

## **BYLAW NO. 1 OF 2013**

### **A Bylaw to Require the Public Disclosure of Campaign Contributions and Campaign Expenses of Candidates for Trustee for the Board of Trustees of Edmonton Catholic Separate School District No. 7**

**WHEREAS** the Board of Trustees of Edmonton Catholic Separate School District No. 7 (hereinafter the “Board”) believes that public disclosure of candidates’ campaign contributions and expenses provides for transparency, fairness and accountability to the electorate;

**AND WHEREAS** Section 118(2) of the *Local Authorities Election Act*, R.S.A. 2000, c. L-21 provides that a school board may by bylaw require that candidates for trustee of a school board disclose to the public statements of all their campaign contributions and expenses;

**AND WHEREAS** Section 118(4) of the *Local Authorities Election Act*, R.S.A. 2000, c. L-21 provides that a person who contravenes a bylaw passed under section 118(2) is guilty of an offence and liable to a penalty of not more than \$1000;

#### **NOW THEREFORE THE BOARD ENACTS AS FOLLOWS:**

1. This Bylaw may be cited as “The Board of Trustees of Edmonton Catholic Separate School District No. 7 Campaign Contributions and Expenses Disclosure Bylaw”.
2. In this Bylaw:
  - (a) “campaign” means events or activities in, by or on behalf of, a candidate for the purpose of promoting the election of the candidate.
  - (b) “campaign contribution” means any money paid or any donation in kind provided to or for the benefit of a candidate for the purpose of financing a campaign without compensation from the candidate, including, in support of any fundraising function for a candidate, money paid for admission charge, or ticket purchase paid for or fair market value of donated merchandise or auction items, or any other donation in kind except volunteer labour.
  - (c) “campaign expense” means:
    - (i) money spent or liabilities incurred other than an expense relating to a recount in respect of the election; and
    - (ii) the fair market value of goods and services donated or provided, by or on behalf of a candidate for the purpose of an election, but does not include volunteer labour.
  - (d) “campaign period” means the period of time between consecutive general elections of the Board, except, where a by-election is held, it means the period of time between the by-election and the preceding general election.
  - (e) “candidate” means any person who files nomination papers with the Returning Officer of The City of Edmonton for any election or by-election for trustee of the Board.
  - (f) “contributor” means an individual, organization, or corporation providing a campaign contribution.

- (g) "donation in kind" means the fair market value of goods and services donated or provided by or on behalf of a candidate during a campaign period for the purpose of an election but does not include volunteer labour.
  - (h) "fundraising function" means events or activities held for the purposes of raising funds for an election campaign of the person by whom or on whose behalf the function is held.
  - (i) "Returning Officer" means the person appointed by City of Edmonton Council to act as Returning Officer pursuant to the Local Authorities Elections Act.
3. A candidate shall keep complete and proper accounting records of all campaign contributions received and all campaign expenses incurred during the campaign period.
4. The candidate is responsible for ensuring that:
- (a) proper records are kept of all campaign contributions and campaign expenses incurred during the campaign period;
  - (b) a record is kept of the value of every campaign contribution, whether in the form of money, goods or services, and of the name and address of the contributor;
  - (c) receipts are issued for every campaign contribution accepted.
5. All candidates shall file with the Returning Officer on or before the first working day of February in the year immediately following the year in which an election for Trustees to the Board has been held, or in the case of a by-election, within 90 days after the by-election, a disclosure statement in the prescribed form, which must include:
- (a) a statutory declaration in the form of Schedule "A" to this Bylaw, stating their campaign contributions and campaign expenses; and
  - (b) a list, in the form of Schedule "B" to this Bylaw, of:
    - (i) each contributor whose cumulative campaign contributions exceed \$100.00;
    - (ii) the amount of each contributor's cumulative campaign contribution(s) under the appropriate heading; and
    - (iii) if no cumulative campaign contribution exceeded \$100.00, then Schedule "B" must still be completed and marked "Nil".
6. Upon request of any member of the public, a candidate shall complete a new Schedule "C" to detail campaign contributions in excess of \$100.00 at any time during the campaign period and that the candidate shall provide Schedule "C" to the board secretary within fifteen (15) days of such request.
7. All records of a candidate shall be retained by that candidate for a period of two years following the date on which the financial statements or statutory declarations were required to be filed under this Bylaw.

