

# **Candidate and Third Party Advertiser Information Session 2026 Municipal Election**

North Simcoe  
April 7, 2026

# Disclaimer

- These slides are provided by the Ministry of Municipal Affairs and Housing for convenience only.
- The slides should not be considered legal advice. These slides are not meant to replace provincial legislation. For more specific information, please refer to the relevant legislation and regulations which can be found online at <https://www.ontario.ca/laws>.
- Since local facts and circumstances vary, users should obtain their own legal and professional advice when specific issues arise.
- Please note that some terms referred to on the following slides may not be terms from the *Municipal Elections Act, 1996* but are terms that are commonly referred to in the context of municipal elections and are provided for general information and ease of understanding only.

# Overview

- Roles and responsibilities of elected officials and staff
- Eligibility rules
- Nomination process
- Campaign finances
- Compliance audit
- Voters' list and voting proxy
- Scrutineers
- Recounts
- Resources

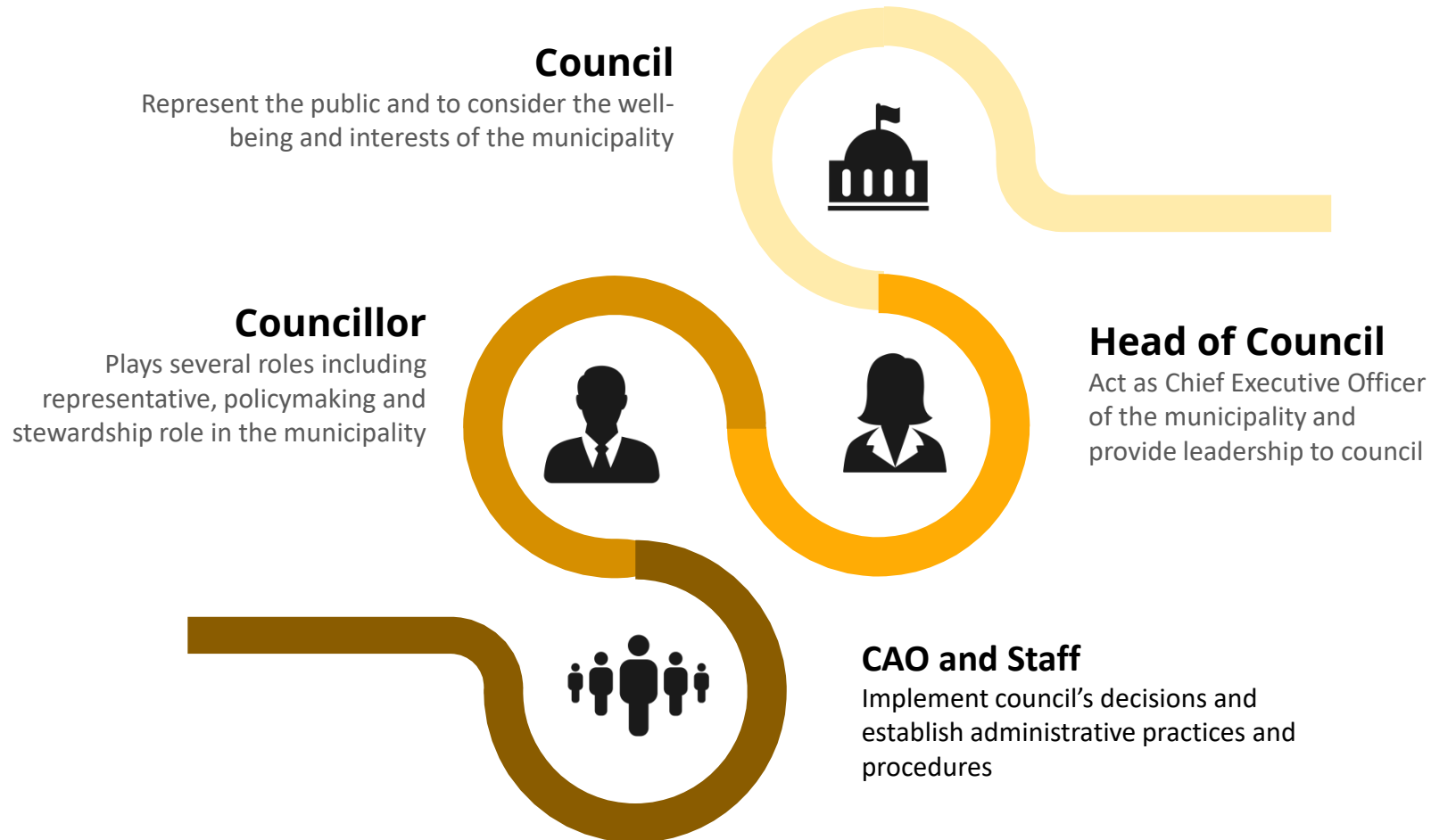


# **Roles and Responsibilities of Elected Officials and Staff**

# Running for Municipal Office



# Council and Staff Roles



# Role of Council

- Section 224 of the *Municipal Act, 2001* sets out the role of council as follows:
  - represent the public and to consider the well-being and interests of the municipality
  - develop and evaluate the policies and programs of the municipality
  - determine which services the municipality provides
  - ensure that administrative and controllership policies, practices and procedures are in place to implement the decisions of council
  - ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality
  - maintain the financial integrity of the municipality
  - carry out the duties of council under the *Municipal Act, 2001* or any other Act

# Role of Head of Council

- Section 225 of the *Municipal Act, 2001* sets out the role of the head of council as follows:
  - act as the chief executive officer
  - preside over council meetings “so that its business can be carried out efficiently and effectively”
  - provide leadership to the council
  - provide information/recommendations to council on policies, practices, procedures, to ensure transparency and accountability
  - represent the municipality at official functions
  - carry out the duties of the head of council under the *Municipal Act, 2001* or any other Act

# Role of Head of Council (continued)

- As the chief executive officer of the municipality, the head of council shall:
  - uphold and promote the purposes of the municipality
  - promote public involvement
  - act as the representative and promote the municipality locally and elsewhere
  - participate in and foster activities that enhance the economic, social and environmental wellbeing of the municipality and its residents

# Strong Mayor Framework

- In some municipalities, heads of council have additional powers and duties
- Designated municipalities – [O.Reg 530/22](#)
- Some strong mayor powers are related to provincial priorities that are identified in regulation

Building 1.5 million new  
residential units by  
December 31, 2031

Constructing and  
maintaining infrastructure  
to support housing,  
including transit, roads,  
utilities and servicing

# Strong Mayor Framework: Summary of Powers and Duties

|                    |    |                                                                                                                                                                                                                                            |                                                                   |
