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CITY OF CAMBRIDGE

Cambridge Votes 2010

Index

1.0 General Information

- 1.1 The 2010 Election
- 1.2 Corporate Identity Program
- 1.3 Election Signs
- 1.4 Media Advertising
- 1.5 Registered Mail/Change of Address

2.0 Schedule of Key Dates

3.0 Qualifications – Council

- 3.1 Qualification
- 3.2 Prohibition from Voting
- 3.3 Disqualification

4.0 Nomination

- 4.1 Nomination Form and Fee
- 4.2 Identification
- 4.3 Declaration of Qualification
- 4.4 Certification of Nomination Papers
- 4.5 Withdrawal of Candidacy

5.0 Scrutineers (Candidate's Agents)

- 5.1 Appointment
- 5.2 Rights
- 5.3 Prohibitions

6.0 Campaign Information

- 6.1 Voters' List and Maps
- 6.2 Voting Places
- 6.3 Purchase of Materials

7.0 Canvassing

- 7.1 Prohibition of Canvassing in Voting Place
- 7.2 Access to Rented Premises
- 7.3 Access to Condominiums

8.0 Voter Information

- 8.1 Preliminary List of Electors

- 8.2 Revision of Voters' List
- 8.3 Identification
- 8.4 Languages/Assistance to Vote
- 8.5 Proxy Voting
- 8.6 Election Day
- 8.7 Voter Notification Cards
- 8.8 How to Mark the Ballot

9.0 *Financial Responsibilities*

- 9.1 Helpful Hints
- 9.2 Duties of a Candidate
- 9.3 Campaign Period
- 9.4 Appointment of an Auditor
- 9.5 Campaign Staff
- 9.6 Record Keeping/Accounting

10.0 *Campaign Contributions and Fund-Raising*

- 10.1 Campaign Contributions
- 10.2 Contribution Limit
- 10.3 Accepting Campaign Contributions
- 10.4 Receipts for Contributions
- 10.5 Acceptable Contribution Sources
- 10.6 Corporations
- 10.7 Unincorporated Groups
- 10.8 Ineligible Contributors
- 10.9 Candidate's Own Funds
- 10.10 Contributions of Goods and Services
- 10.11 Anonymous Contributions
- 10.12 Refund of Contributions
- 10.13 Fund-Raising Events
- 10.14 Borrowing and Lending

11.0 *Campaign Expenses*

- 11.1 General Information
- 11.2 Campaign Expenses
- 11.3 Campaign Inventory
- 11.4 Campaign Expense Limits

12.0 *Enforcement and Penalties*

13.0 *List of Forms*

14.0 *Further Information*

- 14.1 Publications

1.0 General Information/Disclaimer

This guide has been prepared for the purpose of supplying information to individuals wishing to run for office on the City of Cambridge Council. Its contents are not meant to cover all relevant information required by a candidate in a municipal election. Rather, it is intended **only** as a guide to certain relevant legislation. It does **not** purport to recite all applicable statutory references.

Candidates must satisfy themselves, through their own determination or with the assistance of their own legal counsel, of the various statutory provisions relating to their candidacy. In addition, candidates must ensure they are complying with all of the requirements relating to election campaign finances.

The City of Cambridge prohibits the use of public resources for the purpose of campaigning for the municipal election.

1.1 The 2010 Election

Candidates should note that:

- On Monday, October 25, 2010, voters in the City of Cambridge will elect one Mayor and 8 Councillors (one per City Ward) to sit on the City of Cambridge Council.
- Services for candidates are available at City Hall, 50 Dickson Street, 2nd Floor, Clerks Division.
- Candidates are required to show proof of identity and qualifying address when filing a nomination form (see Section 4.2).
- City Council has approved the use of vote-counting equipment and tabulators.
- That we encourage people with accessibility issues to attend an Advanced Election Poll.

1.2 Corporate Identity Program

The *City of Cambridge Corporate Identity Program Manual* (CIP manual) provides that “Corporate identity items, such as logos or related graphic materials, are the property of the City of Cambridge. Associated committee, boards and agencies are entitled to use these materials, in compliance with the guidelines in this CIP manual. The use of these materials for third parties is strictly prohibited.”

1.3 Election Signs

Candidates may erect election signs 45 days prior to voting day. Signs can be erected commencing Friday, September 10, 2010 and must be taken down by Thursday, October 28, 2010 (within 72 hours after voting day).

Municipal election signs made of coroplast can be recycled? In partnership with the Region of Waterloo, the City of Cambridge encourages all candidates to consider the environment and recycle any chloroplast election signs. The signs can be taken to a Region of Waterloo landfill within a few weeks after the election.

For more information on landfill locations, contact the Region of Waterloo – Waste Management at (519) 883-5100.

1.4 Media Advertising

The *Municipal Elections Act, 1996* does not contain restrictions on when a candidate may or may not advertise. However, the amount a candidate may spend on his or her campaign is regulated.

Organizations such as the Canadian Radio-television and Telecommunications Commission have guidelines that broadcasters must follow to ensure all candidates have equal access to coverage.

Free political advertising by a broadcaster is not deemed to be a contribution provided it is in accordance with the regulations and guidelines of the *Broadcasting Act (Canada)* and is available to all candidates.

1.5 Registered Mail/Change of Address

All election documents are sent to candidates via registered mail. Please ensure that you pick up your letter/package when you receive notification. Clerks Division will be sending documentation well into 2011. It is a candidate's responsibility to ensure he or she fulfills all the requirements of the *Municipal Elections Act, 1996*. If you move anytime before you have filed all required forms, please notify us at (519) 740-4680 extension 4585, or email mitchella@cambridge.ca and we will update your file.

2.0 Schedule of Key Dates

Candidates will be notified by the Clerk's office if there are any revisions to the following dates.

