

**2026 Municipal Election
Joint Compliance Audit Committee
Terms of Reference**

Name:

The name of the Committee is the “2026 Municipal Election Joint Compliance Audit Committee” (“the Committee”).

Definitions:

Act means the Municipal Elections Act, 1996, S.O. 1996, c. 32, as amended from time to time.

Applicant means the individual who submitted the Application requesting a Compliance Audit.

Application means an Application accepted by the Clerk under sections 88.33(2) and 88.35(2) of the Act.

Candidate means the Candidate whose election campaign finances are the subject of an Application for a Compliance Audit.

Clerk means the Clerk or secretary of the Participating Body, or their designate.

Participating Bodies means the Town of Ajax, Regional Municipality of Durham, City of Oshawa, City of Pickering, the Town of Whitby and the Durham District School Board.

Registered Third Party means an individual resident in Ontario, a corporation carrying on business in Ontario or trade union who has filed with the clerk of the municipality responsible for conducting an election, a notice of registration to be a Registered Third Party for the election pursuant to Section 88.6 of the Act, and whose election campaign finances are the subject of an Application for a Compliance Audit.

Mandate:

The Committee is established pursuant to the requirements of section 88.37 of the Act for the Participating Bodies.

The powers and functions of the Committee are set out in section 88.33 to 88.37 of the Act.

Term of Committee:

The term of appointment for the Committee shall be concurrent with the term of office of the council or local board elected in 2026 and shall therefore serve for four (4) years commencing on November 15, 2026 and concluding on November 14, 2030 or until such time the applicable Committee has disposed of any remaining matters in accordance with the Act, whichever is later.

Composition:

When a compliance audit Application from an elector or a report from the Clerk indicating a Candidate or Registered Third Party has contravened any of the contribution limits under section 88.9 of the Act is received, the Committee comprised of three (3) members shall meet and consider the Application and/or report in accordance with the Act.

Members forming the Committee shall be selected by the Clerk from a roster of qualified individuals, who have been jointly recruited and appointed by the Participating Bodies.

The following persons are ineligible for appointment:

- Employees or officers of any of the Participating Bodies,
- A member of council or of a local board of any of the Participating Bodies,
- Any persons who are candidates in an election of any of the Participating Bodies for which the Committee is established; or
 - Any persons who are Registered Third Parties in an election of any of the Participating Bodies for which the Committee is established.

Should an appointed Committee Member accept employment or become an officer with any of the Participating Bodies, become a member of council or of a local board of any of the Participating Bodies, or register as a Candidate or a Third Party with any of the Participating Bodies, they will have been deemed to have resigned.

All Committee Members shall agree in writing that they will not work or volunteer for, or contribute to, any Candidate or Registered Third Party in any capacity in an election of any of the Participating Bodies.

If a person on the roster to serve on the Committee is identified as having participated or contributed to a Candidate's campaign or Registered Third Party, that person shall not be eligible to be selected as a Member with respect to an Application within the applicable Participating Body where the participation or contribution to a Candidate's campaign or Registered Third Party occurred.

Conduct of Members:

Members of the Committee shall comply and conduct themselves in accordance with the Joint Compliance Audit Committee Administrative Practices and Procedures for the Participating Bodies.

Members shall not use their position on the Committee for any personal or political gain.

Remuneration:

Remuneration for Committee Members will be as follows:

- \$400.00 retainer fee (costs will be shared equally by the Participating Bodies) for those individuals on the roster. The retainer fee shall cover attendance at a mandatory training session and review of periodic updates or information supplied by the Clerk of any of the Participating Bodies. The retainer fee will also cover any conversations which occur outside of a formal meeting of the Committee, for example virtual meetings with the Clerk. Payment of the retainer fee does not denote membership on a committee and covers the four (4) year term; and
- \$400.00 per meeting attended, plus an additional \$100.00 for any additional Application and report being considered after the first one, during the same meeting; plus mileage in accordance with the rate normally paid to employees of the applicable Participating Body. The per meeting rate shall cover review of background or agenda materials as required in preparation for a meeting.

Membership Selection:

At a minimum, the recruitment of persons to be included on the roster of individuals shall be advertised on the websites of the Participating Bodies. Other targeted recruitment measures may be initiated by the Clerks of the Participating Bodies.

All applicants will be required to complete an application and may be subject to further screening and an interview. The selection process will be determined by the Clerks of the Participating Bodies.

Applicants must have the ability to understand and apply the election campaign finance provisions of the Act and must remain impartial in order to fulfill their responsibilities.

Preference will be given to candidates that have experience related to compliance audit activities or investigative or adjudicative processes.

The following criteria will be considered when considering members:

- Demonstrated knowledge and understanding of municipal election campaign finance rules,
- Proven analytical and decision-making skills,
- Experience working on committees, boards, adjudicative bodies, task forces or similar settings,

- Experience in accounting and audit, law, law enforcement, academics, or municipal administration from related fields,
- Demonstrated knowledge of quasi-judicial proceedings,
- Availability and willingness to attend meetings; and,
- Excellent oral and written communication skills.

Meetings:

Meetings will occur as needed and shall be conducted in accordance with the Joint Compliance Audit Committee Administrative Practices and Procedures for the Participating Bodies.

Chair:

At the first meeting of a Committee on a particular report or Application, the members shall appoint one member to act as Chair for the duration of the Committee's deliberations.

Role of Clerk:

The Clerk will act as the main contact between the Committee, compliance audit Applicant, Candidate and Registered Third Party. In accordance with section 88.37(6) of the Act, the Clerk shall carry out any duties required under the Act to implement the Committee's decisions.

Where the Clerk or Committee determines that the Committee requires legal assistance in respect of a specific report or Application, or for other matters such as the Committee's role, interpretation of legislation, procedure, or other matters of a general nature pertinent to the Committee's business, the Clerk, in consultation with the Participating Body's solicitor, shall retain legal counsel to provide advice that may be subject to solicitor client privilege to the Committee.

Administrative Practices and Procedures:

The Clerk(s) of the Participating Bodies shall establish administrative practices and procedures for the Committee in accordance with s. 88.37(6) of the Act and shall carry out any other duties under the Act to implement the Committee's decisions.

The Clerk(s) of the Participating Bodies may be required to make administrative changes to these Terms of Reference or the administrative practices and procedures from time to time due to legislative changes, or if, in the opinion of the Clerk(s), the amendments do not change the intent of the Terms of Reference or the administrative practices and procedures.