

Authority: Notice of Motion J(8), moved by Councillor Berardinetti, seconded by Councillor Ootes, adopted as amended, by City of Toronto Council on October 2, 3 and 4, 2001

Enacted by Council: October 4, 2001

CITY OF TORONTO

BY-LAW No. 870-2001

To authorize the payment of rebates to persons who make contributions to candidates in the by-election in Ward 31 - Beaches-East York.

WHEREAS subsection 82(1) of the *Municipal Elections Act*, 1996, as amended (“the Act”), provides that a municipality may, by by-law, provide for the payment of rebates to persons who make contributions to candidates for office on the municipal council;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Rebates shall be paid to persons who make contributions to candidates for the office of Councillor in Ward 31 - Beaches-East York in the by-election to fill this vacant seat.
2. An individual, corporation or trade union that makes a contribution to a candidate in the by-election in Ward 31 - Beaches-East York may apply to the clerk of the municipality (“the clerk”) for a rebate.
3. The application for rebate shall be made on or before June 3, 2002, unless the candidate’s campaign period is extended under paragraph 4 or 5 of subsection 68(1) of the Act. If a candidate’s campaign period is extended, the application for rebate shall be made within six months after the date the receipt for the contribution is issued.
4. The application for rebate shall be in the form established for that purpose by the clerk.
5. The application for rebate shall include a receipt in the form provided by the clerk that is signed by or on behalf of the candidate.
6.
 - (a) A candidate shall comply with subsections 78(1) to (4) of the Act;
 - (b) A candidate shall include with the documents filed under either subsection 78(1) or (2) of the Act, a copy of the receipt issued for the contribution.
7. The clerk shall compare the receipt filed by the applicant and the copy filed by the candidate to ensure consistency.
8. The clerk shall pay the applicant a rebate in accordance with sections 9 and 10 if the following conditions are met:
 - (a) The application complies with sections 3, 4 and 5;
 - (b) The candidate has complied with section 6;

- (c) The clerk is satisfied that the receipt filed by the applicant and the copy filed by the candidate are consistent;
 - (d) The clerk is satisfied that the candidate has filed the documents required by section 78 of the Act by the relevant filing 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;
 - (e) The clerk is satisfied that the candidate has paid any surplus in accordance with the provisions of section 79 of the Act within the time period stipulated in that section;
 - (f) In the case of a contribution made on or before January 17, 2002, the time for an application for a compliance audit under section 81 of the Act has expired; and
 - (g) In the case of a contribution made after January 17, 2002 to a candidate whose election campaign period continues beyond that date, the time for an application under section 81 of the Act has expired.
- 9.** (1) Subject to section 10, the rebate shall be calculated as follows:
- (a) If the contribution is \$300.00 or less, the rebate is 75 per cent of the contribution;
 - (b) If the contribution is more than \$300.00 but not more than \$1,000.00, the rebate is \$225.00 plus 50 per cent of the difference between the contribution and \$300.00;
 - (c) If the contribution is more than \$1,000.00, the rebate is the lesser of:
 - (i) \$575.00 plus 33-1/3 per cent of the difference between the contribution and \$1,000.00; and
 - (ii) \$1,000.00.
- (2) Contributions of less than \$50.00 will not receive a rebate.
- 10.** 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:
- (a) If the total of the applicant's contribution to all candidates is \$300.00 or less, the maximum is 75 per cent of that total;
 - (b) If the total of the applicant's contributions to all candidates is more than \$300.00 but not more than \$1,000.00, the maximum is \$225.00 plus 50 per cent of the difference between that total and \$300.00;

- (c) If the total of the applicant's contributions to all candidates is more than \$1,000.00, the maximum is the lesser of,
 - (i) \$575.00 plus 33-1/3 per cent of the difference between that total and \$1,000.00, and
 - (ii) \$1,000.00.

ENACTED AND PASSED this 4th day of October, A.D. 2001.

CASE OOTES,
Deputy Mayor

ULLI WATKISS
City Clerk

(Corporate Seal)