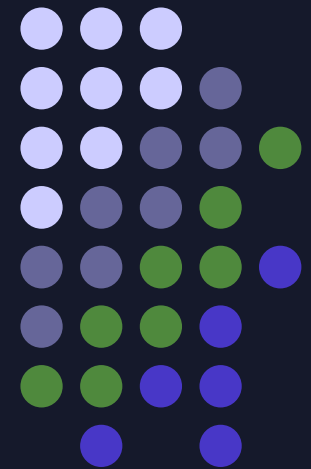


BILL 35

*The Municipal Conflict of Interest
And
Campaign Financing Act*





New requirements

- Strengthen conflict of interest rules:
 - Public disclosure of Statement of Assets and Interests
 - Employee Code of Conduct
- New campaign financing rules for all municipalities

Public Disclosure of Statement of Assets and Interests



- Available to the public for inspection
- During regular business hours on request
- Applies to the 2009 and future Statements
- Effective December 1, 2009

No change to:



- The filing date: Prior to November 30
- The form
- Assets and Interests disclosed
(Do not include value of any asset or interest)

Campaign Financing Rules



- Currently in place for provincial, federal and many municipalities across Canada
- Key element of transparent elections
- Now in place for Manitoba municipalities

Campaign Financing Rules



- By-law
- Candidate registration
- Contribution and expense limits
- Reporting requirements
- Penalties



Who will be affected?

- Councils
- Candidates
- Senior Election Officials (SEOs)
- Chief Administrative Officers (CAOs)

Supports and resources



- Sample by-law and forms
- Candidates Guidebook
- Election Official's Manual
- CAO Campaign Financing Manual
- Procedures Manual Update
- Election training seminars
- Provincial website: Manitoba.ca/ia

Campaign Expenses and Contributions By-Law



- Requirement for all municipalities
- Passed before May 1, 2010
- Resort municipalities – passed before February 1, 2010
- Sample by-law, sponsored by AMM, distributed to all municipalities

Bylaw must prescribe:



- Campaign expense limit
- Rules for reporting fund-raising events
- Election Finance Statement

Optional:



- Require audit of election finance statements
- Establish tax credits and rebates for campaign contributions
- Establish a program for reimbursement of campaign expenses

Candidate Registration



- Candidates must register with SEO before accepting contributions or incurring expenses
- Registration Period: Beginning of campaign period to close of nominations
- Simple, user-friendly form provided

Campaign Period



- Head of Council:
 - May 1, 2010 – March 31, 2011
 - Feb. 1, 2010 – Dec. 31, 2010 (Resort municipalities)
- Councillors:
 - June 30, 2010 – March 31, 2011
 - March 31, 2010 – Dec.31, 2010 (Resort Municipalities)

Allowable Contributions



- Only residents of Manitoba
- Union, corporate and anonymous donations not allowed
- Limit: \$1,500 per contributor; \$750 per contributor for a candidate elected by wards
- Same limit applies to candidate/spouse
- Monetary and non-monetary



Loans

- Only from financial institutions
- Loan not considered a contribution
- Loan payment considered expense

Campaign Expenses



- Limit set in your municipality's campaign financing by-law
- Eligible expenses may include:
 - Newspaper advertisements, pamphlets, signs
 - Hall or room rentals
 - Food and refreshments for candidates, campaign workers
 - Travel expenses such as gas

Recording contributions and expenses



- All candidates to keep an accurate record
- Retain records for at least 2 years after the election

Reporting: Election Finance Statement



- All registered candidates must file with CAO after election
- Simple user-friendly form provided
- Filed within timeframe established in municipal by-law
- Available to the public

Penalties for not filing election finance statement



- Elected Candidates – Forfeiture of seat on council
- Candidates not elected – ineligible until after next general election

Employee Code of Conduct



- Required for all municipalities
- Department providing sample policy
- Adopt by resolution or by-law

Code of Conduct



- Must include conflict of interest rules
- Sets out types of conduct prohibited
- Establishes procedure for disclosure



Code of Conduct addresses:

- Confidentiality
- Use of municipal property or assets
- Use of position
- Involvement in community and political activities
- Family and personal relationships
- Outside work or business activities

Summary



- Statements of Assets and Interests
- Municipal Election Campaign Financing
- Municipal Employee Code of Conduct

Supports and Resources



- Sample by-law and forms
- Candidates Guidebook
- Election Official's Manual
- CAO Campaign Financing Manual
- Procedures Manual Update
- Election training seminars
- Provincial website: Manitoba.ca/ia