Monday, January 4, 2010 to Friday, September 10, 2010	<p>Nomination Period</p> <p>Nominations may be filed by candidates prior to nomination day at any time when the Clerk's office is open (Monday to Friday, 8:30 a.m. to 4:30 p.m.); (9:00 a.m. to 2:00 p.m. on September 10, 2010).</p>
Monday, January 4, 2010 to Friday, December 31, 2010	<p>Campaign Period</p> <p>The campaign period begins on January 4, 2010 or whenever a candidate files a nomination paper, whichever is later, and ends on December 31, 2010 unless the candidate withdraws the nomination, the Clerk rejects the nomination or the candidate is continuing his or her campaign to erase a deficit.</p>
At the time a candidate files a nomination	<p>Spending Limit Estimate:</p> <p>Clerk to provide candidates with the maximum campaign expense limit (based upon the number of electors on the list as of nomination day in 2006 election).</p>
Tuesday June 1, 2010	<p>Deadline for providing candidates with a copy of procedures and forms established.</p>
Wednesday, September 1, 2010	<p>Post Voters' List</p> <p>The Clerk shall post the voters' list for revisions.</p>
Tuesday, September 7, 2010 Monday, September 10, 2010	<p>Revision – Application to Remove an Elector's Name</p> <p>An individual may make application to remove an elector's name from the voters' list. The Clerk determines if the name is to be removed.</p>
Friday, September 10, 2010 By 2:00 p.m.	<p>Nomination Day</p> <p>Nominations may be filed only between the hours of 9:00 a.m. and 2:00 p.m., Clerk's Office, 2nd Floor, City Hall. Nominations must be received by Friday September 10, 2010 2:00 p.m.</p>
Friday, September 10, 2010	<p>Withdrawal of Nominations</p> <p>Nominations may be withdrawn in writing before 2:00 p.m.</p>
Monday, September 13, 2010	<p>Certification of Nomination Papers</p> <p>The Clerk is to certify nomination papers before 4:00 p.m.</p>
Monday, September 13, 2010	<p>Acclamation</p> <p>The Clerk shall after 4:00 p.m. declare the eligible candidate(s) to be duly elected.</p>
<p>Friday, September 10, 2010 to Monday, October 25, 2010 8:30 a.m. to 4:30 p.m.</p> <p>Saturday, October 2, 2010</p> <p>Saturday, October 9, 2010</p> <p>Wednesday, October 13, 2010</p> <p>Saturday, October 16, 2010 12:00 Noon to 5:00 p.m.</p>	<p>Proxy Vote Certificates</p> <p>Electors appointed as voting proxies must apply for their proxy voting certificates in the Clerk's office during these times.</p> <p>On each day of an advance vote the Clerk's office must be open from noon to 5:00 p.m. for the purpose of issuing proxies.</p>

Wednesday, September 15, 2010	<p>Additional Nominations will be received 9:00 a.m. – 2:00 p.m. Withdrawal of additional nominations before 2:00 p.m.</p> <p>Issue Proxy Vote Certificates, if Nomination period was extended</p>
Thursday, September 16, 2010	<p>Extended Period</p> <p>Certification of nomination papers before 4:00 p.m. Acclamation(s) after 4:00 p.m.</p>
Monday, September 20, 2010	<p>Certificate of Maximum Campaign Spending Limits to candidates</p> <p>Issue Certificate of Maximum Campaign Spending Limits to candidates.</p> <p>Note: this final campaign spending limit is to be based on the higher of:</p> <ul style="list-style-type: none"> ▪ The number of electors as of nomination day in the 2010 election; or ▪ The number of electors as of nomination day in the 2006 election (the number used to calculate the amount given to candidates at the time they filed their nomination paper)
Monday September 20, 2010	Prepare and distribute Interim Changes to Voters' List
Friday, September 10, 2010 to Thursday, October 28, 2010	<p>Election Signs</p> <p>Election Signs may be erected on Friday, September 10, 2010 (45 days prior to voting day) and must be removed by Thursday, October 28, 2010 (within 3 days – 72 hours after voting day).</p>
Saturday, October 2, 2010 Saturday, October 9, 2010 Wednesday, October 13, 2010 Saturday, October 16, 2010	<p>Advance Voting Days</p> <p>Electors may vote prior to Election Day for any reason.</p>
By Monday, October 25, 2010	<p>Revision Period</p> <p>Eligible electors whose names are not on the voters' list or whose names were shown incorrectly on the list may be added to the voters' list or have the information on the list amended by filing an application with the Clerk's office or at the voting place.</p>
MONDAY, OCTOBER 25, 2010	<p>ELECTION DAY (Voting Day)</p> <p>Voting is held between 10:00 a.m. and 8:00 p.m.</p> <p>Deadline for applications to vote by proxy and for applications to be added to the list</p> <p>Unofficial election results to be released after 8:00 p.m.</p>
Tuesday, October 26, 2010	<p>Official Results</p> <p>The Clerk will publicly declare to be elected the candidate having the highest number of votes for the office as soon as possible after voting day.</p>
Wednesday, December 1, 2010	Term of Office Commences

Candidates Guide 2010

	The elected member must take the oath of office prior to taking his or her seat.
Friday, December 31, 2010	End of Campaign Period The end of the campaign period.
Friday, December 31, 2010 2:00 p.m.	Notification to the Clerk of a Deficit and Continuation of Campaign Period If a candidate has a deficit on December 31, 2010 and wishes to continue fund-raising to eliminate the deficit, the candidate must notify the Clerk with Notification in writing (Form 6: Notice of Extension of Campaign Period) of Deficit and Continuation of Campaign Period. Failure to do so will mean that the campaign period automatically ends on Friday, December 31, 2010.
Wednesday, February 23, 2011	Notice by Clerk: Of the filing requirements for the financial statements and of the penalties.
Thursday, March 24, 2011	A candidate may, <u>before</u> the last day for filing a financial statement, apply to the Ontario Court of Justice to extend the time to file the financial statement. The court may grant an extension of no more than 90 days.
Friday, March 25, 2011 2:00 p.m.	Deadline for filing financial statements for reporting period ending December 31, 2010. Note: this is a firm deadline – the penalties for non-compliance will apply immediately unless the candidate has applied for a court ordered extension.
Thursday, June 30, 2011	End of supplementary reporting period Note: Bill 212 will only permit <u>one</u> 6-month extension of the campaign period.
Before June 30, 2011	Surplus If a candidate has paid over a surplus to the clerk and subsequently incurs expenses relating to a recount, compliance audit or controverted election, the clerk shall return the surplus to the candidate. The candidate can incur expenses relating to the recount, compliance audit or controverted election. The candidate may fundraise and accept contributions. The candidate must file a financial statement for each 90-day period following the return of the surplus – the financial statement is due by 2:00 p.m., 10 days following the end of the 90-day reporting period . This reporting will continue until: <ul style="list-style-type: none"> ▪ the amount of the surplus is reduced to zero; or ▪ any remaining surplus is no longer required for the expenses relating to the recount, compliance audit or controverted election A compliance audit application may be filed within 90 days of the filing date of the final financial statement.

