor's report) required under subsection 88.25 (1) are filed on or before 2:00 p.m. on the filing date in accordance with that subsection.

---

Date

---

Municipal Clerk or designate

The Clerk shall, before voting day, give to each person nominated for an office notice of the penalties under subsections 88.23 (2) and 92 (1) related to election campaign finances and the refund of the nomination filing fee that the candidate is entitled to receive in the circumstances described in section 34.

**TOWNSHIP OF MCGARRY**  
**NOTICE OF PENALTIES**  
*Municipal Elections Act, 1996 (s. 33.1)*  
**Appointment of an Agent**

**Candidate:**

Name of Candidate as it appears on Nomination Form (please print):

Candidate's Qualifying Address:

Candidate for the Office of:

**Agent Appointed:** (information must match the Agent's government issued photo ID)

Name of Agent:	Agents Telephone:
Agent's Address:	Agent's Signature:

**Declaration**

1. I, the above-named Candidate, appoint the above-named individual as my Agent for the purpose of accepting the Notice of Penalties (FORM TD31) for the above-named office in the 2022 election.
2. I acknowledge and understand that my Agent shall only be permitted to receive the Notice of Penalties (FORM TD31) if he or she is able to provide the Clerk (or designate) with the following:
  - a. My original photo identification showing my name, signature and qualifying address as appears on Form 1 (photocopies shall not be accepted).
  - b. An original and fully complete Declaration of Qualification, signed by me in front of a witness. The Declaration of Qualification must include an original 'wet' signature of both the witnessing individual and I.
  - c. The Agents original photo identification showing their name, address and signature as it appears on this form.
  - d. Any other things that the Clerk may, by written policy, require.
3. I acknowledge and understand that I and my Agent are required to comply with the requirements of the *Municipal Elections Act, 1996*, and those things referred to in paragraph 3 on or before **2:00 p.m. on Nomination Day (Friday, August 19<sup>th</sup>, 2022)**.
4. I acknowledge and understand that it is my sole responsibility to comply with the *Municipal Elections Act, 1996*, and any policy or procedure established by the Clerk, and to ensure that my Agent does the same.



Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2022

---

Candidate's Signature

*The personal information on this form is collected under the authority of the Municipal Elections Act, 1996, and will be available for public inspection in the Office of the Clerk, Township of McGarry until the next municipal elections. Questions about this collection can be directed to the Clerk, 27 Webster Street, Box 99, Virginiatown, ON, P0K 1X0.*

**TOWNSHIP OF MCGARRY**

**CONSENT TO RELEASE PERSONAL INFORMATION**

*(Municipal Freedom of Information and Protection of Privacy Act)*

Personal information on the Nomination Paper is collected under the authority of the *Municipal Elections Act* and will be used to assist the Clerk in the administration of the 2022 Municipal Election. Questions regarding this collection should be forwarded to the Clerk, 27 Webster Street, Virginiatown, ON P0K 1X0 (705) 634-2145.

---

Name of Candidate: \_\_\_\_\_

Candidate for the office of:

- Mayor
- Councillor

I acknowledge that the Nomination Form filed by me contains personal information and I am aware that the Clerk will disclose all or part of it to the general public.

Candidate Signature: \_\_\_\_\_

Municipal Clerk or Designate: \_\_\_\_\_

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

TOWNSHIP OF MCGARRY

APPOINTMENT OF AN AGENT TO FILE A NOMINATION

**Candidate:**

Name of Candidate as it appears on Nomination Form (please print):
Candidate's Qualifying Address:

Candidate for the Office of:
------------------------------

**Agent Appointed:** (information must match the Agent's government issued photo ID)

Name of Agent:	Agents Telephone:
Agent's Address:	Agent's Signature:

**Declaration**

1. I, the above-named Candidate, appoint the above-named individual as my Agent for the purpose of filing a nomination for election to the above-named office in the 2022 election.
2. I acknowledge and understand that my Agent shall only be permitted to file my Nomination if he or she is able to provide the Clerk (or designate) with the following:
  - a) An original and fully complete and accurate Nomination Form ("Form 1"). Form 1 must include an original 'wet' signature that matches my identification and this appointment form.
  - b) In the case of a nomination for an office on a council that must be endorsed by at least 25 persons, An original and fully complete Endorsement of Nomination Form ("Form 2") with the required 25 endorsements.
  - c) My original photo identification showing my name, signature and qualifying address as appears on Form 1 (photocopies shall not be accepted).
  - d) The Nomination Filing Fee (payable in cash, cheque or money order made payable to the appropriate municipality or debit or credit if available).
  - e) An original and fully complete Declaration of Qualification, signed by me in front of a witness. The Declaration of Qualification must include an original 'wet' signature of both the witnessing individual and I.
  - f) The Agents original photo identification showing their name, address and signature as it appears on this form.
  - g) Any other things that the Clerk may, by written policy, require.
3. I acknowledge and understand that I and my Agent are required to comply with the requirements of the *Municipal Elections Act, 1996*, and those things referred to in paragraph 3 on or before **2:00 p.m. on Nomination Day (Friday, August 19<sup>th</sup>, 2022)**.

4. I acknowledge and understand that it is my sole responsibility to comply with the *Municipal Elections Act, 1996*, and any policy or procedure established by the Clerk, and to ensure that my Agent does the same.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2022

---

Candidate's Signature

The personal information on this form is collected under the authority of the *Municipal Elections Act, 1996*, and will be available for public inspection in the Office of the Clerk, Township of McGarry until the next municipal elections. Questions about this collection can be directed to the Clerk, 27 Webster Street, Virginiatown, Ontario, P0K 1X0, (705) 634-2145.

TOWNSHIP OF MCGARRY

**UNOFFICIAL LIST OF CANDIDATES**

NAME OF CANDIDATE	OFFICE	QUALIFYING ADDRESS

As of \_\_\_\_\_, 2022

\_\_\_\_\_  
**Municipal Clerk**

TOWNSHIP OF MCGARRY

**NOTICE OF REJECTION OF NOMINATION**

*Municipal Elections Act, 1996 [s. 35 (3), (4), (5)]*

TO:

_____ / _____	
(Name of Candidate)	(Office)
_____	_____
(Address)	(Postal Code)

**TAKE NOTICE** that the nomination you filed has been examined and has been rejected for the following reasons:

- I am not "*satisfied*" that you are a "*person qualified to be nominated*" as required by the *Municipal Elections Act, 1996* or by the relevant legislation which sets out qualification for the office for which you filed your nomination.

OR

- I am not "*satisfied*" that your "*nomination complies with*" the requirements of the *Municipal Elections Act, 1996*.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature of Municipal Clerk or designate)

**NOTE:** The Clerk's decision to reject a nomination is final and where rejected, the Clerk shall give notice of such rejection to the person who sought to be nominated and to all candidates for that same office [Section. 35 (4),(5)]. The Clerk may choose to expand on the above options to include specific reasons for the rejection of the nomination.

TOWNSHIP OF MCGARRY

**WITHDRAWAL OF NOMINATION**

*Municipal Elections Act, 1996 (s. 36)*

I, \_\_\_\_\_, hereby withdraw my name as a candidate  
(Name of Candidate)

for the office of \_\_\_\_\_.  
(Name of Elected Office)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Candidate

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This withdrawal delivered to me at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2022.  
(time)

\_\_\_\_\_  
Municipal Clerk or designate

*A person who has been nominated may withdraw his or her nomination by filing a written withdrawal in the Clerk's office by 2:00 p.m. on Nomination Day (August 19, 2022) if the nomination was filed under section 33 (4) and by 2:00 p.m. on August 24, 2022, if the nomination was filed under section 33(5).*

TOWNSHIP OF MCGARRY

**APPOINTMENT OF AN AGENT TO WITHDRAW A NOMINATION**

**Candidate:**

Name of Candidate as it appears on Nomination Form (please print):
Candidate's Qualifying Address:

Candidate for the Office of:
------------------------------

**Agent Appointed:** (information must match the Agent's government issued photo ID)

Name of Agent:	Agents Telephone:
Agent's Address:	Agent's Signature:

**Declaration**

1. I, the above-named Candidate, appoint the above-named individual as my Agent for the purpose of withdrawing a nomination for election to the above-named office in the 2022 election.
2. I acknowledge and understand that my Agent shall only be permitted to withdraw my Nomination if he or she is able to provide the Clerk (or designate) with the following:
  - a) An original and fully complete and accurate "Withdrawal of Nomination" Form ("EL19"). Form EL19 must include an original 'wet' signature that matches my identification and this appointment form.
  - b) My original photo identification showing my name, signature and qualifying address as appears on Form 1 (photocopies shall not be accepted).
  - c) The Agents original photo identification showing their name, address and signature as it appears on this form.
  - d) Any other things that the Clerk may, by written policy, require.
3. I acknowledge and understand that I and my Agent are required to comply with the requirements of the *Municipal Elections Act, 1996*, and those things referred to in paragraph 3 on or before **2:00 p.m. on Nomination Day (Friday, August 19<sup>th</sup>, 2022)**.
4. I acknowledge and understand that it is my sole responsibility to comply with the *Municipal Elections Act, 1996*, and any policy or procedure established by the Clerk, and to ensure that my Agent does the same.



Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2022

---

Candidate's Signature

The personal information on this form is collected under the authority of the *Municipal Elections Act, 1996*, and will be available for public inspection in the Office of the Clerk, Township of McGarry until the next municipal elections. Questions about this collection can be directed to the Clerk, 27 Webster Street, Virginiatown, Ontario, P0K 1X0, (705) 634-2145.

TOWNSHIP OF MCGARRY

**OFFICIAL LIST OF CERTIFIED CANDIDATES**

*Municipal Elections Act, 1996 [Section 33 (5) to 37]*

**NOTICE** is hereby given to the Municipal Electors that during the period commencing May 1<sup>st</sup>, 2022 and completed on Nomination Day, August 19, 2022, the following persons filed all necessary papers, endorsement of nominations, declarations and fees and as Clerk, I am satisfied that such persons are qualified and that their Nomination satisfies the requirements of the *Municipal Elections Act, 1996*. I have, therefore, certified such candidates for the office which follows their respective name:

<b>NAME OF CANDIDATE</b>	<b>OFFICE</b>	<b>QUALIFYING ADDRESS</b>

Dated this \_\_\_\_\_ day of August, 2022. (by 4 p.m. on August 22, 2022)

\_\_\_\_\_  
Municipal Clerk

# TOWNSHIP OF MCGARRY NOTICE OF ELECTION INFORMATION

*Municipal Elections Act, 1996 (s. 40)*

Municipal Elections for the offices of:

**Mayor – 1 to be elected**

*(List candidates alphabetically)*

**Councillor – 4 to be elected**

*(List candidates alphabetically)*

**School Board Trustee – English Public – 2 to be elected**

*(List candidates alphabetically)*

**School Board Trustee – English Separate – 1 to be elected**

*(List candidates alphabetically)*

**School Board Trustee – French Public – 1 to be elected**

*(List candidates alphabetically)*

**School Board Trustee – French Separate – 1 to be elected**

*(List candidates alphabetically)*

- Advance Voting Day                                      Saturday, October 15, 2022  
10:00 a.m. to 6:00 p.m.
- Location of Voting Place(s)                          Virginiatown Community Centre  
1-27<sup>th</sup> Street  
Virginiatown, ON P0K 1X0
- Voting Day    Monday, October 24, 2022  
10:00 a.m. to 8:00 p.m.
- Location of Voting Place(s)                          Virginiatown Community Centre  
1-27<sup>th</sup> Street  
Virginiatown, ON P0K 1X0
- Proxy Voting    Any elector may appoint another elector as a voting proxy  
after September 1, 2022.

Applications are available at the office of the clerk.  
The last day for making application to the clerk for a  
certificate to vote by proxy on behalf of another elector is  
Monday, October 24, 2022 no later than 5:00 p.m.

Additional information as appropriate to the circumstance.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk

**TOWNSHIP OF MCGARRY**

**DECLARATION OF ACCLAMATION TO OFFICE**

*Municipal Elections Act, 1996 [s. 37(1)]*

I hereby declare the certified candidates listed below to be acclaimed to the office that follows their respective names pursuant to Section 37 of the *Municipal Elections Act, 1996*:

<b>NAME OF CERTIFIED CANDIDATE</b>	<b>OFFICE</b>	<b>QUALIFYING ADDRESS</b>

Dated this \_\_\_ day of August, 2022

\_\_\_\_\_  
Municipal Clerk or designate

TOWNSHIP OF MCGARRY

**NOTICE OF ADDITIONAL NOMINATIONS**

*Municipal Elections Act, 1996 [s. 33(5)]*

**TAKE NOTICE** that the number of candidates for the office of \_\_\_\_\_ was not sufficient to fill the number of vacancies to which candidates may be elected.

**AND FURTHER TAKE NOTICE** that the Clerk may receive and certify additional nominations for the remaining vacancies in the office of \_\_\_\_\_ between the hours of 9:00 a.m. and 2:00 p.m. on August 24, 2022 subject to the provisions of subsection 33(5) of the *Municipal Elections Act*.

**OFFICES FOR WHICH PERSONS MAY BE NOMINATED**

\_\_\_\_\_, \_\_\_\_\_ to be elected  
(Office) (Number)

**AND FURTHER TAKE NOTICE** that the manner in which nominations shall be filed is set forth in Section 33 of the *Municipal Elections Act*. Nomination forms and full particulars of procedures to be followed may be obtained from the undersigned.

Dated this \_\_\_\_\_ day of August, 2022.

\_\_\_\_\_  
Municipal Clerk

TOWNSHIP OF MCGARRY

**DECLARATION OF ACCLAMATION TO OFFICE  
ADDITIONAL NOMINATIONS**

*Municipal Elections Act, 1996 [s. 37 (2)]*

I hereby declare the certified candidates listed below to be acclaimed to the office that follows their respective names pursuant to Section 37 of the *Municipal Elections Act, 1996*:

<b>NAME OF CERTIFIED CANDIDATE</b>	<b>OFFICE</b>	<b>QUALIFYING ADDRESS</b>

DATED THIS \_\_\_\_ DAY OF August, 2022.

\_\_\_\_\_  
**Municipal Clerk**

TOWNSHIP OF MCGARRY

**CERTIFICATE OF MAXIMUM CAMPAIGN EXPENSES**

*Municipal Elections Act, 1996 [88.20 (13)]*

TO:

_____ / _____ (Name of Candidate)	_____ (Office)
_____ (Address)	_____ (Postal Code)

I hereby certify that the maximum campaign expenses that a candidate is permitted to incur, in the Municipal Election to be held on October 24, 2022, for the office of is:

<b>Candidate for the Office of:</b>	<b>Maximum Campaign Expenses</b>
	<i>Based on the number of electors on the Voters' List for the office on September 15, 2018 (base amount + \$0.85 for each eligible elector – O. Reg. 101/97)</i>
<input type="checkbox"/> <b>Mayor \$7,500.00 + \$ _____</b> <b>(\$0.85 X _____ electors)</b>	\$ _____
<input type="checkbox"/> <b>Councillor (\$5,000.00 + \$ _____</b> <b>(\$0.85 X _____ electors)</b>	\$ _____

\_\_\_\_\_ Date  
\_\_\_\_\_ Municipal Clerk or designate

On or before September 25, 2022, the Clerk shall give a final certificate of the applicable maximum campaign expenses to each candidate. In the case of a by-election, within 10 days after the Clerk makes the corrections under subparagraph 4 iii of subsection 65 (4).

The number of electors to be used in this final calculation is to be the greater of the following:

- The number determined from the Voters' List from the previous regular election, as it existed on September 15 in the year of the previous election, adjusted for changes under Section 24 and 25 that were approved as of that day;
- The number determined from the Voters' List from the current election, as it exists on September 15 in the year of the current election, adjusted for changes under Section 24 and 25 that were approved as of that day [Section 88.20 (11)].

