



Municipal Representation at Fundraising Functions for Registered Parties, Registered Constituency Associations or Registered Candidates Policy

2A.017

Section: 2.0 General Government and Administrative Services
- A. Governance
Authority: Chief Administrative Officer

Statement

The Municipal District of Bonnyville (M.D.) shall provide clarity to municipal employees and elected officials regarding attendance at fundraising functions, as representatives of the municipality, held by a registered political party, registered constituency association or a registered candidate registered under the Election Finances and Contributions Disclosure Act.

Purpose

To ensure M.D. employees and elected offices are in compliance with the Election Finances and Contributions Disclosure Act as they represent the municipality in fundraising functions held by a registered political party, registered constituency association or a registered candidate registered under the Election Finances and Contributions Disclosure Act.

Procedure

For the purposes of this policy, the Election Finances and Contributions Disclosure Act will be referred to as "the Act".

(1) Representation as Representatives of the Municipality
This policy applies to employees or elected official that attend fundraising function as a representative of the municipality.

(2) Relevant Sections of the Act
Section 1(I)(ii) of the Act defines a municipality as a "prohibited corporation".

Section 16 of the Act identifies that "No prohibited corporation...shall make any contributions to a registered party, registered constituency association or registered candidate."

Section 23(1) of the Act defines a fundraising function to be "any social function held for the purpose of raising funds for the registered party, registered constituency association or registered candidate by whom or on whose behalf the function is held."

Section 23(3) defines the limit of the fee of the "tickets or otherwise" that is not considered a contribution.

Section 23(3):

If an individual charged by the sale of tickets or otherwise is made for a fundraising function held by or on behalf of a registered party, registered constituency association or registered candidate, then, for the purposes of this Act:

(a) if the individual charge is \$50 or less, it shall not be considered as a contribution unless the person who pays the charge specifically requests that it be so considered, in which case shall be allowed for expenses and shall be considered

as a contribution to the registered party, registered constituency association or registered candidate, as the case may be, and

- (b) if the individual charge is more than \$50, \$25 shall be allowed for expenses and the balance shall be considered as a contribution to the registered party, registered constituency association or registered candidate, as the case may be.

The employee or elected official who wishes to attend a fundraising function defined in the Act shall collect preliminary information regarding the function to ensure the Municipality is not legislatively prohibited from contributing to the function.

Section 51(2):

When the Chief Elected Officer is satisfied that a prohibited corporation has made a contribution in contravention of section 16, the Chief Electoral Officer may by written notice require the prohibited corporation to pay a penalty in an amount named in the notice equivalent to the amount contributed.

(2) Clarification of Fundraising Function

To assist in collecting this information, three (3) questions shall be asked:

- (a) Is the fundraising function held by or on behalf of a registered party, registered constituency association or registered candidate?
- (b) Is the charge by sale of ticket or otherwise in excess of \$50?
- (c) If the charge by sale of tickets or otherwise \$50 or less, has the employee or elected official requested the charge be accepted as a contribution?

(3) Defining Municipal Prohibition from Contributions

Should the fundraising function be held by or on behalf of a registered party, registered constituency association or registered candidate, and the charge is \$50.00 or less and the employee or elected official has not requested the charge be accepted as a contribution, the charge may be expensed to the municipality.

Should the fundraising function be held by or on behalf of a registered party, registered constituency association or registered candidate, and the charge is \$50.00 or less and the employee or elected official has requested the charge be accepted as a contribution, half of the charge may be expensed to the municipality.

Should the fundraising function be held by or on behalf of a registered party, registered constituency association or registered candidate, and the charge is greater than \$50, \$25 of the charge may be expensed to the municipality.

(4) Process for Municipal Representation Approval

Notwithstanding other policies, a process for approval for municipal attendance for a function is required to ensure specific compliancy with this Act. To ensure the municipality is compliant with the Act, the following procedure shall be followed for approval of attendance at the function.

- (a) Municipal Employees: prior authorization with the employee's supervisor.
- (b) Elected Officials: prior authorization approved by Council.
- (c) Prior to authorization, it is the approving party's responsibility to ensure compliance with this policy.

- (5) The Act supersedes this policy. Upon revisions to the Act, based on the January 1, 2013 Act, this policy may require amending.

Review Period

Within five (5) years from date adopted / amended / reviewed.

For administrative use only:

Previous Policy Number: (prior to July 24, 2019)	10.12.39
Related Documentation: (plans, bylaws, policies, procedures, etc.)	