<p>After June 30, 2011</p>	<p>Surplus</p> <p>If a candidate has paid over a surplus to the clerk and subsequently incurs expenses relating to a recount, compliance audit or controverted election, the clerk shall return the surplus to the candidate.</p> <p>The candidate can incur expenses relating to the recount, compliance audit or controverted election, but cannot accept contributions.</p> <p>The candidate must file a financial statement for each 90-day period following the return of the surplus – the financial statement is due by 2:00 p.m., 10 days following the end of the 90-day reporting period. This reporting will continue until:</p> <ul style="list-style-type: none"> ▪ the amount of the surplus is reduced to zero; or ▪ any remaining surplus is no longer required for the expenses relating to the recount, compliance audit or controverted election <p>A compliance audit application may be filed within 90 days of the filing date of the final financial statement.</p>
<p>Monday, August 29, 2011</p>	<p>Notice by Clerk of filing requirements for the supplementary reporting period</p>
<p>Friday, September 30, 2011 2:00 p.m.</p>	<p>Deadline for filing financial statements for the supplementary reporting period ending June 30, 2011</p> <p>Note: this is a firm deadline – the penalties for non-compliance will apply immediately unless the candidate has applied for a court ordered extension.</p>
<p>Wednesday, December 28, 2011</p>	<p>Last day for compliance audit request for June 30, 2011 supplementary reporting period. The clerk must forward the application to the compliance audit committee within 10 days of receiving the application. Within 30 days, the committee must consider the application and decide whether it should be granted or rejected.</p>

3.0 Qualifications – Council

The qualifications for becoming a candidate in the City of Cambridge are outlined in the *Municipal Act, 2001 (MA)*, and the *Municipal Elections Act, 1996 (MEA)*.

A candidate must be qualified to hold office and not be ineligible to be nominated or hold office under any Act on the day he or she files their nomination paper.

3.1 Qualification

A person is entitled to be an elector at an election held in a local municipality if, on voting day, he or she,

- a) resides in the local municipality or is the owner or tenant of land there, or the spouse of such owner or tenant;
- b) is a Canadian citizen;
- c) is at least 18 years old; and
- d) is not prohibited from voting under subsection (3.2 of this document) or otherwise by law.

3.2 Prohibition from Voting

The following are prohibited from voting:

- a) A person who is serving a sentence of imprisonment in a penal or correctional institution.
- b) A corporation.
- c) A person acting as executor or trustee or in any other representative capacity, except as a voting proxy in accordance with section 44.
- d) A person who was convicted of the corrupt practice described in subsection 90 (3), if voting day in the current election is less than five years after voting day in the election in respect of which he or she was convicted.

3.3 Disqualification

The following are disqualified from being elected as a member of council or holding office as a member of council:

- Employees of the City of Cambridge except during a leave of absence (**note:** an employee must be on leave of absence prior to filing his or her nomination paper. He or she must provide the Clerk with the original documentation showing that he or she has taken a leave of absence and the effective date);
- A judge of any court;
- A member of the Provincial Legislature, the Federal House of Commons or Senate who has not resigned from his or her office by the close of nominations (2:00 p.m., Friday, September 10, 2010). Proof of resignation **must** be provided by 2:00 p.m. Friday, September 10, 2010 or the Clerk will refuse to certify the nomination;
- A candidate who failed to file the necessary financial statements in the last municipal election or a by-election held since.

Please note that a member of council must maintain his or her qualifications throughout the entire term of office or else his or her seat will become vacant.

4.0 Nominations

Nomination day is **Friday, September 10, 2010**. Nominations may be filed on that day from **9:00 a.m. to 2:00 p.m.** at City Hall, 2nd Floor, Clerks Division. They may also be filed at any time that the Clerk's office is open (Monday to Friday, 8:30 a.m. to 4:30 p.m.) beginning January 4, 2010 at City Hall, 50 Dickson Street, 2nd Floor, Clerks Division. A candidate **must** be nominated prior to raising campaign funds or incurring expenses.

4.1 Nomination Form and Fee

Candidates must file the prescribed nomination form. At the time of filing, each candidate must pay the nomination fee of **\$200 for mayoralty candidates and \$100 for councillor candidates**. Payment must be made by cash, certified cheque or money order payable to "Treasurer, City of Cambridge".

Either the candidate or an agent of the candidate must file the nomination paper in person. The declaration section of the nomination form must be signed by the candidate and taken before a Commissioner of Oaths. Staff of the Clerk's office can administer this oath.

If an agent is filing the nomination paper on behalf of a candidate, the candidate's declaration of qualification must be commissioned prior to the agent filing the paper with the City. The agent must also provide identification. If either the nomination paper or the declaration of qualification is not commissioned prior to filing, the Clerk **will not** accept the documentation.

Faxed nominations cannot be accepted, as an original signature is required on all election documents filed with the Clerk.

4.2 Identification

All candidates **must** show proof of identity and qualifying address within the City of Cambridge at the time the nomination paper is filed. This is to ensure that only the names of qualified candidates appear on the City's ballot.

Acceptable pieces of identification include:

- Government issued identification or form that contains the name and qualifying address, e.g., driver's licence, income tax assessment;
- City of Cambridge property tax bill;
- Utility bill (hydro, gas water, telephone, cable TV);
- Hospital card;
- Bank Statement;

- Mortgage, rental or lease agreement;
- Insurance policy (home, tenant and auto);
- Current employer record (Pay stub or letter from employer).

Note: Government issued documentation that required the person to write in the address will not be accepted as identification (e.g. passports).

4.3 Declaration of Qualification

Each person who files a nomination paper will also be required to complete a “Declaration of Qualification for the City of Cambridge 2010 Municipal Election”. The declaration has been prepared by the Clerk and ensures that only qualified candidates run in the municipal election. If an agent is filing on behalf of a candidate, the declaration of qualification must be commissioned prior to the agent filing the declaration with the Clerk. If the declaration is not commissioned, the Clerk **will not** accept either the declaration of qualification or the nomination paper.

4.4 Certification of Nomination Papers

The Clerk will certify nominations by 4:00 p.m. on Monday, September 13, 2010. Once a candidate is certified, his or her name will be placed on the ballot unless the candidate withdraws or the candidate’s name is removed by Court order. Nomination papers are public documents and are available for inspection in the Clerk’s office.

4.5 Withdrawal of Candidacy

A candidate who wishes to withdraw his or her nomination must notify the Clerk in writing by 2:00 p.m. on Friday, September 10, 2010. Either the candidate or an agent of the candidate must file the withdrawal letter in person. The withdrawal letter **may not** be faxed, as original signatures are required on all election documents filed with the Clerk. The nomination filing fee will be refunded to the candidate. The candidate will still have to submit a financial statement (due no later than March 25, 2011) covering all financial transactions up to the time of the withdrawal.

