



## **Clerk's Report under section 88.29(11) of the Municipal Elections Act, 1996, as amended.**

### **Background**

Section 88.29 of the Municipal Elections Act, 1996, as amended, ("the Act") states:

#### **Report by clerk, section 88.29**

(11) As soon as possible after April 30 in the year following a regular election or 75 days after voting day in a by-election, the clerk shall make available to the public on a website or in another electronic format a list of all registered third parties for the election along with an indication of whether each has filed a financial statement and auditor's report under subsection (1). 2016, c. 15, s. 61.

#### **Cessation of penalty, section 88.27**

(6) The penalty set out in subsection (1) for a default described in clause (1) (a) does not take effect if, no later than 2 p.m. on the day that is 30 days after the applicable day for filing the document, the registered third party files the relevant document as required under section 88.29 or 88.32 and pays the clerk a late filing fee of \$500. 2016, c. 15, s. 61.

Section 88.29 provides in part:

#### **Financial statements, etc., of registered third parties, section 88.29**

(1) On or before 2 p.m. on the filing date, a registered third party shall file with the clerk of the municipality in which he, she or it registered a financial statement and auditor's report, each in the prescribed form, reflecting the registered third party's campaign finances in relation to third party advertisements,

- a) in the case of a regular election, as of December 31 in the year of the election;  
and

in the case of a by-election, as of the 45th day after voting day. 2016, c. 15, s. 61.

**Exception re auditor’s report**

(6) No auditor’s report is required if the total contributions received and total expenses incurred in the registered third party’s campaign in relation to third party advertisements during an election in the municipality up to the end of the relevant period are each equal to or less than \$10,000. 2016, c. 15, s. 61.

**Documents filed after filing date**

(10) If the documents required to be filed under this section are not filed by 2 p.m. on the day that is 30 days after the applicable day for filing the documents, the clerk shall accept the documents only for the purpose of making the documents available under subsection 88 (9.1). 2016, c. 15, s. 61.

The penalties for non-compliance are provided under section 88.27(1) as follows:

**Penalties, section 88.27**

(1) Subject to subsection (6) and in addition to any other penalty that may be imposed under this Act, an individual, corporation or trade union that is registered as a registered third party in relation to an election in a municipality is not entitled to register in relation to a subsequent election in the municipality until after the next regular election has taken place.

**Analysis**

The following is the list of all registered third parties, indicating whether each registered third party complied with section 88.29, as required by Section 88.29(11) of the Act:

Registered Third Party

<b>Registered Third Party Name</b>	<b>Compliance with Section 88.29</b>
Michael Sullivan	Compliant

**Dated:** May 3, 2023