**TOWNSHIP OF MCGARRY**

**Appointment of an Agent  
Estimated Maximum Campaign Expenses**

**Candidate:**

Name of Candidate as it appears on Nomination Form (please print):

Candidate's Qualifying Address:

Candidate for the Office of:

**Agent Appointed:** (information must match the Agent's government issued photo ID)

Name of Agent:	Agents Telephone:
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Agent's Address:	Agent's Signature:
------------------	--------------------

**Declaration**

1. I, the above-named Candidate, appoint the above-named individual as my Agent for the purpose of accepting the Estimated Maximum Campaign Expenses (FORM TD23) for the above-named office in the 2022 election.
2. I acknowledge and understand that my Agent shall only be permitted to receive the Estimated Maximum Campaign Expenses (FORM TD23) if he or she is able to provide the Clerk (or designate) with the following:
  - a. My original photo identification showing my name, signature and qualifying address as appears on Form 1 (photocopies shall not be accepted).
  - b. An original and fully complete Declaration of Qualification, signed by me in front of a witness. The Declaration of Qualification must include an original 'wet' signature of both the witnessing individual and I.
  - c. The Agents original photo identification showing their name, address and signature as it appears on this form.
  - d. Any other things that the Clerk may, by written policy, require.
3. I acknowledge and understand that I and my Agent are required to comply with the requirements of the *Municipal Elections Act, 1996*, and those things referred to in paragraph 3 on or before **2:00 p.m. on Nomination Day (Friday, August 19<sup>th</sup>, 2022)**.
4. I acknowledge and understand that it is my sole responsibility to comply with the *Municipal Elections Act, 1996*, and any policy or procedure established by the Clerk, and to ensure that my Agent does the same.



Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
Candidate's Signature

*The personal information on this form is collected under the authority of the Municipal Elections Act, 1996, and will be available for public inspection in the Office of the Clerk, Township of McGarry until the next municipal elections. Questions about this collection can be directed to the Clerk, 27 Webster Street, Virginiatown, Ontario, P0K 1X0, (705) 634-2145.*

# VOTERS' LIST

## **VOTER QUALIFICATIONS [SECTION 17 (2)]**

A person is entitled to be an elector at an election held in a local municipality if, on Voting Day (October 24, 2022) he/she:

- (i) resides in the local municipality or is the owner or tenant of land in the local municipality, or the spouse of such owner or tenant;
- (ii) is a Canadian citizen,
- (ii) is at least 18 years old; and
- (iv) is not prohibited from voting under subsection 17(3) of the *Municipal Elections Act, 1996* or otherwise, by law.

## **PERSONS PROHIBITED FROM VOTING [SECTION 17 (3)]**

The following are prohibited from voting:

- (i) a person who is serving a sentence of imprisonment in a penal or correctional institution.
- (ii) a corporation.
- (iii) a person acting as executor or trustee or in any other representative capacity, except as a voting proxy in accordance with section 44.
- (iv) a person who was convicted of the corrupt practice described in subsection 90 (3), if voting day in the current election is less than five years after voting day in the election in respect of which he or she was convicted.

## **PRELIMINARY LIST OF ELECTORS (PLE) (SECTION 19)**

The Preliminary List of Electors (PLE) supplied by the Municipal Property Assessment Corporation (MPAC) shall be delivered to the Clerk by July 31, 2022 if no date is agreed upon with MPAC or prescribed by the Minister [Section 19 (1.1)].

The PLE shall contain the name and address of each person who is entitled to be an elector and any additional information the Clerk needs to determine for which offices each elector is entitled to vote, such as school support [Section 17 (4)].

In addition, if the local municipality is divided into voting subdivisions, the name of each resident elector shall be entered on the PLE for the voting subdivision in which he or she resides and the name of each non-resident elector shall be entered on the PLE for the voting subdivision in which the elector or his or her spouse is an owner or tenant of land [Section 17 (5)].

The Clerk shall, to the best of his/her ability and legislative authority, ensure that an elector's name appears on the PLE for a local municipality only once [Section 17 (6)].

Where a voter qualifies at more than one location in the municipality, the voter may vote only **once** for each office and the qualifying address to determine eligibility for voting shall be the elector's place of residence [Section 17 (7)].

It is possible for an elector's name to appear on the Voters' List of more than one municipality. That elector may be eligible to vote in both municipalities. For example, a person listed as a resident elector in one municipality and a non-resident elector in another municipality is entitled to vote in each, provided they are not voting for the same office more than once. For example, School Board votes must be cast in the municipality where the elector resides.

### **CORRECTION OF ERRORS (SECTION 22)**

The Clerk shall correct any obvious errors in the PLE prior to September 1, 2022 and notify the Municipal Property Assessment Corporation (MPAC). This notification can occur when the "Final List of Changes" to the Voters' List is sent to MPAC after the election (see the Final List of Changes section below). However, those changes affecting a ward and voting place designation, missing streets, buildings or subdivisions, should be forwarded to MPAC in time for inclusion in the September Exceptions files that MPAC provides. Notification to MPAC should be sent in an email to the municipality's Municipal Relations Rep.

The Clerk may use any information that is in the municipality's custody or control when correcting the PLE for obvious errors [Section 22 (2) and (3)].

### **CERTIFICATION OF VOTERS' LIST (SECTION 23)**

The corrected PLE becomes the Voters' List once it is reproduced and identified with a "Voters' List Cover Sheet" Form TD08 on or before September 1, 2022.

The Clerks, shall place in a local newspaper, having general circulation on or before September 1, 2022 a "Key Information to Municipal Electors regarding the 2022 Municipal Election" Form TD09 as attached.

This notice shall be published in the Temiskaming Speaker, the Weekender and Northern News on dates agreed upon by the Elections Working Group on or before September 1, 2022 and a second time before October 15, 2022.

### **REQUESTS FOR COPIES OF VOTERS' LIST [SECTION 23 (3), (4) and (5)]**

Upon written request, but not until September 1, the Clerk shall give every candidate a copy of the part of the Voters' List that contains the names of the electors who are entitled to vote for that office if requested. For example, if a candidate is running in a Ward, they only receive the part of the Voters' List pertaining to that particular Ward, not the entire Voters' List. Each candidate will be required to sign the "Declaration of Proper Use of the Voters' List" Form TD10.

The use of the Voters' List shall be in accordance with the "Policy for Use of the Voters' List" Form TD11.

## **ACCESS TO THE VOTERS' LIST [SECTION 88 (10) and (11)]**

The legislation states that the Voters' List cannot be posted in a public place and can be used only for election purposes.

Due to MFIPPA, details about another person, other than the person an Election Official is speaking with, should not be provided, including whether or not the individual is on the Voters' List. The procedure, "Voters' List – Are you on the Voters' List?" **Form TD51** shall be used by Municipal Staff and Election Officials.

## **AMENDMENTS TO THE VOTERS' LIST (SECTION 24 & 25)**

### **Application for Change of Own Name (Section 24)**

An elector may make an application to amend their information on the Voters' List using the prescribed form "Application to Amend Voters' List" **Form EL15** and providing proof of identity and residence as prescribed in *O. Reg. 304/13*, between the 1<sup>st</sup> day of September, 2022 to the 24<sup>th</sup> day of October, 2022 during normal hours and on the 24<sup>th</sup> day of October until 8:00 p.m.

The "Voter – ID Requirements" **Form TD40** may be posted at the Municipal Office or any other location where Amendments to the Voters; List are made. In addition, it may be included in information packages, posted on the municipal website, etc.

An elector can no longer remove a family member's name from the Voters' List, except in the case of a deceased person. See Removal of Deceased Person's Name (EL16) below.

If the elector does not appear in person, a certified copy showing proof of ID and proof of residence/occupancy is required.

### **Removal of Deceased Person's Name (Section 25)**

The Clerk may remove a person's name from the Voters' List up to 8:00 p.m. on October 24<sup>th</sup>, 2022 if the Clerk is satisfied the person has died.

A person may make an application requesting that a deceased person's name be removed from the Voters' List by using the form "Application for Removal of Deceased Person's Name from the Voters List" **Form EL16** and providing proof of identity and residence as prescribed in *O. Reg. 304/13*, between the 1<sup>st</sup> day of September, 2022 to the 24<sup>th</sup> day of October, 2022 during normal hours and on the 24<sup>th</sup> day of October until 8:00 p.m.

### **Number of Electors to Determine Candidates' Expenses**

On, September 15<sup>th</sup>, 2022, determine the total number of electors on the Voters' List. This number will be necessary to calculate the "Estimated Maximum Campaign Expenses" **Form TD23** and the "Certificate of Maximum Campaign Expenses" **Form EL37** for the 2026 Municipal Election.

