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## CLERKS DEPARTMENT

October 12, 2022

Notice of Penalties and Refund of Nomination Filing Fee

To: All Candidates – Township of West Lincoln Municipal Election

The Municipal Elections Act, 1996 (Act) requires the Clerk to provide you with a notice of the penalties associated with not filing the required financial statement and the refund of the nomination filing fee that you are entitled to receive.

*As required under Section 33.1 of the Municipal Elections Act, take notice of:*

- a) the penalties under subsections 88.23 (2) and 92 (1) related to election campaign finances; and*
- b) the refund of the nomination filing fee that the candidate is entitled to receive in the circumstances described in Section 34.*

The Municipal Elections Act requires you to file a financial statement with the Township Clerk by the deadline date of 2 p.m., Friday, March 31, 2023. If you do not file by that date, the Act provides an additional 30 day grace period (ending at 2 p.m., Monday, May 1, 2023) to file a financial statement if a \$500 late filing fee is paid at the time of filing. Failure to comply means that you are subject to the penalties outlined below, in addition to any other penalty that may be imposed under the Act.

### ***Penalties***

*88.23 (2) Subject to subsection (7), in the case of a default described in subsection (1),*

- (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 this Act applies.*

### ***Offences re campaign finances***

*Offences by candidate*

*92 (1) A candidate is guilty of an offence and, on conviction, in addition to any other penalty that may be imposed under this Act, is subject to the penalties described in subsection 88.23 (2),*

- (a) *if the candidate incurs expenses that exceed the amount determined for the office under section 88.20; or*
- (b) *if the candidate files a document under section 88.25 or 88.32 that is incorrect or otherwise does not comply with that section.*

The Municipal Elections Act states that a candidate will receive a refund of their nomination filing fee if the required financial statement has been filed by the deadline date (2 p.m. on Friday, March 31, 2023). You cannot receive a refund if you file within the 30 day grace period.

***Refund***

*34 A candidate is entitled to receive a refund of the nomination filing fee if the documents required under subsection 88.25 (1) are filed on or before 2 p.m. on the filing date in accordance with that subsection.*

The attached Ministry of Municipal Affairs and Housing 2022 Candidates Guide includes a section regarding Election Finances that contains valuable information relating to filing your Financial Statement.

If you have any questions or concerns regarding the above, do not hesitate to contact the undersigned.

Sincerely,



Joanne Scime, Director of Legislative Services/Clerk  
Returning Officer