

## Notice of Penalties

In accordance with the *Municipal Elections Act, 1996*, the Clerk shall, before voting day, notify all candidates of the penalties under subsections 80(1), 81(2) and 92(5) related to election campaign finances.

The following are the above mentioned penalties:

### **'80(1) Additional penalties**

A candidate is subject to the penalties listed in subsection (2), in addition to any other penalty that may be imposed under this Act,

- (a) if he or she fails to file a document as required under section 78 or 79.1 by the relevant date;
- (b) if a document filed under section 78 shows on its face a surplus, as described in section 79, and the candidate fails to pay the amount required by subsection 79(4) to the clerk by the relevant date;
- (c) if a document filed under section 78 shows on its face that the candidate has incurred expenses exceeding what is permitted under section 76; or
- (d) if a document filed under section 79.1 shows on its face a surplus and the candidate fails to pay the amount required by subsection 79.1(7) by the relevant date.

### **80(2) Same**

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.'

## **'92(5) Offences by candidate**

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 80(2), if he or she,

- (a) files a document under section 78 or 79.1 that is incorrect or otherwise does not comply with that section; or
- (b) incurs expenses that exceed what is permitted under section 76.'

The penalties refer to sections 76, 78 and 79.1 of the *Municipal Elections Act, 1996*. The following is a reference to those sections:

- Section 76 – Expenses
  - Candidates are not to exceed the maximum expense limit
- Section 78 – Financial filings
  - Outlines the financial filing requirements
- Section 79 – Surpluses
  - Surpluses must be paid to the Clerk
- Section 79.1 – Return of Surpluses and Financial Filings
  - Outlines the financial filing requirements for surpluses that have been returned to the candidate for expenses relating to a recount, compliance audit or a controverted election