### **INTERIM LIST OF CHANGES [SECTION 27(1)]**

The Clerk shall, during the period beginning on September 15<sup>th</sup> and ending on September 25<sup>th</sup> in the year of a regular election, prepare an “Interim List of Changes” **Form TD12** to the Voters’ List. The Interim List of Changes shall be given to each person who received a copy of the Voters’ List and to each certified candidate.

### **CERTIFICATION OF THE VOTERS’ LIST [SECTION 28(1)]**

The Clerk shall compile any changes to the Voters’ List on the “Certificate of the Voters’ List” **Form TD13** and certify the Voters’ List for use in each voting place.

### **FINAL LIST OF CHANGES [SECTION 27(2)]**

The Clerk shall prepare the “Final List of Changes” **Form TD14** to the Voters’ List by November 23, 2022. A certified copy of the Final List of Changes shall be sent to the MPAC together with a copy of the approved applications **Form EL15** and **Form EL16**.

For those who use a supplier to manage their Voters’ List (i.e. DataFix), the Final List of Changes shall be provided to MPAC by November 23, 2022 by the supplier upon the Clerk’s authorization.

**TOWNSHIP OF MCGARRY**  
**VOTERS' LIST COVER SHEET**

**FOR THE YEAR**  
**2022**

This Voters' List was prepared in accordance with Section 23 of the *Municipal Elections Act, 1996*, S.O. 1996, C.32, as amended. In accordance with Section 88 (11), the Voters' List shall not be posted in a public place or made available to the public in any other manner.

Electors should ensure that their names and relevant information are correctly shown on the Voters' List.

A person may make an application to the Clerk requesting that their name be added to or removed from the Voters' List or that information on the Voters' List relating to them be amended by completing and filing the prescribed form available at the Office of the Clerk during regular office hours between September 1 to October 21, 2022 and to the close of voting on October 24, 2022. The application shall be in writing and shall be filed in person, or by mail, email or fax by the applicant or his/her agent. Proof of identity and residence as prescribed in *O. Reg. 304/13* will be required of the applicant. If the applicant does not appear in person, a certified copy showing proof of ID and proof of residence/occupancy is required.

**NO PERSON SHALL USE ANY INFORMATION OBTAINED FROM THE VOTERS' LIST  
EXCEPT FOR ELECTION PURPOSES**

**Karine Pelletier**  
**Returning Officer**  
**TOWNSHIP OF MCGARRY**

**TOWNSHIP OF MCGARRY**

**MUNICIPAL ELECTIONS 2022**

**NOTICE OF THE VOTERS' LIST**

**NOTICE IS HEREBY GIVEN** that, the list of all persons entitled to be electors for municipal elections in this municipality has been prepared by the Clerk's office.

As of September 1, 2022 all electors should ensure that their names and relevant information are correct on the Voters' List.

A person may make an application to the Clerk requesting that their name be added to or removed from the Voters' List or that information on the Voters' List relating to them be amended by completing and filing the prescribed form available at:

**The Office of the Clerk  
TOWNSHIP OF MCGARRY  
27 Webster Street  
Viriniatown, ON P0K 1X0**

during regular office hours between September 1, 2022 to October 21, 2022 and to the close of voting on October 24, 2022. The application shall be in writing and shall be filed in person, or by mail, email or fax by the applicant or his/her agent. Proof of identity and residence as prescribed in *O. Reg. 304/13* will be required of the applicant. If the applicant does not appear in person, a certified copy showing proof of ID and proof of residence/occupancy is required.

**QUALIFICATIONS OF ELECTORS**

A person is entitled to vote in a municipal election if he or she on voting day,

- resides in the local municipality, or is the owner or tenant of land in the municipality, or the spouse of such owner or tenant; and
- is a Canadian citizen, and
- is at least 18 years old, and
- is not prohibited from voting by law.

**DATED AT THE TOWNSHIP OF MCGARRY**

**THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2022.**

\_\_\_\_\_  
CLERK



## KEY INFORMATION TO MUNICIPAL ELECTORS REGARDING THE 2022 MUNICIPAL ELECTIONS

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M  
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N  
T



### Who Can Vote?

A person is entitled to vote in a municipal election if he or she on voting day,

- resides in the local municipality, or is the owner or tenant of land in the municipality, or the spouse of such owner or tenant; and
- is a Canadian citizen, and
- is at least 18 years old, and
- is not prohibited from voting under the Municipal Elections Act, 1996 or otherwise prohibited by law

### Who Cannot Vote?

The following cannot vote:

- a person who is serving a sentence of imprisonment in penal or correctional institution;
- a corporation;
- a person acting as executor or trustee or in any other representative capacity, except as a voting proxy in a traditional election;
- a person who was convicted of the corrupt practice described in subsection 90 (3), if voting in the current election is less than five years after voting day in the election in respect of which her or she was convicted.

### Voter Lookup

#### Are You on the Voters' List?

The List of eligible voters for the upcoming municipal election has been prepared by the Returning Officer/Clerk of your municipality.

As of September 1, 2022 all Voters should ensure that their names and relevant information are correct on the Voters' List. To be added, deleted or to make any other corrections to your information, contact or visit the municipal office where you are entitled to vote, with proper identification and proof of residence during normal office hours beginning September 1 up to and including the close of voting on October 24 at 8 p.m.

### TRADITIONAL PAPER BALLOT

Electors will be voting by traditional ballot. Electors will be notified of their voting station and advanced voting dates in early October.

In order to vote, the elector must attend the voting station on October 24, 2022 and cast their ballot. To be added to the Voter's List the voter must have acceptable identification and proof of residence.

TOWNSHIP OF MCGARRY

**DECLARATION OF PROPER USE OF THE VOTERS' LIST**

*Municipal Elections Act, 1996 [s. 23 (3), (4) and (5)]*

I, \_\_\_\_\_, being a:  
(Name)

Candidate for the office of \_\_\_\_\_

OR

a person entitled to a copy of the Voters' List pursuant to section 23 (3) of the *Municipal Elections Act*, namely

\_\_\_\_\_ hereby request the Clerk to provide me with the following information when it becomes available:

- a copy of the Voters' List;
- a copy of the Revisions made to the Voters' List after the preparation of the Interim List of Changes between September 15 to 26, 2022.

**I, the undersigned, do hereby agree to use the Voters' List for election purposes only and I understand that I am prohibited by the *Municipal Elections Act* from using the Voters' List for commercial purposes.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Form TD11 (photocopy LC10 on reverse side)**

**TOWNSHIP OF MCGARRY**

**POLICY FOR USE OF THE VOTERS' LIST**

The Voters' List has been compiled for election purposes only. All electors should ensure that their names and relevant information are correct on the Voters' List.

Eligible persons who request a copy of the Voters' List must sign a declaration **Form TD10** as per the attached form prior to receiving a copy of all or any part of the Voters' List.

Where the Voters' List can be provided electronically to an eligible person, who has signed a declaration **Form TD10** provided by the Clerk stating the list shall be used for Election purposes only, the Clerk may choose to provide it in this format.

Eligible persons who obtain additional copies of the Voters' List or any part thereof shall pay to the Clerk a fee prescribed by the Clerk for photocopies which must be the lowest fee charged by the municipality for copies. [Section 88 (8)]

**Copies for local boards – municipalities - Minister**

On **written request**, the Clerk shall provide a copy of the Voters' List to, [Section 23 (3)]

- the secretary of a local board any of whose members are required to be elected at an election conducted by the Clerk, or that has submitted a question to the electors;
- the Clerk of the local municipality responsible for conducting the elections in any combined area for school board purposes;
- the Clerk of an upper-tier municipality any of whose members are required to be elected at an election conducted by the Clerk, or that has submitted a by-law or question to the electors;
- the Minister, if he or she has submitted a question to the electors.

**Copies – for candidates**

On the written request of a certified candidate for an office, the Clerk shall provide him or her with the part of the Voters' List that contains the names of the electors who are entitled to vote for that office.

The Candidate or their campaign worker cannot confirm or deny if a person is on the voters' List. The person must contact or visit the municipal office where they are entitled to vote, with proper identification and proof of residence during normal office hours beginning September 1 up to and including the close of voting on October 24 at 8 p.m.

Use of online, electronic and paper versions of the Voters' List, Interim and Final List of Changes to the List and all other information containing personal voter information shall be protected by the Candidate and shall not be used for any purpose other than the 2022 Municipal Election. All Voter information obtained by the Candidate during the 2022 Municipal Election shall be destroyed by the Candidate after the election, either by returning same to the Clerk for destruction with other election material or by deleting it completely from Candidate computer hardware. If records are shared by the Candidates with others (campaign workers) an oath administered by the Candidate, similar to the one taken by the Candidate shall be administered and all shared records shall also be protected and destroyed.

