

Authority: Notice of Motion by Councillor Ootes,
seconded by Councillor Rae, July 8, 9 and 10, 1998
Intended for first presentation to Council: July 8, 1998
Adopted by Council: July 10, 1998

CITY OF TORONTO

By-law No. 459-1998

A by-law to provide for the payment of rebates to persons who make contributions to candidates for the Ward 1 - East York By-Election to be held on September 24th, 1998.

WHEREAS, Subsection 82(1) of the Municipal Elections Act, S.O.1996, hereinafter referred to as the Act, provides that a municipality may, by by-law, provide for the payment of rebates to persons who made contributions to candidates for office on the municipal council;

Now therefore, the Council of the City of Toronto HEREBY ENACTS as follows:

1. That the payment of rebates to persons who make contributions to candidates for the office of Councillor Ward 1 - East York, is hereby authorized.

- (1) An individual, corporation or trade union that, during the 1998 By-Election, makes a contribution to a candidate for the office of Councillor, Ward 1 - East York, of the City of Toronto incorporated by the City of Toronto Act, 1997 may, on or after November 2, 1998, apply to the clerk for a rebate.
- (2) The application shall be made on or before April 1, 1999, unless the candidate's campaign period is extended under paragraph 4 or 5 of subsection 68 (1) of the Act, in which case the application may be made within 6 months after the date the receipt is issued.
- (3) The application shall be in the prescribed form.
- (4) The application shall include a receipt that is signed by or on behalf of the candidate.
- (5) A candidate referred to in subsection (1) is required to comply with subsections 78 (1) to (4) of the Act, despite subsection 78 (5) of the Act; the candidate shall include with the documents filed under subsection 78 (1) or (2) of the Act, as the case may be, a copy of the receipt issued for the contribution.
- (6) The clerk shall compare the receipt filed by the applicant and the copy filed by the candidate to ensure consistency.
- (7) The clerk shall pay the applicant a rebate in accordance with subsections (8) and (9) if the following conditions are met:

1. The application complies with subsections (2), (3) and (4).
 2. The candidate has complied with subsection (5).
 3. The clerk is satisfied that the receipt filed by the applicant and the copy filed by the candidate are consistent.
 4. The clerk is satisfied that the candidate has filed documents as required by section 78 of the Act by the relevant date, and that no such document shows on its face that the candidate has incurred expenses exceeding what is permitted under section 76 of the Act.
 5. The clerk is satisfied that the candidate has paid any amount required by section 79 of the Act to the clerk by the relevant date.
 6. In the case of a contribution made on or before October 9, 1998, the time for applying for a compliance audit under section 81 of the Act in respect of the candidate's financial statement has expired.
 7. In the case of a contribution made after October 9, 1998, to a candidate whose election campaign period continues beyond that date, the time for applying for a compliance audit under section 81 of the Act in respect of the relevant supplementary financial statement has expired.
- (8) The rebate shall be calculated as follows, subject to subsection (9):
1. If the contribution is \$100 or less, the rebate is 75 percent of the contribution.
 2. If the contribution is more than \$100 but not more than \$400, the rebate is \$75 plus 50 per cent of the difference between the contribution and \$100.
 3. If the contribution is more than \$400, the rebate is the lesser of:
 - (i) \$225 plus 33 1/3 per cent of the difference between the contribution and \$400, and
 - (ii) \$350.
- (9) An applicant who makes contributions to more than one candidate may apply for a rebate in respect of each contribution, but is not entitled to receive total rebates amounting to more than the following maximums:
1. If the total of the applicant's contributions to all candidates is \$100 or less, the maximum is 75 percent of that total.

2. If the total of the applicant's contributions to all candidates is more than \$100 but not more than \$400, the maximum is \$75 plus 50 per cent of the difference between that total and \$100.
3. If the total of the applicant's contributions to all candidates is more than \$400, the maximum is the lesser of,
 - (i) \$225 plus 33 1/3 per cent of the difference between that total and \$400, and
 - (ii) \$350.

ENACTED AND PASSED this 10th day of July, A.D. 1998.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)