

Authority: Administration Committee Report No. 13, Clause No. 5,
as adopted by City of Toronto Council on October 29, 30 and 31, 2002
Enacted by Council: November 28, 2002

CITY OF TORONTO

BY-LAW No. 1011-2002

To authorize the payment of rebates for contributions to candidates for an office on the municipal council in the 2003 municipal election.

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 an office on the municipal council;

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

1. The payment of rebates to individuals, corporations or trade unions residing in the City of Toronto who make contributions to candidates for an office on the municipal council for the 2003 municipal election is authorized.
2. An individual, corporation or trade union residing in the City of Toronto who, during the 2003 municipal election, makes a contribution to a candidate for an office on the council of the City of Toronto may, on or after January 1, 2003, apply to the Clerk of the municipality (“the Clerk”) for a rebate.
3. Notwithstanding section 66 of the *Municipal Elections Act, 1996*, a candidate’s contribution of inventory from a prior election is not eligible for a campaign contribution rebate.
4. The application for rebate must be received by the Clerk on or before 5:00 p.m., July 31, 2004, 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 is issued.
5. The application for rebate shall be in the form established for that purpose by the Clerk.
6. 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.
7. A candidate for an office on the municipal council:
 - (a) shall comply with subsections 78(1) to (4) of the *Act*; and
 - (b) 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 and a copy of all campaign expense invoices incurred as part of the campaign.

8. A candidate for an office on the municipal council, or their spouse or same sex partner, whose campaign period is extended under paragraph 4 or 5 of subsection 68(1) of the *Act*, will not be eligible to receive a rebate application until after the candidate's campaign closes and the final document is filed under subsection 78(2) of the *Act*.
9. The Clerk shall compare the receipt filed by the applicant and the copy filed by the candidate to ensure consistency.
10. The Clerk shall pay the applicant a rebate in accordance with sections 11 and 12 if the following conditions are met:
 - (a) The application complies with sections 4, 5 and 6;
 - (b) The candidate has complied with section 7;
 - (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 December 31, 2003, 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 December 31, 2003 to a candidate whose election campaign period continues beyond that date, the time for an application under section 81 of the *Act* has expired.
11. (1) Subject to section 12, 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; or
 - (ii) \$1,000.00.
 - (2) Contributions of less than \$25.00 will not receive a rebate.
- 12.** 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; or
 - (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, or
 - (ii) \$1,000.00.

ENACTED AND PASSED this 28th day of November, A.D. 2002.

CASE OOTES,
Deputy Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)