

TERMS OF REFERENCE

City of Elliot Lake Compliance Audit Committee 2022-2026

1. **Name:** Compliance Audit Committee (“Committee”)
2. **Duration:** The Committee must be established by October 1st, 2022 and will complete its work after dealing with all compliance audit applications received from the 2022 general municipal election or by-elections held before the next general municipal elections in 2022. The Committee will meet as needed with meetings to be scheduled when a compliance audit application is received. The Committee may also schedule meetings as necessary to organize and plan its work.
3. **Mandate:** The powers and functions of the Committee are set out in Section 88.33, 88.34, 88.35 and 88.36, of the Municipal Elections Act, 1996. The Committee will be required to:
 - a. Consider a compliance audit application received by an elector and decide whether it should be granted or rejected;
 - b. If the application is granted, appoint an auditor;
 - c. Receive the auditor’s report;
 - d. Consider the auditor’s report and decide whether legal proceedings should be commenced; and
 - e. Recover the costs of conducting the compliance audit from the applicant if there were no apparent contraventions and if there appears to be no reasonable grounds for having made the application.
 - f. **Membership:** The Committee will be composed of three (3) members, those being the municipal Clerks of the neighbouring municipalities of the Township of the North Shore, Town of Blind River and Town of Spanish with the Clerk of the City of Elliot Lake to act as Secretary to the Committee.

To avoid a conflict of interest, any auditor or accountant selected to undertake an audit, must not have been involved in the audits or preparation of the financial statements of any candidate(s) seeking election to City Council. Persons who have participated as candidates in local municipal elections or who have held roles on the campaigns for any such candidates which involved the giving of financial advice, will not be eligible for performing the audit.

4. **Chair:** The Committee members will select a Chair from among its members at its first meeting.
5. **Staffing and Funding:** Administration costs for such items as printing and mailing will be absorbed within the City’s Administration Budget.

The cost for engaging the services of an Auditor will be borne by the community which is the origin of the compliance audit complaint.

Legal advice will be confined to generic issues necessary to support the working of the committee. The Committee may appoint outside counsel for the purpose of advice, as necessary, on individual applications or prosecutions.

6. **Meetings:** The Committee will conduct its meetings in public, subject to the need to meet in closed session for a purpose authorized by section 239 of the Municipal Act, 2001. The City's web site will be used to communicate meetings notices, agendas and decisions.
7. **Per Diem:** A per diem of \$100 per shall be payable to the three members, or alternates, in attendance for any meeting held outside the regular business hours of any Clerk. As much as possible meetings shall be scheduled during regular business hours. Mileage shall be paid to each member according to the current municipal rate for the City of Elliot Lake.