**TOWNSHIP OF MCGARRY**  
**2022 MUNICIPAL ELECTION**  
**Voters' List – Are You on the List?**

**Procedure**

- The list is NOT available for public viewing at any time.
- Eligible electors can start asking if they are on the list as of September 1<sup>st</sup> (legislative)
- An elector can only ask about themselves, they cannot enquire about anyone else on the list, not even their spouse, DO NOT ever provide it
- Only the Clerk (Returning Officer) or those delegated authority have access to the Voters' List
- When verifying information, always ask the potential eligible elector to give you their birth date, mailing address, etc., DO NOT ever provide it to them

In Person

If a potential eligible elector comes in to the Municipal Office:

- ask them for proof of identity and residence (see ID Requirements page)
- hold on to that piece of identity as you look up the potential eligible elector
- do not show them the screen at any time
- if you cannot find them in the system by searching their name, next search their qualifying address
- if they show up in the system, verify the following information:
  - birth date
  - citizenship
  - mailing address
  - school support (only a permanent resident can vote)
- refer them to the Clerk:
  - if they do not show up in the system at all
  - if they show up in the system more than once
  - if they show up in the system and information is missing or incorrect (ex. birth date, etc.)

Over the Phone

If a potential eligible elector calls in to the Municipal Office:

- ask them who they are
- look them up in the system
- if you cannot find them in the system by searching their name, next search their qualifying address
- ask them to provide their qualifying address, mailing address and birth date (if any of this information is missing or incorrect, ask them to come into the Municipal Office with ID)
- if they have provided this information correctly, verify their citizenship and school support
- ask them to come in to the Municipal Office with ID:
  - if they do not show up in the system at all
  - if they show up in the system more than once
  - if they show up in the system and information is missing or incorrect (ex. birth date, etc.)

Email and Fax

Elector cannot enquire via email or fax. Ask them to come in or to phone.

-

## **Municipal Elections Act, 1996**

### S.O. 1996, CHAPTER 32 SCHEDULE

17 (1) Repealed: 2002, c. 17, Sched. D, s. 5 (1).

#### **Qualifications**

(2) A person is entitled to be an elector at an election held in a local municipality if, on voting day, he or she,

(a) resides in the local municipality or is the owner or tenant of land there, or the spouse of such owner or tenant;

(b) is a Canadian citizen;

(c) is at least 18 years old; and

(d) is not prohibited from voting under subsection (3) or otherwise by law.

#### **Persons prohibited from voting**

(3) The following are prohibited from voting:

1. A person who is serving a sentence of imprisonment in a penal or correctional institution.

2. A corporation.

3. A person acting as executor or trustee or in any other representative capacity, except as a voting proxy in accordance with section 44.

4. A person who was convicted of the corrupt practice described in subsection 90 (3), if voting day in the current election is less than five years after voting day in the election in respect of which he or she was convicted.

#### **Status as tenant**

(4) Despite the definitions of “owner or tenant” and “tenant” in subsection 1 (1), a regulation may specify circumstances in which a person is, and is not, considered to be a tenant for the purposes of clause (2)

(a).

**TOWNSHIP OF MCGARRY**

**INTERIM LIST OF CHANGES**

*Municipal Elections Act, 1996 [s. 27(1)a]*

<b>Name of Municipality</b>
-----------------------------

<b>Ward No. (if any)</b>	<b>Voting Subdivision (one or more)</b>
--------------------------	---

**I hereby certify that the following revisions, as attached, were made to the Voters' List for this Municipality.**

**DATED THIS \_\_\_\_ DAY OF SEPTEMBER, 2022.**

\_\_\_\_\_  
**Municipal Clerk**

**NOTE:**  
This form is the cover sheet for the Interim List of Changes. Information should be the same as appears on the Voters' List with the addition of a column indicating D = Deletion, A = Addition, C = Correction.

TOWNSHIP OF MCGARRY

**CERTIFICATE OF THE VOTERS' LIST**

*Municipal Elections Act, 1996 [s. 28(1)]*

I hereby certify that the attached Voters' List contains the names of persons entitled to vote at the Municipal Elections to be held on Monday, October 24, 2022, for the voting subdivision(s) set out below:

Municipality		
Ward No (if applicable)	Voting Subdivision No(s) (if applicable)	

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2022.

\_\_\_\_\_  
Municipal Clerk

NOTE: The Voters' List for use in the Voting Subdivision should be prepared as late as possible so that as many revisions made to the list can be included. Clerks may choose to create this list from a computer data base.

**TOWNSHIP OF MCGARRY**

**FINAL LIST OF CHANGES**

*Municipal Elections Act, 1996 [s. 27(2)]*

<b>Name of Municipality</b>
-----------------------------

Ward No. (if any)	Voting Subdivision (one or more)
-------------------	----------------------------------

**I hereby certify that the following additions were made to the Voters' List for this Municipality.**

C = correction D = deletion A = addition	ELECTOR	ELECTOR STATUS	QUALIFYING ADDRESS	MAILING ADDRESS

**DATED THIS \_\_\_ DAY OF \_\_\_\_\_ 2022.**

\_\_\_\_\_  
**Municipal Clerk**

**NOTE:**

Be sure to include all additions made by the Deputy Returning Officers at the voting place on voting day (provided the Clerk has delegated this function to the DRO's). This list is to be prepared by the date fixed by the Minister of Finance under the *Assessment Act*.



TOWNSHIP OF MCGARRY

**Application to Amend Voters' List** *Municipal Elections Act, 1996 (s.17, s.24)* Form EL15

Check only one

- add applicant's name to list
- correct applicant's information on list
- delete applicant's name from list ( moved  other)

<b>Name of applicant</b>	<b>date of birth</b>	year	month	day
last	First	middle		

**Qualifying address on voting day**  commercial property

At qualifying address, applicant is:

<b>street number &amp; name</b>	<b>apt. #</b>	<b>roll number</b>	<b>ward number</b>	<b>voting subdiv.</b>	<input type="checkbox"/> owner <i>since</i> _____
					<input type="checkbox"/> tenant <i>since</i> _____
					<input type="checkbox"/> other <i>since</i> _____ date
					<input type="checkbox"/> spouse _____
					<input type="checkbox"/> unqualified(delete name only)

city postal code (if house apartment, indicate floor leve e.g. basement, 1<sup>st</sup> floor etc.)

**Previous qualifying address** (if applicable)

At qualifying address, applicant is:

<b>street number &amp; name</b>	<b>apt. #</b>	<b>roll number</b>	<b>ward number</b>	<b>voting subdiv.</b>	<input type="checkbox"/> owner
					<input type="checkbox"/> tenant
					<input type="checkbox"/> other
					<input type="checkbox"/> spouse

city postal code (if house apartment, indicate floor leve e.g. basement, 1<sup>st</sup> floor etc.)

**Current mailing address of applicant** (if different than **Qualifying address** above)

At mailing address, applicant is:

<b>street number &amp; name</b>	<b>apt. /unit #</b>	<b>city</b>	<b>postal code</b>	<input type="checkbox"/> owner
				<input type="checkbox"/> tenant
				<input type="checkbox"/> other
				<input type="checkbox"/> spouse

- School Support**
- Applicant is Roman Catholic (includes Greek & Ukrainian Catholics)
  - Applicant has French Language Education Rights

- Applicant wishes to be an elector for the following school board**
- English-Public (anyone can support English-public)
  - English-Separate (must be Roman Catholic)
  - French-Public (must have French Language Education Rights)
  - French-Separate (must be roman Catholic & have French Language Education Rights)

I, the undersigned, hereby declare that I am a Canadian citizen, that I have attained the age of eighteen (18) on or before Voting Day, and that on Voting Day, I am entitled to be an elector in accordance with the facts or information submitted on this form, and that I understand the effect thereof. I hereby apply to have my name corrected on the Voters' List in accordance with such facts or

information.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

This information is collected under authority of s.17, s.24 and s.25 of the *Municipal elections Act* and s.15 and s.16 of the *Assessment Act* and will be used to determine voter eligibility.