The candidate or agent, as the case may be, must provide identification at the time of filing the withdrawal letter. In addition, if an agent is filing the withdrawal letter on behalf of a candidate, the candidate must provide the agent with a signed letter to give to the Clerk authorizing the agent to file the withdrawal letter.

5.0 Scrutineers (Candidate's Agents)

5.1 Appointment

A candidate may appoint scrutineers in writing to represent him or her at the voting place. Scrutineers must show their written appointment to election officials upon request. Scrutineer appointment forms will be available from the Clerks Division, 2nd Floor City Hall.

Only one scrutineer per candidate may be in the voting place at each ballot issuing station and at the vote tabulator. Candidates who enter the voting place are considered to be scrutineers and must present identification to the election official.

Any candidate who has been acclaimed is prohibited from being in the voting place unless another candidate has appointed him or her as a scrutineer.

5.2 Rights

Candidates and scrutineers have a number of rights, including the following:

- To enter the voting place 15 minutes before it opens and to inspect the ballots and all other election documents but not so as to delay the opening of the voting place;
- Be present when election materials and documents are delivered to the clerk;
- Place his or her seal on the ballot box to ensure ballots deposited in the box cannot be withdrawn without breaking the seal;
- Examine ballots as they are counted, but not touch them; and
- Object to a ballot or counting of ballots if the ballot or votes do not comply with the rules.

5.3 Prohibitions

Scrutineers and candidates are prohibited from the following:

- Attempting, directly or indirectly, to interfere with how an elector votes;
- Displaying a candidate's election material (including buttons, pins, etc.) in a voting place;
- Compromising the secrecy of voting;
- Interfering or attempting to interfere with an elector who is marking a ballot;
- Obtaining or attempting to obtain, in the voting place, any information about how an elector intends to vote or has voted; and
- Communicating any information obtained at a voting place about how an elector intends to vote or has voted.

The role of candidate and scrutineers in the voting place is to scrutinize the integrity of the process; it is not a communicative role.

They cannot:

- Speak to any electors, especially in languages that are not understood by voting place staff;
- Act as an interpreter (the elector must make his or her own arrangements); or
- Provide assistance to an elector.

Election officials have the right to remove from the voting place any individual who is causing a disturbance. Both candidates and scrutineers forfeit their right to be present if they disrupt the voting place.

6.0 Campaign Information

6.1 Voters' List and Maps

All candidates, upon request, will be provided with the voters' list either as an electronic file or in a hard copy format (printed copy). Candidates will be provided with a Ward Map showing the polling subdivision boundaries and a street index. A list of Interim Changes to the Voters' List will be provided to all candidates on or before September 1, 2010. For additional copies of the various materials, there will be a charge.

6.2 Voting Places

A preliminary list of voting places will be available for candidates on September 1, 2010 at City Hall, 2nd Floor, Clerks Division. The final list of voting places will be mailed to each candidate on or before October 8, 2010.

6.3 Purchase of Materials

Additional copies of various materials may be obtained from the Clerk and nominal charges will apply.

7.0 Canvassing

7.1 Prohibition of Canvassing in Voting Place

The Clerk determines what premises will be used as voting places. The Clerk does not permit electioneering of any nature in or on these premises, which includes the entire building and the property on which it is located.

The *Municipal Elections Act, 1996* provides that while an elector is in a voting place, no one shall attempt, directly or indirectly, to influence how the elector votes and that no one shall display a candidate's campaign material or literature in a voting place.

Election officials will remove all campaign materials or literature from all voting places.

7.2 Access to Rented Premises

Excerpt from the *Residential Tenancies Act, 2006*, Section 28:

"No landlord shall restrict reasonable access to a residential complex by candidates for election to any office at the federal, provincial or municipal level, or their authorized representatives, if they are seeking access for the purpose of canvassing or distributing election material."

7.3 Access to Condominiums

Excerpt from the *Condominium Act*, Section 118:

"No corporation or employee or agent of a corporation shall restrict reasonable access to the property by candidates, or their authorized representatives, for election to the House of Commons, the Legislative Assembly or an office in a municipal government or school board if access is necessary for the purpose of canvassing or distributing election material."

Candidates experiencing difficulty in gaining access to these premises should contact the owner of the rental building or the board of directors of the condominium.

8.0 Voter Information

8.1 Preliminary List of Electors

The preliminary list of electors for the 2010 election is provided by the Municipal Property Assessment Corporation based on the information contained in its database. The preliminary list contains the names, address and school support of eligible electors.

8.2 Revision of Voters' List

The revision period allows eligible electors to add their name or change their information on the voters' list between September 7, 2010, and 8:00 p.m. Monday, October 25, 2010.

If an elector wishes to add their name to the voters' list or change their information, they can:

- Complete a revision form ("Application to Amend the Voters' List") by visiting City Hall during normal business hours (8:30 a.m. to 4:30 p.m., Monday to Friday);
- Call the Clerks Division at (519) 740-4680 to have a form mailed to them (applicant must complete, sign the declaration and mail the application to the City);
- Public can look up using Datafix on City website
- Complete a revision form at the voting place on voting day.

8.3 Identification

All eligible electors will be required to provide proof of identity and residency in order to obtain a ballot at the voting location. The type of identification is prescribed in Reg. 500/9. An elector on the voters' list without identification may make a statutory declaration.

Proof of identity and residence

1. Each of the following options is prescribed as the proof of identify and residence that a person may present for the purposes of subparagraph 52 (1) 1 ii of the Act:

1. **Option 1:** An original copy of a document listed in Schedule 1 to this Regulation, if the document shows the person's name, qualifying address and signature.
2. **Option 2:** An original copy of a document listed in Schedule 2, if the document shows the person's name and signature, presented together with an original copy of a document listed in Schedule 3, if the document shows the person's name and qualifying address.

Commencement

2. This Regulation comes into force on January 1, 2010.

**SCHEDULE 1
(DOCUMENTS THAT SHOW NAME, QUALIFYING ADDRESS AND SIGNATURE)**

1. An Ontario driver's licence.
2. An Ontario Health Card (photo card).
3. An Ontario motor vehicle permit (plate portion).
4. A cancelled personalized cheque.
5. A mortgage, lease or rental agreement.
6. An insurance policy.
7. A loan or financial agreement with a financial institution.
8. A document issued or certified by a court in Ontario.
9. Any other document from the government of Canada, Ontario or a municipality in Ontario or from an agency of such a government.
10. Any document from a Band Council in Ontario established under the *Indian Act* (Canada).

