Notice of Penalties – Campaign Finances

Notice of Refund of Nomination Filing Fee

Municipal Elections Act, 1996, s. 33.1 (a) and (b)



Notice of Penalties – Campaign Finances

Section 88.23(1) of the Municipal Elections Act provides that a candidate is subject to the penalties listed in Subsection (2), in addition to any other penalties that may be imposed under this Act, if,

a) the candidate fails to file a document as required under Section 88.25 or 88.32 by the relevant date;
b) a document filed under Section 88.25 shows on its face a surplus, as described in Section 88.31, and the candidate fails to pay the amount required by Section 88.31(4) to the Clerk by the relevant date;
c) a document filed under Section 88.25 shows on its face that the candidate has incurred expenses exceeding what is permitted under Section 88.20; or
d) a document filed under Section 88.32 shows on its face a surplus and the candidate fails to pay the amount required by that section by the relevant date.

Section 88.23(2) of the Municipal Elections Act provides for the following penalties 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 shall be 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.

Section 92(1) of the Municipal Elections Act provides that 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 Subsection 88.23(2), if,

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

Notice of Refund of Nomination Filing Fee

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

It is the responsibility of the candidate to refer directly to the Municipal Elections Act for specific provisions and additional details.