|--------------------|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| Strong Mayors Can: | 1. | Direct municipal staff to do certain things related to their additional powers/duties.                                                                                                                                                     | * Notes that these powers can be delegated by the head of council |
|                    | 2. | Choose to appoint the municipality's chief administrative officer *                                                                                                                                                                        |                                                                   |
|                    | 3. | Hire certain department heads, and establish and reorganize departments *                                                                                                                                                                  |                                                                   |
|                    | 4. | Create committees of council, assign their functions and appoint the chairs and vice-chairs of committees of council *                                                                                                                     |                                                                   |
|                    | 5. | Appoint the chairs and vice-chairs of prescribed local boards (none currently prescribed)                                                                                                                                                  | ** Power is subject to prescribed provincial priorities           |
|                    | 6. | Bring forward matters for council consideration if the head of council is of the opinion that considering the matter could potentially advance a provincial priority **                                                                    |                                                                   |
|                    | 7. | Propose certain municipal by-laws if the head of council is of the opinion that the proposed by-law could potentially advance a provincial priority. Council can pass these by-laws if more than 1/3 of council members vote in favour. ** |                                                                   |
|                    | 8. | Veto certain by-laws if the head of council is of the opinion that all or part of the by-law could potentially interfere with a provincial priority. **                                                                                    |                                                                   |
|                    | 9. | Propose the municipal budget, which would be subject to council amendments and a separate mayoral veto and council override process                                                                                                        |                                                                   |

# Role of Council: Representative Role

- Elected by the constituents to represent their views
  - many views/opinions
  - cannot represent all of them all of the time
- Election to office requires a broad understanding of the issues. A councillor may have to consider:
  - opposing interests
  - making decisions that may not be popular with everyone
- Decisions made in the best interests of the municipality as a whole



# Role of Council: Policy-Making Role

- Policies provide direction for municipal operations by establishing general principles to help guide actions.