**Certificate of Approval** (to be completed by Clerk or designate)

Approved

I hereby certify that the Voter's List for said voting subdivision in this municipality shall be amended in accordance with the statement of facts or information contained herein.

\_\_\_\_\_  
Signature of clerk or delegate

\_\_\_\_\_  
Date

Refused (state reason)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**INSTRUCTIONS TO COMPLETE  
Application to Amend Voters' List – Form EL15**

**Please check only ONE box to indicate the purpose of the form:**

**ADD** applicant's name to list,  
**CORRECT** applicant's name on list, or  
**DELETE** applicant's name from list (moved, other)

**Ensure the Applicant Completes the Following Information:**

- ✓ Full name (last, first, middle)
- ✓ Date of birth (year, month, day)
- ✓ Indicate if it is a commercial property (check box if yes)
- ✓ Qualifying address on voting day (**including apt # if applicable**)
  - this is the property address where the person wants to be added on the voters' list
- ✓ Previous qualifying address (if the person has moved in the past 4 years)
  - ensures their name was removed from their previous property
- ✓ Indicate if applicant is occupying **only a portion of a house** (i.e.: basement apartment, 2nd floor, rear apartment etc.)
  - these properties tend to have multiple units / households
- ✓ Current mailing address of applicant (if different from the qualifying address)
- ✓ Indicate whether the applicant is an owner, tenant, spouse of an owner / tenant, other (i.e.: child) or the name is unqualified (for removal of a name)
- ✓ Ward number, voting subdivision (i.e.: polling station)
- ✓ School support & school board
- ✓ Sign & date the form

**School Support:**

A person **must be** Roman Catholic to support the Separate School Board

- Includes Greek and Ukrainian Catholics

A person **must have** French Language Education Rights to support a French School Board

If a person does not indicate they are Roman Catholic or have French Language Education rights **the only school board they can support is English-Public.**

**Important Reminders:**

All addresses for apartments need the unit number or apartment location (i.e.: basement, upper, rear, 2nd floor etc.) or the name cannot be added to the property.

All forms must be signed and dated by the applicant.

## **Items to be Completed by Municipal Staff:**

### **Roll Number:**

The roll number **must** be included on every EL15 form submitted to MPAC.

A roll number is a unique identifier of a property / unit. It consists of 19 digits and should look like 1234-567-890-1234-0000.

- the first 4 digits are the municipality;
- the next 10 digits describe the location of the property and;
- the last 4 digits indicate the unit on the property (i.e. an apartment unit will be something other than '0000').

### **THE FINAL STEP PRIOR TO SUBMITTING FORM TO MPAC:**

Please ensure all forms are signed and dated by the applicant.

CERTIFICATE OF APPROVAL (to be completed by Clerk or designate)

Please check APPROVED or REFUSED

Sign and date the form.

**TOWNSHIP OF MCGARRY**

*(Prepare in triplicate)*

**APPLICATION FOR REMOVAL OF DECEASED PERSONS NAME FROM VOTERS' LIST**

*Municipal Elections Act, 1996 [s. 25 (2), (3), (4)]*

Municipality		
Surname of Applicant		Given Names
Full Address of Residence	Apt #	Postal Code

**IN RESPECT OF**

Name as Entered in Voters' List		
Full Address of Residence	Apt #	Postal Code

**ENTERED ON LIST FOR**

Ward No. (if any)	Voting Subdivision No. (if any)	Assessment Roll Number (to be completed by Clerk or designated election official)
-------------------	---------------------------------	---

I, the undersigned, hereby solemnly affirm and declare that the contents of this form as completed by me are true.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date Signed

**TOWNSHIP OF MCGARRY  
2022 MUNICIPAL ELECTION  
VOTER - ID REQUIREMENTS**

*In accordance with the Municipal Elections Act, 1996 and Ontario Regulation 304/13*

Proof of identity and residence is required in the following instances:

- When adding or deleting one's name from the Voter's List
- When issuing an oath

**One of the following is required:**

1. An Ontario driver's license.
2. An Ontario Health Card (photo card).
3. An Ontario Photo Card.
4. An Ontario motor vehicle permit (vehicle portion).
5. A cancelled personalized cheque.
6. A mortgage statement, lease or rental agreement relating to property in Ontario.
7. An insurance policy or insurance statement.
8. A loan agreement or other financial agreement with a financial institution.
9. A document issued or certified by a court in Ontario.
10. Any other document from the government of Canada, Ontario or a municipality in Ontario or from an agency of such a government.
11. Any document from a Band Council in Ontario established under the *Indian Act* (Canada).
12. An income tax assessment notice.
13. A Child Tax Benefit Statement.
14. A Statement of Employment Insurance Benefits Paid T4E.
15. A Statement of Old Age Security T4A (OAS).
16. A Statement of Canada Pension Plan Benefits T4A (P).
17. A Canada Pension Plan Statement of Contributions.
18. A Statement of Direct Deposit for Ontario Works.
19. A Statement of Direct Deposit for Ontario Disability Support Program.
20. A Workplace Safety and Insurance Board Statement of Benefits T5007.

21. A property tax assessment.
22. A credit card statement, bank account statement, or RRSP, RRIF, RHOSP or T5 statement.
23. A CNIB Card or a card from another registered charitable organization that provides services to persons with disabilities.
24. A hospital card or record.
25. A document showing campus residence, issued by the office or officials responsible for student residence at a post-secondary institution.
26. A document showing residence at a long-term care home under the *Long-Term Care Homes Act, 2007*, issued by the Administrator for the home.
27. A utility bill for hydro, water, gas, telephone or cable TV or a bill from a public utilities commission.
28. A cheque stub, T4 statement or pay receipt issued by an employer.
29. A transcript or report card from a post-secondary school

# **CANDIDATE CAMPAIGNING AND CAMPAIGN ADVERTISING**



**CANDIDATE  
CAMPAIGNING AND CAMPAIGN ADVERTISING (SECTION 88.3)**

Campaigning, including campaign advertising, are permitted no earlier than the filing of Nomination Papers by the Candidate unless otherwise stated in the local municipal by-law.

Candidate campaign advertising means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting or supporting the election of a Candidate. Examples include, lawn signs, brochures, posters, print, radio and electronic ads, etc.)

All candidate campaign advertising shall identify the Candidate by name, as it appears on the Nomination Form.

All Candidates shall provide the following information to a broadcaster or publisher in writing:

- the name of the Candidate.
- the name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the Candidate.

Information contained in/on all campaign material is the responsibility of the Candidate and any questions or concerns should be directed to the Candidate.

**CAMPAIGNING AND CAMPAIGN ADVERTISING  
MUNICIPALLY OWNED/LEASED FACILITIES**

Election campaigning or the distribution/posting of election campaign advertising at municipally-owned or leased facilities is not permitted.

The use of corporate resources is not permitted by Candidates for election purposes (i.e., staff, electronic devices, supplies, candidate photos taken in/on municipal property, etc.).

Candidates are prohibited from verifying whether an elector appears on the Voters' List or not, to the elector or any other person. Questions should be directed to the Clerk.

**LOCATION OF ELECTION SIGNS**

The Township of McGarry allows campaign signs on municipal road allowances as long as sight lines are not affected and the signs are removed immediately after the election.

The provincial policy with respect to the posting of campaign advertising on provincial road allowances follows on the next few pages.

Posters or similar campaign advertising that will be installed or affixed to poles belonging to Hydro One Network, Bell Canada or other public utilities will require the permission of these respective approving authorities.

The investigation or prosecution for any acts of vandalism to campaign advertising of the candidates should be referred to the local police force by the complainant. The municipality or any of its municipal servants, employees or agents will not be responsible.

### **MUNICIPAL AUTHORITY TO REMOVE ADVERTISEMENTS (SECTION 88.7)**

If a municipality is satisfied that there has been a contravention of section 88.3 (candidates' election campaign advertisements), 88.4 (third party advertisements) or 88.5 (mandatory information in third party advertisements), the municipality may require a person who the municipality reasonably believes contravened the section or caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred, to remove the advertisement or discontinue the advertising.

TOWNSHIP OF MCGARRY

**BROADCASTER/PUBLISHER INFORMATION SHEET  
CANDIDATE**

*Municipal Elections Act, 1996 (Sections 88.3)*

**88.3 (1)** In this section,

**“Election campaign advertisement”** means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting or supporting the election of a candidate. 2016, c. 15, s. 47.