8. The Returning Officer shall forward for information, a letter summarizing campaign contributions and campaign expenses of candidates and all documents filed pursuant to this Bylaw to the Secretary of the Board within forty-five (45) days of the prescribed filing date or within thirty (30) days following the receipt of the information, whichever is later.
9. All documents filed with the Returning Officer pursuant to this Bylaw are public record upon the expiration of the time prescribed by this Bylaw for the filing of same and may on request be inspected at the offices of the Board at the 9807 – 106 Street, Edmonton, during normal office hours and may be available to the public through other media.
10. The Returning Officer shall deliver to each prospective candidate a copy of this Bylaw within forty-eight (48) hours of nomination day.
11. This Bylaw comes into force upon receiving third reading.

READ A FIRST TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013

READ A SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013

READ A THIRD TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013

**SCHEDULE "A"**

**CAMPAIGN DISCLOSURE - STATEMENT OF REVENUES AND EXPENSES  
TRUSTEE CANDIDATES FOR EDMONTON CATHOLIC SEPARATE SCHOOL DISTRICT  
NO. 7**

I, \_\_\_\_\_  
(name)

of \_\_\_\_\_  
(address)

in the Province of Alberta, do solemnly declare:

1. That I was a candidate for the position of Trustee for The Board of Trustees of Edmonton Catholic Separate School District No. 7 in the election (or by-election, as the case may be) held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

2. That the following is a true account of all the campaign contributions and campaign expenses incurred by me or by my agent on my behalf in respect of the aforesaid election:

a) Campaign Contributions:

i) Total amount of contributions of \$100.00 or less \$\_\_\_\_\_

ii) Total amount of all contributions of \$100.01 and greater  
(Together with the contributor's name, address  
and amount on the attached listing) \$\_\_\_\_\_

NOTE: For lines i and ii, include all campaign contributions as defined in section 2(b) of this Bylaw.

iii) Net Contributions (add lines i and ii) \$\_\_\_\_\_

b) Other Sources:

iv) Total amount contributed out of candidate's own funds \$\_\_\_\_\_

c) TOTAL CAMPAIGN REVENUE (add lines iii and iv) \$\_\_\_\_\_

d) Campaign Expenses Incurred:

v) Nomination Deposit \$\_\_\_\_\_

vi) Fundraising Costs \$\_\_\_\_\_

vii)	Advertising/Printing	\$ _____
viii)	Administration and Expenses (i.e. Office/Facility Space Rental, Office Administration, Office Supplies and Equipment, Electoral Materials (Maps, List of Electors, etc.), Food and Beverages/Entertainment, Telephone/Communications/Utilities, Insurance, Distribution/Postage)	\$ _____
ix)	Transportation (outside of the Capital area)	\$ _____
x)	Fair Market Value of Goods & Services Donated (as described in 2(c)(ii) of this Bylaw)	\$ _____
xi)	Other (Detail)	\$ _____
e)	TOTAL CAMPAIGN EXPENSES	\$ _____
f)	SURPLUS (DEFICIT) of Campaign Revenues Over Campaign Expenses (deduct line e from line c)	\$ _____

3. That I have no reason to believe that any monies other than those listed above have been expended by me or with my authority and consent or by any person for the purpose of assisting me in the election.
4. That I make this solemn declaration conscientiously, believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me at  
in the province of Alberta  
this        day of        20 .

\_\_\_\_\_  
(Signature of Candidate)

\_\_\_\_\_  
(To be declared before a Justice of the Peace  
Notary Public, or a Commissioner of Oaths, etc.)

**SCHEDULE "B"**

**LISTING OF CUMULATIVE CAMPAIGN CONTRIBUTIONS  
FROM CONTRIBUTORS IN EXCESS OF \$100.00**

I have accepted campaign contributions in excess of \$100.00 towards my campaign expenses from the following contributors and in the following cumulative amounts:

(Use additional space on reverse if required)

<b>Contributor Name</b>	<b>Contributor Address</b>	<b>Money Donation</b>	<b>Donation in Kind</b>	<b>Total</b>

I have no reason to believe that any cumulative campaign contributions from any contributor in excess of \$100.00 have been received or expended for the purpose of assisting me in the Election other than those listed above.

**IT IS AN OFFENCE TO SIGN A FALSE STATEMENT**

Signature: \_\_\_\_\_



