

Authority: Administration Committee Report 4, Clause 18,
as adopted by City of Toronto Council on June 27, 28 and 29, 2006
Enacted by Council: June 29, 2006

CITY OF TORONTO

BY-LAW No. 581-2006

To amend By-law No. 972-2005, the contribution rebate by-law, to require the issuance of electronically-generated contribution receipts for candidates participating in the City of Toronto Electronic Financial Filing System (“EFFS”).

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; and

WHEREAS subsection 78(7) of the Act, provides that a municipality may, by by-law, authorize candidates seeking election to municipal office to file their financial statements and any required auditors’ reports (the “financial statements”) electronically, subject to such conditions and limits as are set out in the by-law; and

WHEREAS O. Reg. 101/97, as amended, provides that the financial statements may be electronically filed if the local council has passed an enabling by-law (the “EFFS By-law”), being City of Toronto By-law No. 580-2006;

WHEREAS candidates who choose to file financial statements electronically under the provisions of the EFFS By-law must also file original financial statements with the Clerk in accordance with the requirements and deadlines set out in the Act;

WHEREAS candidates who choose to file financial statements electronically under the EFFS must also issue all contribution receipts electronically even if the candidates are not participating in the City of Toronto contribution rebate program established under By-law No. 972-2005;

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

1. By-law No. 972-2005, being a By-law “To authorize the payment of rebates to individuals who make contributions to candidates for an office on the municipal council in the 2006 municipal election.”, is amended by adding the following new section 16:

“16. **Electronic Filing of Financial Statements (“EFFS”)**

If candidates choose to participate in the EFFS, the following provisions apply:

- (1) Candidates must issue all contribution receipts electronically (whether or not eligible for a contribution rebate) as well as file the prescribed financial statements in accordance with the Act, this by-law and the EFFS By-law.
- (2) Despite section 7, contribution receipts issued through the EFFS must have either the original or electronic signature of the candidate or their designate.

- (3) Despite subsection 8(b), candidates are not required to attach paper copies of their contribution receipts with the original financial statements filed with the City Clerk, provided the contribution receipts are electronically issued through the EFFS. Candidates must still attach copies of their campaign expense invoices to the original financial statement filing.
 - (4) Despite subsection 8(b), candidates must submit their electronic contribution receipts, as part of filing their electronic financial statements through the EFFS, either within 48 hours of filing the original financial statements with the City Clerk, or no later than within 48 hours after the filing deadlines set out in the Act.
2. All other provisions of By-law No. 972-2005 apply, with necessary modification, to candidates who participate in the EFFS.

ENACTED AND PASSED this 29th day of June, A.D. 2006.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)