**Mandatory information in advertisement**

(2) An election campaign advertisement purchased by or under the direction of a candidate shall identify the candidate. 2016, c. 15, s. 47.

Mandatory information for broadcaster, etc.

(3) A candidate shall not cause an election campaign advertisement to appear unless he or she provides the following information to the broadcaster or publisher in writing:

1. The name of the candidate.
2. The name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the candidate. 2016, c. 15, s. 47.

**Prohibition, broadcaster or publisher**

(4) No broadcaster or publisher shall cause an election campaign advertisement to appear if the information set out in paragraphs 1 and 2 of subsection (3) has not been provided. 2016, c. 15, s. 47.

**Records**

(5) The broadcaster or publisher of an election campaign advertisement shall maintain records containing the following information for a period of four years after the date the advertisement appears and shall permit the public to inspect the records during normal business hours:

1. The information provided under subsection (3).
2. A copy of the advertisement, or the means of reproducing it for inspection.
3. A statement of the charge made for its appearance. 2016, c. 15, s. 47.

## ***Election Sign Policy – Corridor Sign Policy, Ministry of Transportation***

Under the authority of the Public Transportation and Highway Improvement Act the Ministry through the issuance of a permit controls all visible signing upon or within 400 metres of the provincial highway right-of-way.

Election Signs placed by, or on behalf of a candidate or a political party and signs designed to encourage citizens to vote must follow these restrictions governing elections signs that are visible from a provincial highway system.

1. An election sign must not be placed upon or adjacent to the right-of-way of a Class 1 Freeway or Class 2 Staged Freeway.
2. Election signs may be erected on the right-of-way or adjacent to a Class 2 undivided Staged Freeway, a Class 3 Special Controlled Access highway, a Class 4 Major highway or Class 5 Minor highway after an official election has been called.
3. Signs up to 0.7 m<sup>2</sup> (8 ft<sup>2</sup>) in size must be placed a minimum of 4m (12 ft.) from edge of pavement. Signs over 0.7 m<sup>2</sup> (8 ft<sup>2</sup>) and up to 3.7 m<sup>2</sup> (40 ft<sup>2</sup>) must be placed at the outer limit of the highway right-of-way.
4. Election signs may be placed on the right-of-way of a highway other than a Class 1 Freeway and Class 2 divided Staged Freeway, but must be placed at least 4m (12 ft.) from edge of pavement.
5. An election sign must not be affixed to a permanent or an official sign or to the guide rail or other highway structure or facility and must not be placed where it may interfere with visibility, an official sign, traffic signal, or other safety device.
6. Portable read-o-graph sign trailers are prohibited on the right-of-way of a highway. Such read-o-graph sign trailers may be utilized providing they are erected on private property and meet the requirements of the Ministry for portable read-o-graph signing.
7. Permits or Letters of Approval for any election signs erected under this policy are not required.
8. Candidate committees, or workers shall be allowed three (3) working days after election day in order to remove candidate advertising (election signs) from the Ministry right-of-way and adjacent properties.
9. Signs not retrieved by this time will be picked up by the Ministry patrol forces and stored in a safe place (patrol yard, etc.,) for a period of two weeks. After this time they will be disposed of.

Contact the Corridor Management Officer to obtain additional information:

**Ministry of Transportation** Operational Services - New Liskeard  
500 Rockley Road  
P.O. Box 1390  
New Liskeard, Ontario  
P0J 1P0  
Phone: (705) 647-1802 ext.1802  
Toll free: 1-800-720-1120 ext.1802  
Fax: (705) 647-4571

# **CANDIDATE CAMPAIGN CONTRIBUTIONS AND EXPENSES**

## CONTRIBUTIONS

### CONTRIBUTIONS TO REGISTERED CANDIDATES [SECTION 88.8 (1) – (5)]

A contribution shall not be made to or accepted by a person or an individual acting under the person's direction unless the person is a candidate.

A contribution made to or accepted by a candidate, or to an individual acting under the candidate's direction, shall only be made during the candidate's election campaign period.

Contributions shall only be made by the following:

- An individual who is normally resident in Ontario;
- The candidate and his or her spouse, subject to if the spouse of a candidate is not normally resident in Ontario, a candidate and his or her spouse may make contributions only to the candidate's election campaign.

The following shall not make a contribution:

- A federal political party registered under the *Canada Elections Act* or any federal constituency association or registered candidate at a federal election endorsed by that party.
- A provincial political party, constituency association, registered candidate or leadership contestant registered under the *Election Finances Act*.
- A corporation that carries on business in Ontario;
- A trade union that holds bargaining rights for employees in Ontario;
- The Crown in right of Canada or Ontario, a municipality or local board.

### ACCEPTANCE OF CONTRIBUTIONS [SECTION 88.8 (6) – (10)]

A contribution may be accepted only by a candidate or an individual acting under the direction of the candidate.

A contribution may be accepted only from a person or entity that is entitled to make a contribution.

A contribution of money that exceeds \$25.00 shall not be contributed in the form of cash and shall be contributed in a manner that associates the contributor's name and account with the payment or by money order signed by the contributor.

The listing of the phone number and email address and/or hyperlink to the candidate's website by the municipality or local board does not constitute a contribution to a candidate.

## **MAXIMUM CONTRIBUTIONS TO CANDIDATES (SECTION 88.9)**

A contributor shall not make contributions exceeding a total of:

- \$1,200 to any one candidate in an election;
- Except if a person is a candidate for more than one office a contributor's total contributions to that candidate in respect of all the offices shall not exceed \$1,200;
- \$5,000 to two or more candidates for office on the same council or local board;
- Except if the candidate is contributing to the candidates own election campaign, then the maximum contributions do not apply;
- Except if the contributor is the spouse of the candidate, then the maximum contributions do not apply.

## **FUNDRAISING FOR CANDIDATES (SECTION 88.10)**

A fund-raising function shall not be held for a person who is not a candidate.

Fund-raising functions may only be held during the campaign period.

## **WHAT CONSTITUTES A CONTRIBUTION (SECTION 88.15)**

For the purposes of this Act, money, goods and services given to and accepted by a person for his or her election campaign, or given to and accepted by another person who is acting under the person's direction, are contributions.

### Contributions:

In addition to the statement above [88.15 (1)]:

- An amount charged for admission to a fund-raising function.
- If goods and services are sold for more than their market value at a fund-raising function, the difference between the amount paid and the market value. However, if the amount received for the goods or services is \$25.00 or less, the amount is not a contribution.
- If goods and services used in the person's election campaign or in relation to third party advertisements are purchased for less than their market value, the difference between the market value and the amount paid.
- Any unpaid but guaranteed balance in respect of a loan under section 88.17 (Campaign Account Loans).

### Not Contributions:

In addition to the statement above [88.15 (1)]:

- The value of services provided by voluntary unpaid labour.
- The value of services provided voluntarily, under the direction of the person or the individual, corporation or trade union, by an employee whose compensation from all sources for providing the services does not exceed the compensation the employee would normally receive for the period the services are provided.
- An amount of \$25.00 or less that is donated at a fundraising function.
- The amount received for goods and services sold at a fundraising function, if the amount is \$25.00 or less.
- The amount of a loan under section 88.17 (Campaign Account Loans).
- For a person referred to in 88.15 (1), the value of political advertising provided without charge on a broadcasting undertaking as defined in section 2 of the *Broadcasting Act* (Canada), if,
  - it is provided in accordance with that Act and the regulations and guidelines made under it, and
  - it is provided equally to all candidates for office on the particular council or local board.

### Value of Goods and Services

The value of goods and services provided as a contribution is,

- (a) if the contributor is in the business of supplying these goods and services, the lowest amount the contributor charges the general public in the same market area for similar goods and services provided at or about the same time;
- (b) if the contributor is not in the business of supplying these goods and services, the lowest amount a business providing similar goods or services charges the general public for them in the same market area at or about the same time.

### **RESTRICTION: USE OF OWN MONEY (SECTION 88.16)**

A contributor shall not make a contribution of money that does not belong to the contributor.

However, this does not apply to the personal representative of a deceased person whose will directs that a contribution be made to a named candidate or a registered third party, as the case may be, out of the funds of the estate.

