



THE CORPORATION OF THE CITY OF MISSISSAUGA

BY-LAW NUMBER 0205-2021

A by-law to authorize the implementation of a City of Mississauga  
Municipal Election Campaign Contribution Rebate Program for the  
2022-2026 Term of Council

**WHEREAS** section 88.11(1) of the *Municipal Elections Act, 1996*, provides that a municipal council may pass a by-law authorizing the payment of rebates to individuals who make contributions to candidates for office on the municipal council;

**AND WHEREAS** section 88.11(3) of the *Municipal Elections Act 1996*, provides that the by-law enacted according to 88.11(1) shall establish the conditions under which an individual is entitled to a rebate;

**AND WHEREAS** according to section 88.25(11), the clerk may provide for electronic filing for a candidate's financial statements and may establish conditions and limits with respect to electronic filing;

**AND WHEREAS** on June 30, 2021 Council for the Corporation of the City of Mississauga approved Budget Committee recommendation BC-0024-2021 which recommends the implementation of a City of Mississauga Municipal Election Campaign Contribution Rebate Program (rebate program) for the 2022-2026 term of Council;

**NOW THEREFORE** the Council of the Corporation of the City of Mississauga hereby ENACTS as follows:

#### **DEFINITIONS**

1. For the purposes of this By-law:

**"Applicable Candidate"** means the particular Candidate that an individual has made a contribution to, who has applied to participate in the rebate program in accordance with this By-law;

**"Candidate"** means a candidate for an office on Council for the City of Mississauga;

**"City Clerk"** means the clerk of the City of Mississauga or their designate;

**"Contribution"** means a contribution of money made in the manner specified by the *Municipal Elections Act, 1996*; and

**"Election Campaign Finances Committee"** means the committee appointed by Council in accordance with section 88.37 of the *Municipal Elections Act, 1996*.

### **SCOPE**

2. The rebate program and associated rebates described in this By-law shall apply to the regular election and by-elections as defined in the *Municipal Elections Act, 1996* that take place in the City of Mississauga for the 2022-2026 term of Council.

### **CANDIDATE OBLIGATIONS**

3. In order to participate in the rebate program, a Candidate shall:
- (1) complete the registration form and submit it to the City Clerk;
  - (2) file a financial statement and auditor's report in accordance with section 88.25 of the *Municipal Elections Act, 1996* with the City Clerk including a copy of the receipts issued for each contribution received in the manner the City Clerk deems acceptable; and
  - (3) comply with all other campaign finance rules as specified in the *Municipal Elections Act, 1996* and all other rules related to the rebate program as specified by the City Clerk.

### **ELIGIBILITY FOR A REBATE**

4. In order to qualify for a rebate, an individual who makes a contribution to a Candidate must:
- (a) be a Canadian citizen;
  - (b) be at least 18 years of age;
  - (c) not be prohibited from voting according to subsection 17(3) of the *Municipal Elections Act, 1996*;
  - (d) contribute between the time the Applicable Candidate files their nomination and the day the Applicable Candidate's campaign period ends;
  - (e) contribute to an Applicable Candidate who is registered in the rebate program;
  - (f) comply with contribution rules specified in the *Municipal Elections Act, 1996*; and
  - (g) comply with the rebate program rules as specified by the City Clerk.
5. Notwithstanding Section 4 of this By-law, the following persons are ineligible to receive a rebate:
- (a) a Candidate or a person running for office on a school board in accordance with the *Municipal Elections Act, 1996*;
  - (b) any person who contributes to a Candidate where the person contributing is the spouse or child of the Candidate; and
  - (c) a corporation and any other person who is not permitted to make a contribution in accordance with the *Municipal Elections Act, 1996*.

### **ISSUANCE OF A REBATE**


6. The City Clerk shall issue a rebate to a contributor in accordance with Schedule "A" of this By-law if the following conditions are met:
- (a) the contributor or the Applicable Candidate has not contravened the *Municipal Elections Act, 1996*;
  - (b) the Applicable Candidate has registered in the rebate program;
  - (c) the Applicable Candidate has filed all documents and paid any amounts as required under the *Municipal Elections Act, 1996* by the prescribed dates; and


- (d) the City Clerk is satisfied that the receipt for the contribution in question filed by the Applicable Candidate is bona fide.
7. In addition to section 6 of this By-law, the City Clerk shall issue a rebate:
- (a) if the Applicable Candidate files their financial statement(s) in accordance with the *Municipal Elections Act, 1996* and if no compliance audit request is received by the applicable deadline for applications as set out in subsection 88.33(3) of the *Municipal Elections Act, 1996*; or
  - (b) if a compliance audit request is received and:
    - (i) the Election Campaign Finances Committee finds that the Applicable Candidate was not in contravention of the *Municipal Elections Act, 1996*; or
    - (ii) the Election Campaign Finances Committee appoints an auditor and the auditor finds that the Applicable Candidate was not in contravention of the *Municipal Elections Act, 1996*.
8. The amount of the rebate shall be calculated as per Schedule "A" attached hereto and forming part of this By-law;


**CITY CLERK OBLIGATIONS**

- 9. The City Clerk shall establish forms and procedures for the administration of the municipal campaign contribution rebate program which shall include but not be limited to the timelines for when Candidates shall register with the City Clerk to be eligible for participating in the rebate program.
- 10. The City Clerk may delegate any and all duties available according to this By-law.

ENACTED and PASSED this 29th day of September, 2021.

Approved by Legal Services <b>City Solicitor</b> City of Mississauga

Robert Genoway
Date: September 21, 2021
File: LA.25-21-144

  
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 MAYOR

  
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 CLERK

**SCHEDULE "A"**  
**CALCULATION OF REBATE**

Rebates for contributions made to a Candidate shall be calculated as follows:

1. A minimum contribution of \$100.00 made in the form specified by the *Municipal Elections Act, 1996* is required to be eligible for a rebate.
2. The maximum rebate a contributor may receive is \$1,500.00.
3. If the total contribution(s) made by a contributor to all Candidates is \$300.00 or less, the maximum rebate to be paid to the contributor is 75% of that total.
4. If the total contribution(s) made by a contributor to all Candidates is more than \$300.00 but not more than \$1,000.00, the rebate to be paid to the contributor is \$225.00 plus 50% of the difference between \$300.00 and the remainder of the contribution total.
5. If the total contribution(s) made by a contributor to all Candidates is more than \$1,000.00, the maximum rebate that will be paid to the contributor is the lesser of:
  - (i) \$575.00 plus 33.33% of the contribution amount that is over \$1,000; or
  - (ii) \$1,500.00
6. If a contributor makes multiple donations of less than the minimum requirement of \$100.00, but the total contribution for the multiple donations is equal to or greater than the \$100.00 minimum, the contributions are ineligible for rebate.