**SCHEDULE 2
(DOCUMENTS THAT SHOW NAME AND SIGNATURE)**

1. An Ontario driver's licence.
2. An Ontario Health Card.
3. An Ontario motor vehicle permit (plate portion).
4. A Canadian passport.
5. A Certificate of Canadian Citizenship.
6. A Certificate of Indian Status.
7. A Veterans Affairs Canada Health Card.
8. A social insurance number card.
9. An Old Age Security Card.
10. A credit card.
11. A debit card.
12. An employee identification card.
13. A student identification card issued by a post-secondary institution.
14. A union identification card or a professional licence card.
15. A cancelled personalized cheque.
16. A mortgage, lease or rental agreement for property in Ontario.

17. An insurance policy.
18. A document issued or certified by a court in Ontario.
19. Any other document from the government of Canada, Ontario or a municipality in Ontario or from an agency of such a government.
20. Any document from a Band Council in Ontario established under the *Indian Act* (Canada).

**SCHEDULE 3
(DOCUMENTS THAT SHOW NAME AND QUALIFYING ADDRESS)**

1. An Ontario motor vehicle permit (vehicle portion).
2. An income tax assessment notice.
3. A Child Tax Benefit Statement.
4. A Statement of Employment Insurance Benefits Paid T4E.
5. A Statement of Old Age Security T4A (OAS).
6. A Statement of Canada Pension Plan Benefits T4A (P).
7. A Canada Pension Plan Statement of Contributions.
8. A Statement of Direct Deposit for Ontario Works.
9. A Statement of Direct Deposit for Ontario Disability Support Program.
10. A Workplace Safety and Insurance Board Statement of Benefits T5007.
11. A property tax assessment.
12. An insurance statement.
13. A mortgage, lease or rental statement for property in Ontario.
14. A credit card, bank account, RRSP, RRIF, RHOSP or T5 statement.
15. A CNIB Card or a card from another registered charitable organization which provides services to persons with disabilities.
16. A hospital card or record.
17. A document showing campus residence issued by the office or officials responsible for student residence at a post-secondary institution.
18. A utility bill for hydro, water, gas, telephone or cable TV or a bill from a public utilities commission.
19. A cheque stub, T4 statement or pay receipt issued by an employer.
20. A transcript or report card from a post-secondary school.
21. A document issued or certified by a court in Ontario.
22. Any other document from the government of Canada, Ontario or a municipality in Ontario or from an agency of such a government.

23. Any document from a Band Council in Ontario established under the *Indian Act* (Canada).

Candidates may wish to include these requirements in their campaign literature.

8.4 Languages/Assistance to Vote

Should an elector require the assistance of an interpreter, the elector must make his or her own arrangements. Candidates and scrutineers are not permitted to serve as an interpreter for an elector.

If an elector requires assistance to vote for any reason other than language, the voting place staff will be able to provide such assistance. Candidates and scrutineers are not permitted to provide this assistance.

8.5 Proxy Voting

Any qualified elector may appoint another person, who is a qualified elector, to vote on his or her behalf by completing a proxy vote certificate. The certificate can be obtained at City Hall starting on Friday, September 10, 2010 through to voting day.

For the purpose of certifying the proxy certificates, the Clerk's office will be open:

Weekdays, Friday, September 10, 2010 until Monday, October 25, 2010	8:30 a.m. to 4:30 p.m.
During the Advance Vote	
Saturday, October 2, 2010	8:30 a.m. to 4:30 p.m.
Saturday, October 9, 2010	12:00 noon to 5:00 p.m.
Wednesday, October 13, 2006	8:30 a.m. to 4:30 p.m.
Saturday, October 16, 2006	12:00 noon to 5:00 p.m.
and	
Election Day, Monday, October 25, 2010	8:30 a.m. to 8:00 p.m.

The elector appointed as proxy must present both copies of the certificate **in person**, at the Clerk's office in City Hall, 2nd Floor during the above times.

An individual appointed as a proxy may not act as proxy for more than one person, except when the elector voting by proxy is the parent, grandparent, child, grandchild, brother, sister or spouse of the elector appointed as proxy. **A person appointed as proxy may act for one other person or the specified family members, but not both and is entitled to vote in his or her own right.**

All proxy certificates are numbered and a record will be kept of the numbers on the proxy certificates issued to a candidate. The candidate will be responsible for the proper issuance of these proxy certificates.

8.6 Election Day

Election day is **Monday, October 25, 2010**. Voting places will be open from 10:00 a.m. to 8:00 p.m. A listing of the voting places will be forwarded to candidates on or before October 8, 2010.

8.7 Voter Notification Cards

The Clerk will advise all electors on the voters' list, revised as of September 10, 2010, of the:

- Date and time of voting, including the advance voting, and
- Location of the voting place where the elector is entitled to vote.

Voter Notification Information will be mailed to all eligible electors approximately by the end of August.

8.8 How to Mark the Ballot

Electors will mark the ballot with an **"X"** to the right of the name of the candidate of their choice.

9.0 *Financial Responsibilities*

9.1 *Helpful Hints*

- Open a separate bank account specifically for the campaign – do not use your personal bank account for campaign purposes.
- Do not advance any money into your campaign account with the intention of getting it back from future fund-raising – obtain a line of credit or bank loan (deposited directly into the campaign account).
- Interest loans and nomination fees are included as part of the expenses in the spending limits.
- Excluded in the expenses from spending limits are expenses related to compliance audit and a candidates disability expenses.
- Contributions of money by a candidate and his or her spouse are contributions and a receipt must be issued.
- Deposit all contributions intact into the campaign account – contributions that have not been deposited cannot be used to pay off debt or to pay for purchases.
- Contributions over \$25 must be made by cheque, credit card or money order having the name of the individual contributor imprinted or embossed thereon.
- Issue receipts for all contributions.
- Pay all expenses by cheque or money order from the campaign account including the nomination fee (do not use your own funds).
- Consider establishing a petty cash fund for small purchases – set up the petty cash funds from you campaign account.
- Keep proper records of contributions and expenses – all records must be kept until December 1, 2014.
- When closing your campaign account make sure:
 - All your bills have been paid
 - All your cheques have cleared the bank
 - All bank charges have been paid
 - You have a cheque, bank draft or money order payable to “Treasurer, City of Cambridge” for any surplus.
- All campaign surplus is to:

- Be held in trust by the Clerk until the election is concluded;
 - Retained by the municipality;
 - All amounts, not just those over \$500;
 - All financial filings must be made available to the public in an electronic format free of charge;
 - Candidates are required to file paper documents with original signatures.
-
- Filings will be accepted during office hours no later than 2:00 p.m. on deadline date (Friday, March 25, 2011); supplementary filing will be Friday, September 30, 2011 for the supplementary reporting period ending June 30, 2011.
 - Extensions must be sought from the court prior to the regular supplementary filing deadline (court cannot extend filing deadline by more than 90 days).
 - If forms are not filed by the deadline and no extensions have been sought, penalties take effect immediately.
 - File your financial statement early

9.2 Duties of a Candidate

As a candidate you are responsible for the following duties:

- Opening a separate bank account in the name of the candidate's election campaign to be used only for campaign purposes.
- All contributions accepted are in accordance with the *Act*.
- Tracking donations from associated corporations to ensure they do not exceed the contribution limit. (see section 10.6 of this document).
- All contributions are deposited intact into the campaign account.
- All campaign expenses are paid from the campaign account.
- Contributions of goods or services are properly received.
- Receipts are issued for all contributions received.
- Receipts for campaign expenses are obtained.
- You must keep records of:
 - The receipts issued for every contribution;
 - The value of every contribution;
 - Whether a contribution is money, goods or services;
 - The contributor's name and address;
 - All expenses;
 - Any claim for payment of an expense that the candidate disputes or refuses to pay;
 - Funds raised and expenses incurred at each fund-raising event;
 - Money received at a fund-raising event by donations of \$10 or less; and
 - Any campaign account loan.
- Giving proper direction to any person who is authorized to incur campaign expenses and accept contributions.
- Any improper contributions are returned to the contributor, or if not possible, paid to the Clerk.
- Paying all anonymous contributions to the Clerk.
- Filing the financial statement with the Clerk.

9.3 Campaign Period

The campaign period for candidates begins on the day the candidate files his or her nomination paper (starting January 4, 2010) and ends on December 31, 2010. A candidate cannot accept any contributions or incur any expenses until he or she files the nomination paper. If the candidate withdraws his or her nomination or the Clerk rejects a nomination, the campaign period ends on the day of the withdrawal or rejection.

If a candidate has a deficit as of December 31, 2010 he or she can extend their campaign. The candidate **must** notify the Clerk on the prescribed form (Form 6 – Notice of Extension of Campaign Period) on or before 2:00 p.m., December 31, 2010. The campaign period will continue until:

- The amount of surplus is reduced to zero.
- Any remaining surplus is no longer required for the expenses relating to the recount, compliance audit or controverted election.
- The candidate advises the Clerk in writing, that he or she no longer intends to raise funds.

9.4 Appointment of an Auditor

An auditor must be appointed for those candidates who:

- Accepted contributions or incurred expenses over \$10,000

Only a person who is licensed under the *Public Accountancy Act* may be appointed as an auditor. The auditor is required to report whether the information contained in the candidate's accounting records is reflected accurately in the financial statement.

9.5 Campaign Staff

A candidate may recruit staff to work on his or her campaign and assign them duties that the candidate deems as necessary. While a candidate may designate staff to perform certain duties, the ultimate responsibility for compliance with the *Municipal Elections Act, 1996* rests with the candidate.

9.6 Record Keeping/Accounting

The accounting records must be kept until December 1, 2014.

For audit purposes a candidate should retain:

- All deposit slips;
- Records of all contributions of goods and services and their market value;

- a listing of names and addresses of all contributors; if they are individuals, corporations or trade unions and the amount of the contribution;
- records of any contributions that are returned or paid over to the Clerk (in the case of anonymous contributions);
- cancelled cheques and bank statements;
- cheque stubs; and
- invoices, petty cash slips and other vouchers showing all payments made and goods or services contributions that have been accepted.

A candidate must also record the following:

- accounts payable – expenses incurred but not paid;
- accounts receivable – amounts owing to the campaign at the end of the campaign period;
- income on deposits, which has been earned but not yet received;
- expenses incurred by virtue of contributed goods or services; and
- contributions received prior to the end of the campaign period but not deposited until after the end of the period.

An accounting system that meets the requirements of the *Act* and suits the candidate's needs should be used. For example:

- bank deposit slips may be used as a record of contributions;
- a file of thank you letters to contributors as the record of their names and addresses;
- cheques stubs as record for payment of expenses.

Candidates should contact their auditor to discuss the best accounting system to use. This may help reduce costs when the auditor reviews the financial statement.

10.0 Campaign Contributions and Fund-raising

Contributions cannot be accepted until the person has filed a nomination paper with the Clerk's office. Any contributions accepted outside the campaign period must be returned to the contributor, or, if not possible, the amount must be turned over to the Clerk.

The value of all contributions must be reflected on the financial statement that is filed with the Clerk. In addition, a candidate must list on the financial statement the names and addresses of those contributors donating more than \$100.

10.1 Campaign Contributions

Money and/or goods or services given to a candidate for his or her campaign are contributions.

Contributions include:

- the ticket price for a fund-raising event
- the difference of the amount paid and the market value of a good or service sold at a fund-raising event
- the difference between the amount paid and the market value of a good or service purchase for the campaign
- any unpaid but guaranteed balance of a campaign loan

The following are not contributions:

- voluntary unpaid labour
- services provided voluntarily by employees provided they do not receive any additional compensation from their employer
- \$10 or less that is donated at a fund-raising event
- free political advertising (see section 1.5 of this document)
- the amount of a campaign loan obtained by the candidate or spouse

10.2 Contribution Limit

A contributor may not contribute more than \$750 to any one candidate, nor more than \$5,000 to all candidates within a single council or school board jurisdiction.

An individual, corporation or trade union may make a large single contribution or multiple contributions. It is advisable that the candidate records the name and address of each contribution to ensure that he or she does not accept more than the allowable limit.

10.3 Accepting Campaign Contributions

Only the candidate and those persons authorized by the candidate may accept campaign contributions. Contributions of money up to \$25 may be accepted in cash. Any contributions over \$25 must be made by cheque, money order or credit card.

10.4 Receipts for Contributions

A candidate must issue a receipt for every contribution he or she received whether it is in the form of money or goods or services. Candidates may use any type of receipt as long as it shows the name and address of the contributor and the amount contributed. These receipts should be numbered and have duplicate copies so both the candidate and the contributor receive a copy of the receipt.

If a candidate receives a contribution on the last day of the campaign period and it cannot be deposited, the candidate must record in his or her records an outstanding bank deposit and a receipt issued as of that date. Each outstanding deposit should be deposited the next banking day.