### **CAMPAIGN ACCOUNT LOANS (SECTION 88.17)**

A candidate and his or her spouse may obtain a loan only from a bank or other recognized lending institution in Ontario, to be paid directly into the candidate's campaign account. Only the candidate and his or her spouse may guarantee a loan.



## **EXPENSES**

### **WHAT CONSTITUTES AN EXPENSE (SECTION 88.19)**

Costs incurred for goods or services by or under the direction of a person wholly or partly for use in his or her election campaign are expenses.

Without restricting the generality of 88.19 (1), the following amounts are expenses:

- The replacement value of goods retained by the person from any previous election in the municipality and used in the current election.
- The value of contributions of goods and services.
- Audit and accounting fees.
- Interest on loans under section 88.17 (Campaign Account Loans).
- The cost of holding fundraising functions.
- The cost of holding parties and making other expressions of appreciation after the close of voting.
- For a candidate, expenses relating to a recount or a proceeding under section 83 (Controverted Elections).
- Expenses relating to a compliance audit.
- Expenses that are incurred by a candidate with a disability, are directly related to the disability, and would not have been incurred but for the election to which the expenses relate.
- The cost of election campaign advertisements (within the meaning of section 88.3).

For greater certainty, the cost of holding fundraising functions does not include costs related to,

- events or activities that are organized for such purposes as promoting public awareness of a candidate and at which the soliciting of contributions is incidental; or
- promotional materials in which the soliciting of contributions is incidental.

In the following circumstances, a candidate's expenses for the 2022 regular election that are described in 88.19 (3) paragraphs 7 and 8 may include his or her expenses as a candidate in the 2014 regular election for an office on the same council or local board:

1. The circumstances described in paragraph 4 of subsection 88.24 (1) (deficit).
2. The circumstances described in paragraph 5 of subsection 88.24 (1) (expenses relating to a recount, etc.).

### **CANDIDATES' EXPENSES (88.20)**

An expense shall not be incurred by or under the direction of a person unless he or she is a candidate.

#### **Only during campaign period**

An expense shall not be incurred by or under the direction of a candidate outside his or her election campaign period.

**Exception, auditor's report**

Despite 88.20 (2) (Only During Campaign Period), a candidate whose election campaign period ends as described in paragraph 2, 3 or 4 of subsection 88.24 (1) (Election Campaign Period for Candidates) may incur expenses related to the preparation of an auditor's report under section 88.25 (Candidates' Financial Statements, etc.) after the campaign period has ended.

For greater certainty, expenses, including audit and accounting fees, related to the preparation of an auditor's report after the campaign period has ended constitute campaign expenses.

**Who may incur expense**

An expense may only be incurred by a candidate or an individual acting under the candidate's direction.

**Maximum amount**

During the period that begins on the day a Candidate is nominated and ends on Voting Day, his or her expenses shall not exceed an amount calculated in accordance with the prescribed formula.

A Candidate shall be provided with the maximum campaign expenses amount upon filing of his or her Nomination Papers (see Nominations section of this manual).

**Maximum amount for parties, etc., after voting day**

The expenses of a candidate that are for the holding of parties and making other expressions of appreciation after the close of voting shall not exceed an amount calculated in accordance with the prescribed formula.

The formula that is prescribed, must be written so that the amount calculated under it varies based on the maximum amount determined under 88.20 (6) (Maximum Amount) for the office for which the candidate is nominated.

**DUTIES OF CANDIDATES (SECTION 88.22)**

The Clerk shall provide the "Duties of Candidates" **TD FORM 60** at the time of filing.

## TOWNSHIP OF MCGARRY CONTRIBUTIONS TO REGISTERED CANDIDATES

*Municipal Elections Act, 1996 (Section 88.8 and 88.9)*

### CONTRIBUTIONS TO REGISTERED CANDIDATES [SECTION 88.8 (1) – (5)]

A contribution shall not be made to or accepted by a person or an individual acting under the person's direction unless the person is a candidate.

A contribution made to or accepted by a candidate, or to an individual acting under the candidate's direction, shall only be made during the candidate's election campaign period.

Contributions shall only be made by the following:

- An individual who is normally resident in Ontario;
- The candidate and his or her spouse, subject to if the spouse of a candidate is not normally resident in Ontario, a candidate and his or her spouse may make contributions only to the candidate's election campaign.

The following shall not make a contribution:

- A federal political party registered under the *Canada Elections Act* or any federal constituency association or registered candidate at a federal election endorsed by that party.
- A provincial political party, constituency association, registered candidate or leadership contestant registered under the *Election Finances Act*.
- A corporation that carries on business in Ontario;
- A trade union that holds bargaining rights for employees in Ontario;
- The Crown in right of Canada or Ontario, a municipality or local board.

### ACCEPTANCE OF CONTRIBUTIONS [SECTION 88.8 (6) – (10)]

A contribution may be accepted only by a candidate or an individual acting under the direction of the candidate.

A contribution may be accepted only from a person or entity that is entitled to make a contribution.

A contribution of money that exceeds \$25 shall not be contributed in the form of cash and shall be contributed in a manner that associates the contributor's name and account with the payment or by money order signed by the contributor.

The listing of the phone number and email address and/or hyperlink to the candidate's website by the municipality or local board does not constitute a contribution to a candidate.

## **MAXIMUM CONTRIBUTIONS TO CANDIDATES (SECTION 88.9)**

A contributor shall not make contributions exceeding a total of:

- \$1,200 to any one candidate in an election;
- Except if a person is a candidate for more than one office a contributor's total contributions to that candidate in respect of all the offices shall not exceed \$1,200;
- \$5,000 to two or more candidates for office on the same council or local board;
- Except if the candidate is contributing to the candidates own election campaign, then the maximum contributions do not apply;
- Except if the contributor is the spouse of the candidate, then the maximum contributions do not apply.

**TOWNSHIP OF MCGARRY  
DUTIES OF CANDIDATES**

*Municipal Elections Act, 1996 (Section 88.22)*

**A candidate shall ensure that,**

- (a) no contributions of money are accepted or expenses are incurred unless one or more campaign accounts are first opened at a financial institution exclusively for the purposes of the election campaign;
- (b) all contributions of money are deposited into the campaign accounts;
- (c) all funds in the campaign accounts are used exclusively for the purposes of the election campaign;
- (d) all payments for expenses are made from the campaign accounts;
- (e) contributions of goods or services are valued;
- (f) receipts are issued for every contribution and obtained for every expense;
- (g) records are kept of,
  - (i) the receipts issued for every contribution,
  - (ii) the value of every contribution,
  - (iii) whether a contribution is in the form of money, goods or services, and
  - (v) the contributor's name and address;
- (h) records are kept of every expense including the receipts obtained for each expense;
- (i) records are kept of any claim for payment of an expense that the candidate disputes or refuses to pay;
- (j) records are kept of the gross income from a fund-raising function and the gross amount of money received at a fundraising function by donations of \$25 or less or by the sale of goods or services for \$25 or less;
- (k) records are kept of any loan and its terms under section 88.17 (Campaign Account Loans);
- (l) the records described in clauses (g), (h), (i), (j) and (k) are retained by the candidate for the term of office of the members of the council or local board and until their successors are elected and the newly elected council or local board is organized;
- (m) financial filings are made in accordance with sections 88.25 (Candidates' Financial Statements, etc.) and 88.32 (Return of Surplus for Subsequent Expenses);

- (n) proper direction is given to the persons who are authorized to incur expenses and accept or solicit contributions under the direction of the candidate;
- (o) a contribution of money made or received in contravention of this Act or a by-law passed under this Act is returned to the contributor as soon as possible after the candidate becomes aware of the contravention;
- (p) a contribution not returned to the contributor under clause (o) is paid to the clerk with whom the candidate's nomination was filed;
- (q) an anonymous contribution is paid to the clerk with whom the candidate's nomination was filed; and
- (r) each contributor is informed that a contributor shall not make contributions exceeding,
  - (i) subject to subsection (2), a total of \$1,200 to any one candidate in an election, and
  - (ii) a total of \$5,000 to two or more candidates for offices on the same council or local board.

**Exclusion of certain expenses**

Expenses described in paragraph 2 of subsection 88.19 (3) (Audit and Accounting Fees) are not expenses for the purpose of clause (a) above.

**Contributions paid to clerk**

Contributions paid to the clerk under clause (p) or (q) above become the property of the local municipality.