



COUNCIL POLICY MANUAL

Subject: Use of Corporate Resources for Election Purposes	Approval Date: March 19 th , 2018	By-Law No. 24-2018
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1.21 USE OF CORPORATE RESOURCES FOR ELECTION PURPOSES

1. BACKGROUND

Section 88.18 of the Municipal Elections Act, 1996 (MEA), requires municipalities and local boards, before May 1 of an election year, to establish rules and procedures with respect to the use of municipal or local board resources during the election campaign period.

The MEA specifies that a municipality or local board cannot make a contribution to a municipal election Candidate (Section 88.8 (4)) or a Registered Third Party (Section 88.12 (4) effective April 1, 2018).

A “contribution” includes:

- a) money, goods or services given to and accepted by or on behalf of a person for his or her election campaign (Section 88.15(1))
- b) money, goods or services given to and accepted by or on behalf of an individual, corporation or trade union in relation to third party advertisements (Section 88.15 (2) effective April 1, 2018).

Since a “contribution” may take the form of money, goods or services, any use of the Municipality’s resources for an election campaign by a Candidate or Registered Third Party, would be a contribution by the Municipality.

2. PURPOSE

- 2.1 To provide a consistent approach and direction regarding the use of corporate resources during an Election Campaign Period.
- 2.2 To ensure compliance with the MEA in regards to the role of the Municipality contributing to a Municipal and Trustee Election Campaign.
- 2.3 To ensure the integrity of the election process is maintained at all times.
- 2.4 To ensure Candidates and Registered Third Parties are treated fairly and consistently.
- 2.5 To establish the appropriate use of resources during the Election Campaign Period, in order to:



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- a) Protect the interests of Candidates, Registered Third Parties, Staff and the Municipality; and
- b) Ensure accountable and transparent election practices.

3. APPLICATION AND SCOPE

This policy applies to Candidates, Registered Third Parties and Staff during an Election Campaign Period in an election year and in the event of a by-election.

4. DEFINITIONS

“Campaign” means a municipal election-related activity for the purpose of supporting or opposing the election of a Candidate or a question on the ballot, and includes, without limiting the generality of the foregoing, the distribution of materials, advertising, display of signage etc.

“Candidate” means a person who has been nominated under Section 33 of the Act. (MEA)

“Clerk” means the Clerk of the Municipality of Red Lake or his/her designate.

“Council” means the Council of The Corporation of the Municipality of Red Lake.

“Election Campaign Period” for Candidates, begins on the day a Nomination Form is filed and ends December 31 of the election year (unless a request for extension to campaign period has been filed) and for Registered Third Parties, begins on the day a Notice of Registration is filed and ends December 31 of the election year (unless a request for extension of campaign period has been filed).

“Municipal Resources” means real property, goods and/or services owned, controlled, leased, acquired, or operated by the Municipality including, but not limited to: facilities, equipment, supplies, services, Staff, information technology (IT) assets, infrastructure or data.

“Municipality” means The Corporation of the Municipality of Red Lake.

“Staff” means all full-time, part-time and contract employees of the Municipality.

“Registered Third Party” means an individual who is normally a resident of Ontario, a corporation that carries on business in Ontario or a trade union that holds bargaining rights for employees in Ontario and whose Notice of Registration for Third Party Advertiser has been certified by the Clerk.



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5. CANDIDATES AND REGISTERED THIRD PARTIES

In accordance with the Municipal Elections Act, Candidates and Registered Third Parties in an Election Campaign Period are not permitted to:

- 5.1 Use Municipal Resources for an election campaign or campaign-related activities.
- 5.2 Use the Municipal Newsletter, Municipal letterhead, business cards, photographs and videos.
- 5.3 Use the Municipal logo, crest, coat of arms, slogan or Municipal program identifiers on any election campaign related material, either printed or on a campaign website. This provision includes the Municipal Election logo and any related identifiers.
- 5.4 Use Municipal email accounts, website, computers, ipads, and cell phones.

6. STAFF

- 6.1 Staff shall not perform any work in support of a Candidate or Registered Third Party during work hours in which a person is receiving any compensation from the Municipality.

7. ROLES AND RESPONSIBILITIES

- 7.1 The Clerk and Clerk's Dept. Staff are responsible for communicating this policy to Candidates, Registered Third Parties, Senior Management and Department Head Staff. Department Head Staff are responsible for communicating this policy to their Staff.
- 7.2 Candidates, Registered Third Parties and Staff are accountable to comply with this policy.

8. CONTRAVENTION

Reported contraventions will be investigated to ensure compliance.

9. LIMITATIONS

It is recognized that Members of Council are holders of their office until the end of their term. Nothing in this policy shall preclude a Member of Council from performing their job, or inhibit them from representing the interests of the constituents who elected them.