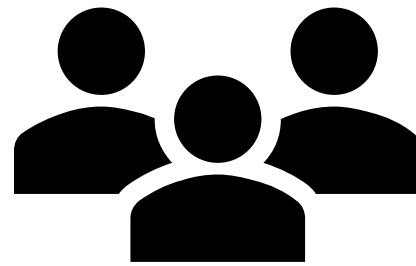


# Role of Council: Stewardship Role

- Council's objectives are to ensure financial and administrative resources are used efficiently
  - council monitors implementation of approved policies and programs
  - practical aspects of implementation and administration rests with staff
- Council may wish to develop processes to help ensure:
  - policies adopted by council are being implemented
  - staff are administering services and programs as council intended
  - rules and regulations are being applied correctly and consistently
  - funds are being spent only as authorized, and the municipality's resources (financial and otherwise) are being used appropriately and as efficiently as possible
- Council monitors and measures municipality's administrative effectiveness and efficiency

# Role of the Chief Administrative Officer

- The *Municipal Act, 2001* sets out the role of the chief administrative officer (CAO).
- The CAO is responsible for:
  - exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and
  - performing such other duties as are assigned by the municipality.



# Role of Officers and Staff

- The *Municipal Act, 2001*, sets out the role of the officers and employees of the municipality as follows:
  - implement council's decisions and establish administrative practices and procedures to carry out council's decisions
  - undertake research and provide advice to council on the policies and programs of the municipality
  - carry out other duties required under the *Municipal Act*, or any Act and other duties assigned by the municipality
- Some officers of the municipality have statutory obligations

Clerk

Treasurer

Chief  
Building  
Official

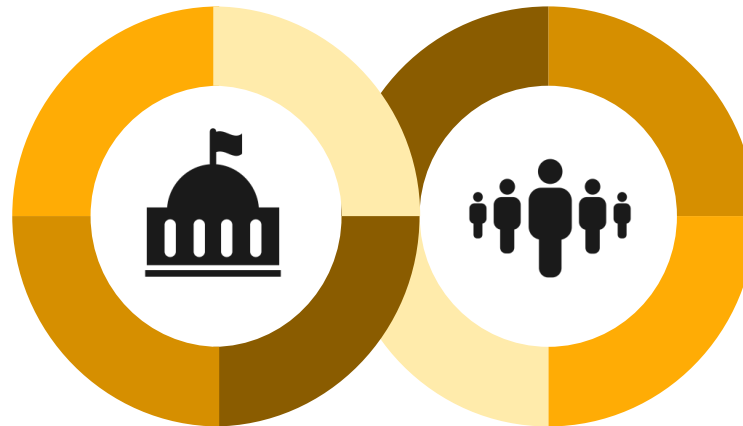
Fire Chief

# Council/Staff Relationship

- All municipalities should recognize the importance of council-staff relations
- Some councils have established programs that require employee input into operational policies and procedures
  - This practice recognizes staff experience and expertise and encourages communication

## **Council**

- Representative
- Direction and Policy
- Decisions
- Political Leadership



## **CAO and Staff**

- Manage people and Resources
- Research and Advice
- Implementation
- Organizational Leadership

# Accountability and Transparency

- Ontario municipalities and council operate under a legislated accountability and transparency framework
- Key requirements for municipalities include:
  - adopting policies related to accountability and transparency specified in section 270 of the *Municipal Act, 2001*
  - establishing a code of conduct for members of council and certain local boards
  - ensuring access to an Integrity Commissioner
  - certain *Municipal Conflict of Interest Act* and open meeting requirements

# Codes of Conduct



- Municipalities are required to adopt a code of conduct for members of council and certain local boards
  - Mandatory subject matters that must be included: gifts, benefits and hospitality; respectful conduct; dealing with confidential information; and use of municipal or local board property/equipment

# Integrity Commissioner

- Municipalities are required to provide access to an integrity commissioner to, in an independent manner, perform the functions assigned by council with respect to:
  - applying the local codes of conduct for members of council and certain local boards
  - applying local procedures, rules, and policies governing the ethical behavior of members
  - applying certain Municipal Conflict of Interest Act (MCIA) rules to members
  - requests for advice from members of council and certain local boards respecting their obligations under:
    - the local code of conduct applicable to the member
    - local procedures, rules or policies governing the ethical behavior of the members
    - certain sections of the *Municipal Conflict of Interest Act*
  - providing educational information to the public, the municipality and members of council and certain local boards about local codes of conduct for members and about the MCIA

# Accountability Officers

- To help ensure integrity and accountability in public office, the *Municipal Act, 2001* allows municipalities to pass by-laws to appoint



**A municipal  
Ombudsman**



**An Auditor  
General**



**A lobbyist registry  
and registrar**



**A closed meeting  
investigator**

# Ontario Ombudsman

- The Ontario Ombudsman has a role with respect to municipalities.



