



## **NOTICE OF PENALTIES**

*Municipal Elections Act, 1996 (s. 33.1)*

### **NOTICE OF PENALTIES [33.1]**

The Clerk shall, before voting day, give to each person nominated for an office 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.

### **EFFECT OF DEFAULT BY CANDIDATE [88.23 (1)]**

Take notice that a candidate shall be subject to the penalties listed below, in addition to any other penalty that may be imposed under the *Municipal Elections Act, 1996*:

- a) If the candidate fails to file documents with the Municipal Clerk as required under section 88.25 or 88.32 by the relevant date;
- b) if 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 subsection 88.31 (4) to the Municipal Clerk by the relevant date;
- c) if 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) if a document filed under section 88.32 shows on its face a surplus and the candidate fails to pay the amount required by subsection 88.32 by the relevant date.

### **PENALTIES [88.23 (2)]**

In the case of a default described above:

- (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 the *Municipal Elections Act* applies.

### **OFFENCES [92 (1)]**

Take notice that a candidate shall be guilty of an offence and, on conviction, in addition to any other penalty that may be imposed under the *Municipal Elections Act, 1996* is subject to the penalties listed above, if the candidate:

- a) incurs expenses that exceed what is permitted under section 88.20; or
- b) files a document under section 88.25 or 88.32 that is incorrect or otherwise does not comply with that section.

### **REFUND [34]**

A candidate is entitled to receive a refund of the nomination filing fee if the documents required under subsection 88.25 (1) (financial statement and auditor's report) are filed on or before 2:00 p.m. on the filing date in accordance with that subsection.

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Date

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Municipal Clerk or designate

The Clerk shall, before voting day, give to each person nominated for an office notice of the penalties under subsections 88.23 (2) and 92 (1) related to election campaign finances and the refund of the nomination filing fee that the candidate is entitled to receive in the circumstances described in section 34.