

TOWN OF FORT FRANCES

NOTICE OF DEFAULT - CANDIDATE

TO: Peter Howie / Trustee - RRDSB
(Name of Candidate) (Office)
1202 Second St. E. Fort Frances, ON P9A 1P4
(Address) (Postal Code)

FROM: Elizabeth Slomke, Clerk / Returning Officer
Corporation of the Town of Fort Frances

TAKE NOTICE that you are in default of the requirements of the *Municipal Elections Act, 1996* because:

- You failed to file documents (Financial Statement – Form 4) with the Municipal Clerk, as required by Section 88.25 of the *Municipal Elections Act, 1996* on or before the relevant date / time being March 29, 2019 at 2:00 pm CST.

NOTICE OF DEFAULT

If this notice indicates that you have failed to file a document required by Section 88.25 of the *Municipal Elections Act, 1996*, the following penalty applies:

- An Unsuccessful Candidate – until the next regular election has taken place, you are ineligible to be elected or appointed to any office to which the *Municipal Elections Act, 1996* applies.

Declared before me at the Town of Fort Frances, in the District of Rainy River, this 1st day of April, 2019.


Clerk or Deputy Returning Officer

Corrupt practice and ineligibility for office

91 (1) If a person is convicted of a corrupt practice under this Act, or of an offence under the *Criminal Code* (Canada) in connection with an act or omission that relates to an election to which this Act applies, then, in addition to any other penalty provided for in this Act,

- (a) any office to which the person was elected is forfeited and becomes vacant; and
- (b) the person is ineligible to be nominated for, or elected or appointed to, any office until the next two regular elections have taken place after the election to which the offence relates. 2009, c. 33, Sched. 21, s. 8 (61).

Exception

(2) However, if the presiding judge finds that the person committed the corrupt practice or offence under the *Criminal Code* (Canada) without any intent of causing or contributing to a false outcome of the election, clause (1) (b) does not apply. 2009, c. 33, Sched. 21, s. 8 (61).

Offences re campaign finances**Offences by candidate**

92 (1) A candidate is guilty of an offence and, on conviction, in addition to any other penalty that may be imposed under this Act, is subject to the penalties described in subsection 88.23 (2),

- (a) if the candidate incurs expenses that exceed the amount determined for the office under section 88.20; or
- (b) if the candidate files a document under section 88.25 or 88.32 that is incorrect or otherwise does not comply with that section. 2016, c. 15, s. 68 (1).

Exception, action in good faith

(2) However, if the presiding judge finds that the candidate, acting in good faith, committed the offence inadvertently or because of an error in judgment, the penalties described in subsection 88.23 (2) do not apply. 2016, c. 15, s. 68 (1).

Additional penalty, candidates

(3) If the expenses incurred by or under the direction of a candidate exceed the amount determined for the office under section 88.20, the candidate is liable to a fine equal to the excess, in addition to any other penalty provided for in the Act. 2016, c. 15, s. 68 (1).

General offence

94 A person who contravenes any provision of this Act or a regulation under this Act or a by-law passed by a municipality under this Act is guilty of an offence. 2016, c. 15, s. 69.