

THE CORPORATION OF THE MUNICIPALITY OF POWASSAN

BY-LAW NO. 2010-36

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

WHEREAS Section 81.1 (1) of the *Municipal Elections Act* provides that a Council or local board shall, before October 1 of an election year, establish a Compliance Audit Committee;

NOW THEREFORE the Council of the Corporation of the Municipality of Powassan hereby enacts as follows:

1. Marc Morin, Amanda Wallace and Michel Champagne are hereby appointed as a Compliance Audit Committee (the “Committee” herein”) under the *Municipal Elections Act* with respect to the 2010 Municipal Election.
2. The Council does hereby delegate to the Committee its powers and functions under Section 81, subsection (4), (5), (7), and (11) of the *Municipal Elections Act* (the “Act” herein) with respect to any applications which may be received under subsection (2) of the Act in and the Council shall pay all costs in relation to the operation and activities of the Committee.
3. In the event of the receipt of a request for a compliance audit under the Act, the Committee shall be convened by the Municipal Clerk or designate.
4. The Municipal Clerk or designate shall act as Secretary to the Committee and the Municipal Solicitor shall be available to the Committee for advice.
5. The Committee shall exercise the powers and duties delegated to it herein with respect to the 2010 Municipal Election.
6. That remuneration for the Compliance Audit Committee shall be as set out in Schedule “A” attached hereto and forming part of this by-law.
7. That the operation of the Compliance Audit Committee shall be subject to the Terms of Reference as set out in Schedule “B” attached hereto and forming part of this by-law.
8. That this by-law shall come into effect on the date of passing.

Adopted August 17, 2010

MAYOR

CAO-CLERK

SCHEDULE "A" TO BY-LAW NO. 2010-36

**REMUNERATION PAID TO MEMBERS OF THE POWASSAN 2010 ELECTION
COMPLIANCE AUDIT COMMITTEE**

1. The members of the Powassan 2010 Election Compliance Audit Committee for The Corporation of the Municipality of Powassan shall be paid compensation as follows:

\$60.00 per meeting.

SCHEDULE “B” TO BY-LAW NO. 2010-36

Terms of Reference for the Municipality of Powassan 2010 Election Compliance Audit Committee

NAME

The name of the Committee is the “Powassan 2010 Election Compliance Audit Committee”.

DURATION

The Powassan 2010 Election Compliance Audit Committee must be established before October 1, 2010. The term of office is from December 1, 2010 to November 30, 2014 to deal with applications from the 2010 election and any by-elections during Council’s term. The Committee will meet as needed with meetings to be scheduled when a compliance audit application is received.

MANDATE

The Committee will perform all required functions relating to compliance audit applications.

The Committee will be required to perform the following:

- i) within 30 days after receiving the application, from the Clerk, consider the application and decide whether it should be granted or rejected;
- ii) if the committee decides to grant the application, it shall appoint an auditor to conduct a compliance audit of the candidate’s election campaign finances;
- iii) receive auditor’s report
- iv) consider the auditor’s report within 30 days of receiving it and determine if legal proceedings against the candidate should commence; and
- v) may recover the auditor’s costs from the applicant if the auditor’s report indicates there was no apparent contravention and no reasonable grounds for the application

MEMBERSHIP

The Committee will consist of three (3) members.

Members appointed to the Committee would include persons with experience as accountants, lawyers, and/or auditors.

Members of Council, staff and candidates in the 2010 election or in any by-election during the term of Council are not eligible to be appointed to the Committee.

MEMBERSHIP SELECTION

Applicants will be required to submit an application outlining their qualifications and experience.

The recommended candidates will be presented for recommendation to Council.

Candidates will be selected based on the following:

- i) knowledge of municipal election campaign financing rules;
- ii) experience working on a committee or similar setting
- iii) availability to attend meetings
- iv) excellent oral and written communication skills

To avoid possible conflict of interest, any auditor or accountant appointed to the committee may not undertake the audits or preparation of financial statements of any candidates seeking election to Council. Failure to adhere to this requirement will result in the individual being removed from the committee.

Members to the Committee will be appointed by Council.

CHAIR

Members of the Committee will appoint a Chair at its first meeting.

STAFF SUPPORT AND FUNDING

The Clerk will provide administrative support to the Committee.

CONDUCT OF MEETINGS

Meetings will be conducted in accordance with the open meeting procedures of Council's Procedural By-law requirements.

COMMUNICATION OF MEETINGS

The Municipal website will be used to post meeting notices and agendas.