If it is necessary to issue a replacement receipt, cross-reference the two receipts.

10.5 Acceptable Contribution Sources

Contribution to candidates may **only** be made by:

- individuals living in Ontario
- corporations that carry on business in Ontario
- trade unions that hold bargaining rights for employees in Ontario
- the candidate or his or her spouse

A contribution may only be made from the contributor's own funds.

If a cheque is from a joint personal bank account the receipt must have the name of the person signing the cheque. If the cheque is signed by both people, the candidate must determine how much each person contributed and issue separate receipts to each person.

10.6 Corporations

To be eligible to make a contribution, a corporation must carry on business in Ontario. Prior to accepting a corporate donation, the candidate must satisfy him or her self that the corporation does carry on business in Ontario.

Corporations that are associated with one another, as defined by section 256 of the *Income Tax Act (Canada)*, are considered to be a single corporation for the purpose of campaign contributions. Many corporations carry on business through subsidiaries and affiliated companies. Such corporations are deemed to be a single corporation and may only make a maximum contribution of \$750 to any one candidate, nor more than \$5,000 to all candidates within a single council or school board jurisdiction.

10.7 Unincorporated Groups

If an unincorporated group, such as a law partnership or ratepayers' group, makes a campaign contribution, the candidate must request a list of the names and addresses of the individual contributors that shared in the contribution and the amount contributed by each individual. The receipts **must be issued to the individual contributors, not the unincorporated group**. The individual's portion of the group's contribution counts towards that individual's campaign contribution limit of \$750 to any one candidate, nor more than \$5,000 to all candidates within a single council or school board jurisdiction.

10.8 Ineligible Contributors

The following may not make contributions:

- a federal political party, constituency association or a registered candidate at a federal election.
- A provincial political party, constituency association or a registered candidate or leadership contestant.
- The Crown in right of Canada or Ontario, a municipality or local board.
- Charitable organizations or corporations that have been established for charitable purposes and public corporations such as public hospitals, crown agencies, boards or commissions, which are, in general, prohibited by statute or common law from making political donations.

10.9 Candidate's Own Funds

A person who wishes to run for office must not contribute to his or her campaign until he or she is a nominated candidate. There is no limit on the contributions from the candidate or his or her spouse to the candidate's campaign, but it must be reported as a contribution and a receipt must be issued.

10.10 Contributions of Goods and Services

All contributions of goods or services are subject to the contribution limit of \$750 to any one candidate, nor more than \$5,000 to all candidates within a single council or school board.

Services donated by people acting on a volunteer basis are not considered contributions. If an employer makes employees available (who have volunteered their time) to work on a campaign and does not pay them extra for this work, this does not count as a contribution. However, if the employer pays them in addition to their regular wage, the amount of the extra wages is a contribution and is subject to the contribution limits.

Free political advertising provided by a broadcaster is not deemed to be a contribution, provided it is done in accordance with the provisions, regulations and guidelines of the *Broadcasting Act (Canada)* and is available equally to all candidates.

All other donations of goods or services are contributions and should be supported by an invoice from the contributor. The contribution must be valued at current market value and a receipt issued for the value. This includes materials the candidate brings into the campaign from a previous campaign, such as signs, wooden stakes and brochures.

If part of the cost for the purchase of a good or service is considered by the supplier to be a contribution, the supplier should provide an invoice for the total amount and indicate the amount he or she is donating as a contribution.

If a supplier charges a candidate less than the market value for the purchase of a good or service, the difference between the amount charged and the market value is considered the contribution. For example, if a candidate is billed \$150 for printing brochures, but the lowest market price available to other customers is \$275, then the difference of \$125 is a contribution from the printer to the candidate, and a receipt must be issued for the \$125.

If a supplier of goods or services is not paid or has agreed not to accept payment, the value of the good or service is a contribution and a receipt must be issued. All suppliers should be paid promptly within the normal credit terms as provided by the supplier.

10.11 Anonymous Contributions

An anonymous contribution cannot be accepted; it must be turned over to the Clerk. The only exception to this rule is an anonymous contribution received at a fund-raising event, e.g., “pass the hat”. Each of these contributions must be \$10 or less and the total amount collected must be reported on the candidate’s financial statement.

10.12 Refund of Contributions

A candidate is required to refund contributions when they are:

- Received outside the candidate’s campaign period;
- From an anonymous contributor (except “pass the hat” contributions);
- From ineligible sources;
- Over the \$750 to any one candidate, or more than \$5,000 to all candidates within a single council or school board jurisdiction;
- Cash contributions over \$25;
- Funds not belonging to the contributor.

If an official receipt has already been issued, the candidate should not refund the contribution until the contributor’s copy has been recovered. The candidate must also reflect the refund on his or her records.

10.13 Fund-raising Events

Fund-raising events are held for the purpose of raising money for a candidate.

Fundraising Continued

- Fundraising function includes organized activities held for the primary purpose of raising monies for a candidate or third party nominated or registered under the Act:
 - Social functions for which there is an admission or ticket charge
 - Activities for which no admission charge is made such as auctions, button sales, car washes, etc.

- Fundraising function does not include:
 - Rallies or similar events or activities that are organized for such purposes as promoting public awareness of a candidate and at which the soliciting of contributions is incidental
 - Promotional materials such as ads or brochures in which the soliciting of contributions is incidental

The price of the ticket to a fund-raising event is a campaign contribution and a receipt must be issued for the full amount. For example, if a ticket cost \$50, a receipt for \$50 must be issued and a contribution of \$50 must be recorded, regardless of the costs of organizing and holding the event. If the price of the ticket exceeds \$100, the name and address of the contributor must be recorded in the financial statement. If the ticket price is over \$25, the amount must be paid by cheque, money order or credit card.

10.14 Borrowing and Lending

A candidate may not loan money to his or her campaign with the intention of getting it back through future contributions or fund-raising events. A candidate or his or her spouse may borrow money for campaign purposes only from a chartered bank or other recognized lending institution. **The full amount of the loan must be paid directly into the campaign account.** Only a candidate and his or her spouse may guarantee a loan for campaign purposes. Any unpaid but guaranteed balance of a loan is considered to be a contribution.

11.0 Campaign Expenses

11.1 General Information

- A person cannot incur expenses unless he or she is a candidate and only during his or her campaign period.
- Payment of any campaign expenses must be made by cheque from the candidate's campaign account.
- All expenses must be reported on the financial statement.
- Only the candidate and persons authorized by the candidate, preferably in writing, can incur expenses.

