THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN
BY-LAW # 2010-17
Being a By-law to appoint a
Joint Compliance Audit Committee

WHEREAS Section 81.1 of the *Municipal Elections Act, 1996* requires municipalities to appoint Compliance Audit Committees to deal with matters regarding election campaign finances before October 1 in an election year.

AND WHEREAS the Municipality of Charlton and Dack, the Townships of Armstrong, Brethour, Casey, Chamberlain, Coleman, Evanturel, Gauthier, Harley, Harris, Hilliard, Hudson, James, Kerns, Larder Lake, Matachewan, McGarry, Village of Thornloe and the Towns of Cobalt, Englehart, and Kirkland Lake deem it expedient to establish a Joint Compliance Audit Committee.

NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF MATACHEWAN ENACTS AS FOLLOWS:

1. THAT a Committee, to be known as the Joint Compliance Audit Committee, is hereby established to deal with the matters provided for in Section 81 of the *Municipal Elections Act, 1996*.

2. THAT the Joint Compliance Audit Committee shall consist of the following individuals, who shall deal with each compliance audit request in accordance with the Terms of Reference attached hereto as Schedule "A":

   - Howard Clyde (Bud) Berry - Coleman
   - Fred Deacon - Englehart
   - Roland Lachapelle - Casey
   - Don Studholme - Kirkland Lake

3. THAT the business of the Joint Compliance Audit Committee be conducted in accordance with the Terms of Reference set out in Schedule "A" attached hereto, which shall form part of this By-law.

4. That all previous by-laws and/or motions, or parts thereof, in conflict with or contrary hereto or inconsistent herewith, be and the same are hereby repealed.

5. That this by-law shall come into force and effect upon final passing thereof and remain in force and effect until such time as it is repealed by the Council of the Corporation of the Township of Matachewan.

**READ** a first, second and third time, and finally enacted and passed in open Council this 9th day of September 2010. Signed, sealed and numbered 2010-17.

Beverley Hine
Reeve

Andrew Van Oosten
CAO-Clerk-Treasurer

# TERMS OF REFERENCE
# JOINT COMPLIANCE AUDIT COMMITTEE

## MANDATE

The powers and functions of the Committee are set out in Section 81 of the *Municipal Elections Act, 1996*.

1. Within 30 days of receipt of an application requesting a compliance audit, the Committee shall consider the compliance audit application and decide whether it should be granted or rejected;
2. If the application is granted, the Committee shall appoint an auditor to conduct a compliance audit of the candidate's election campaign finances;
3. The Committee will review the auditor's report within 30 days of receipt and decide whether legal proceedings should be commenced; and
4. If the auditor's report indicates that there were no apparent contraventions and if there appears there were no reasonable grounds for the application, the Committee shall advise Council accordingly.

Members of Council, staff or candidates running for office in the 2010 municipal election are not eligible to be appointed to the Committee. Should an appointed Member accept employment with any of the member municipalities or register as a candidate with any of the member municipalities, their appointment will be terminated.

All Committee Members must agree in writing that they will not work for or provide advice to any candidate running for municipal office within the member municipalities.

To avoid any potential conflict of interest, applicants with accounting or auditing backgrounds must agree in writing that they will not offer their services to any municipal election candidates.

Anyone who has participated as candidates in the member municipality elections, or who have conducted audits or provided financial advice in respect of such campaigns, would be disqualified from participation on the Committee.

## COMPOSITION

One member appointed from among the participating municipalities for a total of four (4) members.

When a municipality is in receipt of an appeal, the Clerk of the applicable municipality shall contact the Committee Members and arrange for a minimum of three Members to hear the audit request.

## TERM

The term of the Committee is co-terminus with Council.

## CHAIR

The Four-Member Committee called to hear a request for compliance audit shall select one of its Members to act as a Chair at the first meeting.

## PROPOSED MEETING SCHEDULE

The Committee shall meet as needed with meetings to be scheduled by the Clerk, in consultation with the Chair, when a compliance audit application is received.

## STAFFING AND FUNDING

Staff from the applicable member municipality shall provide administrative support to the Committee. The member municipality requiring the services of the Committee shall be responsible for all associated expenses.

## MEETINGS

Meetings of the Committee shall be conducted in accordance with the open meeting requirements of the provisions in the *Municipal Act, 2001*. The websites of the member municipalities will be utilized to communicate the meeting notices and agendas.

## REMUNERATION

$150 – Per meeting rate, plus mileage.

## MEMBERSHIP SELECTION

All applicants will be required to complete an application form outlining their qualifications and experience.

The member municipalities will select an individuals who will serve on the Selection Committee. The Selection Committee shall meet to review all applications based upon the approved selection criteria. The Selection Committee shall prepare a short list for consideration by the Councils of the member municipalities.

## SELECTION CRITERIA

a. Demonstrated knowledge and understanding of municipal election campaign financing rules;
b. Proven analytical and decision-making skills;
c. Experience working on committees, task forces or similar settings;
d. Demonstrated knowledge of quasi-judicial proceedings;
e. Availability and willingness to attend meetings; and
f. Excellent oral and written communication skills.