# Privacy and Confidentiality

- The *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) is the primary statute governing access to information under the control of municipalities
  - Sets out rules for collection, use and disclosure of personal information
  - Regulates information that municipalities are permitted to refuse to disclose (in addition to personal information)
- Other laws, including local by-laws, regulate personal and other kinds of confidential information
- Councillors may have responsibilities if receiving confidential information in the course of their duties (e.g. protecting and safeguarding the information)
  - check with municipal staff about appropriate measures and the municipality's practices (e.g. providing for physical security of records)

# Role of School Board Trustee

- School board trustees are members of the school board.
- Trustees are locally-elected representatives of the public and are advocates for public education.
- The *Education Act* creates four different kinds of school boards:
  1. English-language public district school boards
  2. English-language separate district school boards
  3. French-language public district school boards
  4. French-language separate district school boards



# Role of School Board Trustee (continued)



- The role of a school board trustee is to:
  - Establish policy direction
  - Participate in making decisions that benefit the entire school board while representing the interests of constituents
- Trustees are accountable to:
  - Constituents
  - Ministry of Education
  - Families

# Eligibility Rules

# Municipal Office Eligibility/Ineligibility

|                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Eligible<br/>(all required)</b>  | <ul style="list-style-type: none"><li>✓ A resident, owner or tenant of land in the municipality or the spouse of such owner or tenant</li><li>✓ A Canadian citizen</li><li>✓ 18 years of age or older</li><li>✓ Not legally prohibited from voting</li><li>✓ Not disqualified by any legislation from holding municipal office</li></ul>                                                                                                                                            |
| <b>Ineligible<br/>(any present)</b> | <ul style="list-style-type: none"><li>✗ any person not eligible to vote in the municipality</li><li>✗ an employee of the municipality (unless a leave of absence is taken before nomination and the employee resigns if elected)</li><li>✗ a judge of any court</li><li>✗ a member of the Ontario Legislature, Senate or House of Commons</li><li>✗ a person who was a candidate in the previous election and did not file a campaign financial statement by the deadline</li></ul> |

# School Board Trustee – Eligibility / Ineligibility

| Eligibility                                                                                                                                                                                                                                                                                                                                         | Ineligible                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"><li>✓ a resident within the jurisdiction of the board</li><li>✓ eligible to vote for school board election</li><li>✓ be a Canadian citizen aged 18 or older</li><li>✓ meet any other qualifications to vote for the school board (for example – being a Roman Catholic, or hold French language rights)</li></ul> | <ul style="list-style-type: none"><li>✗ any person who is not eligible to vote for the school board</li><li>✗ an employee of any school board who has not taken an unpaid leave of absence</li><li>✗ municipal officials</li><li>✗ a judge of any court</li><li>✗ a member of the Ontario Legislature, Senate or House of Commons</li><li>✗ a person who was a candidate in the previous election and did not file a campaign financial statement by the deadline</li></ul> |

# Nomination Process

- Nominations can be filed beginning on May 1, 2026.
- Nomination day is August 21, 2026 (between 9:00 am and 2:00 pm).
- Withdrawal of a nomination must be filed with the clerk's office in writing before 2:00 pm on nomination day.
- It is recommended that a candidate personally attend at the clerk's office to withdraw a nomination.
- Clerk must certify nominations by 4:00 pm on Monday following nomination day (August 24, 2026).



# Nomination Process (continued)



- Candidates must complete Form 1 (nomination paper) and submit it to the municipal clerk with the filing fee:
  - \$200 for head of council or
  - \$100 for all other offices
- The clerk may require candidates to show proof of eligibility or fill out a declaration that the individual is eligible to run
- In a ward system, an eligible voter in the municipality may run in any ward
- Municipal clerks may choose to permit municipal election candidates (for municipal council and school board trustee) and third-party advertisers to file nomination and registration paperwork electronically (e.g. without having to attend the clerk's office in person)

# Running For a Different Office

- Occasionally, a candidate changes their mind and decides to run for a different office
- A candidate may run for only one office at a time
- If a candidate files a second nomination, the first nomination is deemed to be withdrawn
- If a candidate decides to run for a different office on the same council or as a school board trustee and both are elected at large, everything from the first campaign is transferred to the second campaign.
- Note: If a candidate was running for an at-large council position and decided to run for the head of council position the nomination filing fee would need to be topped up to \$200
- If one or both offices is/are elected by ward, the two campaigns must be kept separate and a separate nomination filing fee would be required.