11.2 Campaign Expenses

Any expense incurred in whole or in part for goods or services for a candidate's campaign is a campaign expense. It includes the market value of any goods held in opening inventory (such as signs and brochures) and any contribution of goods or services to a candidate during the campaign period. Where contributions of goods or services are received, an expense in the equivalent value is considered to have been incurred.

11.3 Campaign Inventory

Campaign expenses include the value of any goods held in inventory by a candidate for use during a campaign period, such as stakes, usable literature, signs and other campaign materials.

For those candidates who ran in a previous election, all materials from a previous campaign that are brought into the current campaign must be included in the opening inventory. In valuing campaign materials, **current market value must be used**. Proper documentation should be prepared to substantiate any opening inventory value.

The inventory of reusable campaign materials remaining on hand at the end of a campaign must be valued and reported as closing inventory on the financial statement. The value of any inventory is not to be deducted from the campaign expenses.

11.4 Campaign Expense Limits

There are limits on the amount a candidate may spend during the periods starting the day the candidate files a nomination paper and ending on voting day.

- Estimate spending limit will be given to candidates by the Clerk upon filing of nomination; based on voter's list from previous election.
- Certificate of Maximum Campaign spending limit will be provided no later than Monday, September 20, 2010; based on voter's list from the current election.

The following is a list of expenses that are not included in the spending limits:

- auditor's and accounting fees
- expenses incurred in holding a fund-raising event
- expenses incurred for parties and other expressions of appreciation after the close of voting
- expenses relating to a court action for a controverted election
- expenses relating to a recount
- expenses incurred after voting day

Surplus

When a candidate files a financial statement, he or she must pay over all surplus monies to the Clerk, which will be held in trust by the Clerk until the election is concluded. All surplus will be retained by the municipality.

Prior to paying over surplus monies to the Clerk, the candidate is entitled to refund contributions made to the campaign by the candidate or his or her spouse. The amount that may be refunded is the lesser of the amount of the contributions or the amount of the surplus.

After June 30th, 2011:

- A candidate may apply to have the surplus returned (with interest) if the candidate incurs costs related to:
 - Recount
 - Controverted election
 - Compliance audit
- A candidate may not re-open their campaign and may not fundraise or accept contributions.
- A candidate must file a financial report 90 days after receipt of surplus, and every 90 days thereafter until surplus is \$0.00, or the candidate no longer requires funds and returns any remaining surplus.

Before June 30th, 2011:

- A candidate may re-open their campaign if the candidate incurs costs related to:
 - Recount
 - Controverted election
 - Compliance audit
- A surplus is returned to a candidate with interest when the campaign is re-opened.
- A candidate may fundraise and accept contributions and must file supplementary financial reports.

After June 30th, 2011:

If a candidate has paid over a surplus to the clerk and subsequently incurs expenses relating to a recount, compliance audit or controverted election, the clerk shall return the surplus to the candidate.

The candidate can incur expenses relating to the recount, compliance audit or controverted election, **but cannot accept contributions.**

The candidate must file a financial statement for each 90-day period following the return of the surplus – the financial statement is due by **2:00 p.m., 10 days following the end of the 90-day reporting period.** This reporting will continue until:

- the amount of the surplus is reduced to zero; or
- any remaining surplus is no longer required for the expenses relating to the recount, compliance audit or controverted election

12.0 Enforcement and Penalties

There have been significant amendments to the *Municipal Elections Act, 1996* with respect to the penalty provisions applicable to candidates who fail to meet the disclosure and reporting requirements of the *Act*.

If a candidate fails to pay over a surplus to the Clerk or exceeds his or her election spending limit, the candidate forfeits any office he or she has been elected to and is ineligible to run for or to be appointed to any office in Ontario until after the 2014 election.

If a candidate fails to file a financial statement by the filing date (March 25, 2011), and did not seek an extension from the court prior to the penalties for non-compliance will apply immediately unless the candidate has applied for a court ordered extension.

In addition, if a candidate was elected, he or she is suspended without pay from office until he or she files the financial statement.

A candidate may make application to the Ontario Court of Justice prior to the deadline for filing financial statements. If the court is satisfied that the circumstances justify a later date for filing, an extension may be granted. If the candidate fails to file the financial statement by the extended date, the above-noted penalties will apply.

Please note that the court no longer has the authority to waive the penalties for non-compliance.

Penalties for contravening the *Municipal Elections Act, 1996* have been increased. An individual who contravenes the contribution rules may face a fine of up to \$25,000 (\$50,000 for corporations and trade unions) and/or up to six months in prison if the offence was committed knowingly. Candidates who are convicted of contravening certain provisions of the *Act* also forfeit any office to which they were elected, and are ineligible to run until after the next regular election has taken place.

13.0 List of Forms

Form 1: Nomination Paper

Form 2: Ballot

Form 2.1: Ballot

Form 3: Appointment of Voting Proxy

Form 4: Statement and Auditor's Report

Form 5: Financial Statement – Subsequent Expenses

Form 6: Notice of Extension of Campaign Period

Form 7: Notice of Registration (Question on the Ballot)

Form 8: Financial Statement and Auditor's Report (Question on the Ballot)

All Candidates are required to fill out the same financial form, which is New **Form 4**. Those who raise/spend in excess of \$10,000 will have to attach an auditor's report. The auditor's report is no longer a form letter. An auditor will have to actually write a report.

New **Form 5** is the form that a candidate will use if they incur costs related to a recount, compliance audit, or controverted election and get their surplus back to pay those costs after June 30th.

All registrants for questions on the ballot will have to fill out New Form 8, and attach an auditor's report if they raised/spend in excess of \$10,000. (The post June 30th process doesn't apply to registrants for questions on the ballot).

14.0 Further Information

For further information candidates may call Clerks Division at (519) 740-4680 (vote/8683), visit City Hall, 2nd Floor or send an email to vote2010info@cambridge.ca.

14.1 Publications

The following publications relate to municipal elections and may be of interest to candidates:

Municipal Elections Act, 1996

Government of Ontario Book Store
880 Bay Street
Toronto, Ontario
(416) 326-5300

Municipal Election Law 2006

Municipal World Inc.
Box 399 Station Main
St. Thomas, Ontario
N5P 3V3
Canada
(519) 633-0031
1-888-368-6125

Candidates and Electors

Municipal World Inc.
Box 399 Station Main
St. Thomas, Ontario
N5P 3V3
Canada
(519) 633-0031
1-888-368-6125

How to Campaign for Elected Office

Municipal World Inc.
Box 399 Station Main
St. Thomas, Ontario
N5P 3V3
Canada
(519) 633-0031
1-888-368-6125