

**THE CORPORATION OF THE TOWN OF OAKVILLE**

**BY-LAW NUMBER 2021-122**

A by-law to authorize the payment of rebates to eligible individuals who made contributions to candidates for office on the municipal council for the 2022 Municipal Election (Contribution Rebate By-law).

WHEREAS section 88.11 (1) of the *Municipal Elections Act, 1996, as amended (MEA)*, permits a municipality to enact a by-law, providing for the payment of rebates to individuals who made contributions to candidates for office on the municipal council, hereafter referred to as a “contribution rebate program”;

WHEREAS section 88.11 (3) of the *MEA* provides that the by-law shall establish the conditions under which an individual is entitled to a rebate; and

WHEREAS section 88.11 (4) of the *MEA* provides that the by-law may provide for the payment of different amounts to different individuals on any basis.

**THEREFORE COUNCIL ENACTS AS FOLLOWS:**

That a contribution rebate program providing for the payment of rebates to individuals residing in the Town of Oakville, who make contributions to candidates for an office on Oakville municipal council, for the 2022 Municipal Election is hereby authorized under the following conditions;

1. Participation in the contribution rebate program is optional and any candidate participating in the program shall comply with the provisions set out in this by-law.
2. An eligible elector who is a resident of the Town of Oakville may, in accordance with this by-law, apply to the Town Clerk for a rebate for a contribution made to a candidate for an office on Town Council within the required timelines.
3. Contributions must not be in the form of cash.
4. Only contributions made in a manner that associate the contributor’s name and account with the payment or made by a money order signed by the contributor, will be eligible for a campaign contribution rebate.

5. Amounts charged for admission to a fundraising function are not eligible for a rebate.
6. The following shall not be eligible to receive a rebate under the program;
  - a. a corporation or trade union;
  - b. non-resident eligible electors;
  - c. in regard to his/her own campaign, a candidate or their family member;
  - d. any individual who has been convicted of contravening section 88.9 of the *MEA* in connection with an act or omission with respect to a municipal election if the voting day in that election is less than eight years prior to Monday, October 24, 2022.
7. In this by-law,  
“Family member” means a parent, spouse, or child of a member, as defined in the *Municipal Conflict of Interest Act* and shall also include a grandparent, grandchild, brother, sister, uncle, aunt, nephew or niece, whether related by blood, marriage or adoption.
8. An application for a rebate may be submitted to the Town Clerk upon receipt from the candidate, but must be received by the Clerk on or before June 29, 2023, unless the candidate’s campaign period is extended under section 88.24(1) of the *MEA*. If a candidate’s campaign period is extended and a contribution is made during the extended campaign period, the application for rebate shall be submitted within 90 days after the date the receipt is issued.
9. The application for rebate shall:
  - a. be in the form of a receipt established for that purpose by the Clerk;
  - b. be provided to participating candidates by the Clerk;
  - c. be signed by, or on behalf of, the candidate, at the time of issuance to a contributor; and
  - d. be issued to the contributor immediately upon receipt of any eligible contribution.
10. A candidate for an office on the municipal council who participates in the rebate program:
  - a. shall notify their intention to participate in the program to the Clerk no later than 2 p.m. on nomination day, August 19, 2022;
  - b. shall file a financial statement in accordance with section 88.25 of the *MEA*;

- c. shall include with the documents filed under section 88.25 of the *MEA*, as the case may be, a copy of the receipt issued for the contribution; and
  - d. shall pay any campaign surplus to the Corporation of the Town of Oakville, in accordance with the *MEA*.
- 11. The Clerk shall compare the receipt filed by the applicant and the copy filed by the candidate to ensure consistency.
- 12. The Clerk shall pay the applicant a rebate in accordance with Section 13 of this by-law, if the following conditions are met:
  - a. the application complies with the provisions of this by-law;
  - b. the candidate has complied with the provisions of the *MEA* and this by-law;
  - c. the Clerk is satisfied that the receipt filed by the applicant and the copy filed by the candidate are consistent;
  - d. the Clerk is satisfied that the candidate has filed the documents required by section 88.25 of the *MEA* by the relevant filing date, and that no such document shows on its face that the candidate has incurred expenses exceeding what is permitted under section 88.8 of the *MEA*;
  - e. the Clerk is satisfied that the candidate has paid any campaign surplus to the Corporation;
  - f. in the case of a contribution made on or before December 31, 2022, the time for an application for a compliance audit under section 88.33 of the *MEA* has expired; and
  - g. in the case of a contribution made after December 31, 2022 to a candidate whose election campaign period continues beyond that date, the time for an application for a compliance audit under section 88.33 of the *MEA* has expired.
- 13. The rebate shall be calculated as follows:
  - a. the minimum contribution qualifying for a rebate shall be \$100; and
  - b. each contribution of \$100 or more shall be eligible for a rebate of 50% of the total contribution, to a maximum rebate of \$375.

PASSED this 18<sup>th</sup> day of October, 2021.

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Rob Burton

Mayor

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Vicki Tytaneck

Town Clerk