# Third-Party Advertiser

- A third-party advertiser is an individual, corporation or trade union that is registered in the municipality to promote, support or oppose a candidate or a “yes” or “no” answer to a question on the ballot
- A third-party advertisement means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing,
  - a) a candidate, or
  - b) a “yes” or “no” answer to a question on the ballot

# Third-Party Advertiser – Eligibility / Ineligibility

Eligible  
(any of)

- ✓ an individual
- ✓ a corporation
- ✓ a trade union

Ineligible  
(any)

- ✗ a candidate whose nomination has been filed under section 33
- ✗ 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
- ✗ Crown in right of Canada or Ontario, a municipality or a local board
- ✗ any group or association that is not a corporation

# Nomination Process: 25 Signature Requirement



- The nomination for an office on council must be endorsed by at least 25 persons using Form 2 - Endorsement of Nomination Form
  - Not required in municipalities with less than 4,000 electors (O.Reg. 101/97)
- Persons endorsing a nomination must be eligible to vote in an election for an office within the municipality if a regular election was held on the day that the person endorses the nomination
- Individuals may endorse more than one nomination
- The clerk is entitled to rely upon the information filed by the candidate

# Registration of Third-Party Advertisers

- Individuals, corporations and trade unions will be required to identify themselves and provide mandatory information on all advertising
- There is no registration fee for third-party advertisers
- A third-party advertiser registers in the local municipality with the clerk responsible for conducting the election.
- Third parties may advertise in support of or opposition to any candidate being elected by voters in that municipality but are not required to declare support for or against a candidate or question on the ballot when they register to be a third-party candidate
- To advertise regarding questions on the ballot will require registration as a third-party advertiser

# Registration of Third-Party Advertisers

## (Continued)

- For the 2026 regular election, the registration cannot be filed earlier than May 1, 2026, and cannot be filed later than Friday, October 23, 2026, during the clerk's office hours
- Third-party advertisers may end their campaign by filing a written withdrawal with the clerk at any time prior to the end of the registration period for third-party advertisers
- Third-party advertisers who become candidates automatically end their advertising campaigns when they file their nomination

# Campaign Finances

# Contributions

- Candidates and third-party advertisers who accept contributions of money or incur expenses must open a bank account used exclusively for their election or advertising campaign
  - A contribution includes money, goods or services
  - Contributions to candidates from trade unions and corporations are prohibited in municipal elections
- 
- Municipalities and local boards must establish rules and procedures regarding the use of municipal or board resources during the campaign period
  - Municipalities or local boards providing information to the public on a website or other electronic means is not a contribution



# Contributions (Continued)

## Candidates

Can accept contributions from:

- individuals who are normally resident in Ontario
- the candidate and their spouse

## Third Party Advertisers

Can accept contributions from:

- individuals normally resident in Ontario
- trade unions that hold bargaining rights for employees in Ontario
- corporations that carry on business in Ontario.

- Corporations are deemed to be a single corporation if one of the corporations controls the others, directly or indirectly, or if all the corporations are owned or controlled by the same person or group of persons either directly or indirectly.

# Contributions (Continued)

- Candidates and third party advertisers cannot accept contributions from:

- ✗ a federal political party, constituency association or registered candidate in a federal election
- ✗ a provincial political party, constituency association or registered candidate or leadership contestant
- ✗ federal or a provincial government
- ✗ a municipality
- ✗ a school board
- ✗ a business or group that is not a corporation



- Only third party advertisers can accept contributions from corporations and trade unions

# Contributions (Continued)

- Contributions over \$25 may be by cheque or money order or by a method that clearly shows where the funds originated
- If goods sold to raise funds are sold for \$25 or less, that amount is considered campaign income, not a contribution
- Donations under \$25 at fundraising events are not contributions
- Ticket price of fundraiser is a contribution
- Receipts must be issued for each contribution and should include the name and address of the contributor and the amount and date of the contribution
- No anonymous contributions except for pass the hat collections (limited to \$25)

# Contribution Limits



- Limit on contributions to any one candidate or third party advertiser is \$1,200
- Contributor limits:
  - An aggregate total of \$5,000 to any number of candidates for office on the same council
  - An aggregate total of \$5,000 to any number of third party advertisers registered in the same municipality
  - Applies to any size of contribution or combination of money, goods and services
- Candidates and third party advertisers must inform contributors of these limits

