

## **IMPORTANT**

The Municipal Elections Act, 1996 (MEA) was recently amended by the Good Government Act, 2009 (Bill 212). Persons should ensure that they are using the most up-to-date version of the legislation. The updated MEA can be found online at [Municipal Elections Act, 1996](#).

## **New for 2010 Elections**

- Nominations must be filed by 2 p.m. on the second Friday in September (**September 10, 2010**).
- Candidates wishing to withdraw their nomination must do so by 2 p.m. on the second Friday in September (**September 10, 2010**).
- Voting day is the fourth Monday in October (**October 25, 2010**).
- A contributor is limited to a maximum of \$5,000 in total contributions to candidates running for office on the same council or board. Contributors who exceed this limit may be liable to penalties under the Municipal Elections Act, 1996.
- Municipalities may use information held by the municipality to revise and update the voters' list.
- Every Clerk must ensure that all voting places are accessible to electors with disabilities.
- Electors voting at a voting place must show identification prior to obtaining a ballot.
- Penalties for contravening the Municipal Elections Act, 1996 have been increased. An individual who contravenes the contribution rules may face a fine of up to \$25,000 (\$50,000 for corporations and trade unions) and/or up to six months in prison if the offence was committed knowingly. Candidates who are convicted of contravening certain provisions of the Act also forfeit any office to which they were elected, and are ineligible to run until after the next regular election has taken place.
- The nomination filing fee and interest on loans are now expenses subject to the campaign spending limit.
- Expenses relating to a compliance audit are not subject to the spending limit. Expenses incurred by a candidate with a disability that are directly related to the candidacy are also not subject to the spending limit.

- To avoid arguments that expenses incurred in holding a fundraising function may not be exempt from the spending limit, candidates should ensure that raising money is the primary purpose of the function. Events or materials promoting the candidate in which fundraising is incidental do not qualify as fundraising functions and are therefore not exempt from the spending limit.
- The spending limit formula is the base amount (\$7,500/Mayor and \$5,000 /Councillor), plus \$0.85 cents per elector.
- A candidate will receive an initial spending limit estimate when filing their nomination, and will receive a final spending limit after the close of nominations. Whichever of these two amounts is higher becomes the candidate's official spending limit.
- The deadline for filing financial statements is 2 p.m. on **Friday, March 25, 2011**. If a candidate does not file by this deadline, and has not applied to the courts for an extension, the candidate forfeits any office won in the election, is ineligible to be elected and may not be appointed to any office until after the next regular election.
- A candidate who has a deficit may extend their campaign to June 30. A candidate who incurs expenses related to a recount, controverted election or compliance audit after their campaign has ended on December 31 may re-open their campaign. All campaigns end on June 30.
- All surplus funds must be turned over to the Clerk to be held in trust. A candidate may access his or her surplus if he or she subsequently incurs expenses related to a recount, controverted election or compliance audit.
- Surplus funds not required for such expenses become the property of the municipality or school board. Surplus funds may not be carried forward for use by the candidate in a subsequent election.
- Financial filing forms have been revised. All candidates must now use the most up-to-date version of Form 4
- Every council and school board must appoint a compliance audit committee by October 1.
- **Voting Day is Monday, October 25, 2010.**