# Self-Funding Limits

- There is a limit on the amount that a candidate for a municipal council can make to their own campaign
  - This limit also applies to contributions made by the candidate's spouse
- This limit is based on the number of electors voting for the office, to a maximum of \$25,000 per candidate:
  - \$7,500 + \$0.20 per elector for head of council
  - \$5,000 + \$0.20 per elector for other council offices
- These contributions must be deposited into the campaign account, a receipt provided, and the contributions reported on the financial statement



# Borrowing



- Loans can only be borrowed from a bank or other recognized lending institution in Ontario and must be directed into the campaign account
- Loans may only be guaranteed by the candidate or their spouse
- Generally, the same borrowing rules apply to third-party advertisers

# Campaign Expenses

- For the purposes of the *Municipal Elections Act, 1996*, the following are considered campaign expenses:

## Candidates

- costs incurred for goods or services by or under the direction of a candidate wholly or partly for use in their election campaign are expenses

## Third Party Advertisers

- costs incurred by or under the direction of a registered third-party advertiser for goods or services for use wholly or partly in relation to third-party advertisements that appear during an election in a municipality are expenses

# Campaign Expenses (Continued)



- A campaign expense includes:
  - ✓ any expense incurred for goods and services in relation to an election
  - ✓ the replacement value of any goods held in inventory from a previous election
  - ✓ the equivalent value of any contribution of goods and services for use in whole or in part

# Spending Limits

- Ontario Regulation 101/97
- The clerk's calculation of the spending limit is final



## General Spending Limit

- Head of council: \$7500 + 85 cents per elector
- All other offices: \$5000 + 85 cents per elector

## Spending Limit After Voting Day for Parties, Expressions of Appreciation, Gifts, Etc.

- 10% of the general spending limit

# Spending Limits (Continued)

- The clerk will provide both candidates and third-party advertisers with two certificates:

| Preliminary Estimate                                                                                                                                                                          | Final Amount                                                                                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"><li>• Provided at the time of nomination (candidate) or registration (third party advertiser).</li><li>• Based on the previous year's voters list</li></ul> | <ul style="list-style-type: none"><li>• Provided by the clerk on or before September 30 of the election year.</li><li>• Based on the most current voters' list after corrections.</li></ul> |

- The higher of the two amounts is the spending limit

# Expenses Not Subject to The Spending Limits

- Expenses that are not subject to the general campaign spending limit include:

- holding a fundraising event or activity
- expenses related to a recount \*
- expenses incurred by a candidate with a disability that are directly related to the disability and would not have been incurred if not for the election
- audit and accounting fees
- expenses related to a compliance audit
- expenses related to a court action for a controverted election \*

\* Expenses related to a recount and controverted elections do not apply to third party advertisers)

# Third Party Advertiser Spending Limits

- General spending limit
  - Formula: \$5,000 plus \$0.05 per elector, to a maximum of \$25,000
  - Based on the number of electors entitled to vote in the election
- Separate spending limit for parties and other expressions of appreciation after voting day
  - Set at 10% of the general spending limit
  - Consistent with the spending limit in place for candidates



# Campaign Finance Rules

- Campaign finance rules can be found in the *Municipal Elections Act, 1996*

## Candidates

- Sections 88.8 to 88.11 and 88.15 to 88.20

## Third Party Advertisers

- Sections 88.12 to 88.19, 88.21

- Bank account must be opened for election campaign purposes prior to spending money or accepting contributions
  - The account must be exclusive to the election/advertising campaign
- All contributions of money must be deposited into the campaign account

# Campaign Finance – Record Keeping

- Accurate record keeping is a legislated requirement.
- Candidates and third-party advertisers must keep records of:
  - receipts issued for every contribution
  - value of every contribution
  - whether contribution is in form of money, goods or services
  - contributor's name and address
  - every expense including the receipts obtained for each expense
- Campaign finance records for the 2026 election must be retained until the next elected council/local board (2030) board has been sworn in



# Campaign Finance – Record Keeping (Continued)



- As a best practice, candidates and third-party advertisers should:
  - ensure that receipts are stored in a secure place
  - have a multi-part receipt (one for contributor, one for candidate to keep).
  - make sure that receipts are sequentially numbered
  - consider including contribution limits on the receipt
  - have the bank provide monthly statements and cancelled cheques for the account
  - produce duplicate deposit slips for every deposit
  - maintain a petty cash fund

# Campaign Advertisements

- Candidates and third-party advertisers cannot cause an election campaign advertisement to appear unless they provide the following information to the broadcaster or publisher in writing:
  - the name of the candidate/registered third-party advertiser
  - the name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the candidate/registered third-party advertiser
  - the third-party advertiser must also include the name of the municipality where the third-party advertiser is registered.
- No broadcaster or publisher shall cause a campaign or third-party advertisement to appear unless this information has been provided
- The period during which third party advertisements can appear is May 1, 2026 until the close of voting on voting day on October 26 2026



# Campaign Advertisements (Continued)



- The broadcaster or publisher of a third-party or candidate 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:
  - the name of the candidate/registered third-party advertiser
  - the name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the candidate/registered third-party advertiser
  - a copy of the advertisement, or the means of reproducing it for inspection.
  - a statement of the charge made for its appearance.

# Financial Statement

- Candidates and third-party advertisers must file their financial statement on or before 2:00 pm Tuesday March 30, 2027
- If a candidate or third-party advertiser feels that they will not meet the deadline, they may apply to the courts for an extension prior to the March 30, 2027 deadline



# Financial Statement (continued)

- Candidates can close their campaign and file their financial statement after voting day until December 31, 2026
- Third party advertisers can close their campaign and file their financial statement after early withdrawal or at any time after voting day up to December 31, 2026
- Clerks are required to make public by April 30, 2027 a report (on a website or in another electronic format) setting out all candidates and indicating whether each candidate complied with the filing requirements
- The clerk shall as soon as possible after April 30, 2027 make a list of all registered third party advertisers available to the public and the list must indicate whether each has filed the required financial statement and auditor's report.
- Clerks can determine conditions and limits regarding electronic filing of financial statements

# Financial Statement (continued)



- All contributions must be reported.
- The names of contributors who contribute more than \$100 must be reported on the financial statement.
- The clerk is required to make financial statements available to the public for viewing on a website or in an electronic format free of charge.
- Financial statements must include an auditor's report if expenses or contributions exceed \$10,000.

# Financial Statement (Continued)

- The candidate's nomination fee is refundable only if the financial statement is filed on time
- A candidate or third-party advertiser who misses the filing deadline may file within the 30-day grace period, provided a \$500 late filing fee is paid to the municipality
- A candidate or third-party advertiser may resubmit a financial statement to correct an error up until the filing deadline



# Campaign Surplus



- Entire amount of a campaign surplus must be paid to the clerk.
- A candidate or third-party advertiser is entitled to a refund of any contributions they (or their spouse, if an individual) made to the campaign before the filing of the financial statement and the payment of the surplus to the clerk.
- The clerk holds the surplus monies in trust for the candidate or third-party advertiser in the event of a compliance audit.
- If there is no compliance audit, the surplus becomes the property of the municipality or school board.

# **Compliance and Enforcement**

# Compliance Audit

- Every council and school board must establish a compliance audit committee
- Eligible elector may apply for a compliance audit of your campaign finances
  - Applications must be submitted to the clerk within 90 days of the campaign financial statement filing deadline
- Committee will
  - Consider the application
  - Decide whether to grant or reject the application
- A person may commence legal action on their own in court

# Compliance Audit – If Granted

- Committee appoints an auditor if it grants the application
  - Auditor is entitled to have access to all of the financial records related to the campaign
  - Auditor will produce a report
- Committee meets to consider auditor's report and decide whether to commence legal action
- Only a court can decide if candidate contravened the Act and apply penalties

# Automatic Penalties

## Any of the following contraventions

1. Failing to file a financial statement by end of the 30-day grace period or fail to apply to the court for an extension before March 30, 2027
2. Exceeding spending limit
3. Fail to turn over a surplus to the clerk when you file financial statement

Results in



## Automatic Penalties

1. Forfeiture of office if elected
2. Become ineligible to run or be appointed to fill a vacancy until after the 2030 election

# Other Penalties

- If convicted of an offence under the *Municipal Elections Act*, you may be subject to following penalties:
  - A fine of up to \$25,000
  - Ineligibility to vote or run in next general election
  - Up to 6 months in prison
  - Forfeiture of elected office, if the judge finds that you committed the offence knowingly
- If convicted of exceeding the spending limit, you may also be fined the amount by which you exceeded the limit



# **Voters' List and Proxy Voting**

# Elections Ontario

- A non-partisan office responsible for administering provincial elections in Ontario
  - Administration for local elections continues to be the responsibility of municipal clerks
- On January 1, 2024, Elections Ontario became responsible for managing voter information for local elections
  - The permanent register of electors is a database of individuals eligible to vote in provincial and local elections in Ontario
  - Elections Ontario is responsible for maintaining the information stored on the permanent register of electors on an ongoing basis through data-sharing agreements with federal, provincial, and municipal sources and through updates made directly by electors
  - Elections Ontario is responsible for preparing the preliminary list of electors and providing it to municipal clerks

# The Voters' List

- Becomes public document on September 1, 2026
- Candidates can request copy in writing from the clerk



- To receive the voters' list, candidates must acknowledge in writing that they:
  - Will only use the list for electoral purposes and not for commercial purposes
  - Are bound by restrictions set out in MEA related to the voters' list
  - Will only share the list with others after obtaining a similar written acknowledgement from them

# The Voters' List – Candidate's Restrictions

- As a candidate, you
  - Are the only person who may share the list
    - If you give a copy to someone, they cannot share it further
  - Must keep track of who you have shared the list with
    - Physical copies must be returned to you
    - Electronic copies destroyed and a written acknowledgement to you that it was destroyed
  - On or before the day your campaign ends, must
    - Destroy copy you received from clerk
    - Ensure all print copies you shared are returned to you, then destroyed
    - Ensure you receive written acknowledgement from anyone you gave an electronic version to that they destroyed that electronic copy

# The Voters' List – Written Acknowledgement

- Before sharing the list with someone, you must obtain a written acknowledgement that confirms they will:
  - ✓ Only use list for electoral purposes and not for commercial purposes
  - ✓ Not share or give copies to anyone else
  - ✓ Return physical copies to you
  - ✓ Destroy electronic copies and provide written acknowledgement that it was destroyed
- Written acknowledgement should set out dates for returning the list and/or confirming electronic copies were destroyed
- Keep the written acknowledgements until November 15, 2030 (when next council takes office)

# Voting Proxy



- A person who is entitled to be an elector in a local municipality may appoint another person who is also entitled to vote as their voting proxy
- No appointments can be made until the later of all nominations being certified and the time for withdrawing nominations expiring
- A voter must directly appoint another eligible voter by name as their proxy by completing the prescribed proxy form
- A person may only act as the voting proxy for one person, unless they are acting on behalf of a spouse, sibling, parent, child, grandparent or grandchild

Note: if the municipality is using alternative voting you should verify with the clerk if proxy voting is permitted.

# **Scrutineers, Recounts Key Dates and Resources**

# Scrutineers

- The scrutineer must have written proof of authorization from the candidate
- Clerk may require an oath of secrecy
- During the regular election process, only one candidate or scrutineer per ballot box
- Scrutineers are not permitted to touch ballots
- Third-party advertisers cannot appoint scrutineers
- No age restriction on scrutineers
- No “campaigning” within the voting place



# Recounts

- Can occur:

- |                                          |                                                                                                                                                                                                                                                                       |                                                                                                                                    |
|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| 1. If there is a tie (automatic recount) | 2. If council: <ul style="list-style-type: none"><li>• Establishes policies prior to the election setting out additional conditions for an automatic recount</li><li>• Passes a by-law ordering a recount within 30 days of results being declared by clerk</li></ul> | 3. If an eligible elector applies to the Superior Court of Justice for a recount within 30 days of results being declared by clerk |
|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|

- In all instances, the recount must:
  - Happen within 15 days of the clerk declaring the results, receiving a court order or council passing a resolution to conduct a recount
  - Be held in the same manner as the original count

# Key Dates

| Key Date          | Activity                                                      |
|-------------------|---------------------------------------------------------------|
| May 1, 2026       | Opening of nominations/registration as third-party advertiser |
| August 21, 2026   | Nomination Day                                                |
| October 23, 2026  | Last day for third-party advertisers to register              |
| October 26, 2026  | Voting day                                                    |
| December 31, 2026 | Candidate and Third-party advertiser campaign periods end     |
| March 30, 2027    | Campaign financial statement filing deadline                  |

# Resources

- Legislation
  - [Municipal Elections Act, 1996](#)
  - [Municipal Act, 2001](#)
  - [Municipal Conflict of Interest Act](#)
  - [Education Act](#)
- Municipal Election Guides
  - [2022 Election guides](#)
  - [Municipal councillor's guide](#)
  - [Municipal World](#)



# Questions



# Contact Information

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Municipal Services Office – Central

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