



INFORMATION FOR CANDIDATES

For the offices of:

Mayor – City of Saskatoon
Councillor – City of Saskatoon
Saskatoon Public School Board Trustee
Saskatoon Separate School Board Trustee

Election Day – October 26, 2016

Table of Contents

Greetings from the Returning Officer	1
General Information	2
Information Sources	2
Important Dates	3
Nominations Period	3
Advance Polls	3
The Advance Poll Mall Locations	3
Homebound Voting	3
Election Day	3
Becoming an Elected Official	4
Responsibilities of Office	4
City Council	4
Councillors	5
Mayor	6
Public and Separate School Board Trustees	7
Public Disclosure Requirements (Council Members)	7
Code of Conduct	8
Qualifications	8
Municipal Election Candidates	8
School Board Election Candidates	9
Voters	10
Evidence of Residence	10
Getting Started	11
Nomination Papers	11
Signing of Nomination Papers	12
Dual Roles Clarification	12
Nominations Deposit	12
Submitting Nomination Papers	12
Examination of Nomination Papers	13
Form of Candidate's Name on Ballot	13
False Statement by Candidate	13
Withdrawal of Nomination	13
Candidate Profiles	14
Disclosure of Campaign Contributions and Election Expenses	15
Mayor and Councillor	16
Public School and Separate School Board Trustees	17
Campaign Advertising	17
Election Signs	17
Advertising	17

Candidates and Candidate's Agents	18
Appointment of Candidate's Agent	18
Identification of Candidates and Agents	18
Number of Agents Permitted	19
Candidate or Agent Behaviour during Voting Hours	19
Candidate or Agent Behaviour after Voting Hours	20
Election Results	21
Computerized Vote Counting.....	21
Election Central	21
Unofficial Results.....	21
Official Results.....	21
Recount of Ballots.....	22
Information Resources and Forms Included In Candidates' Kit	23
APPENDICES	25
APPENDIX A	27
The Cities Act (116) - Public Disclosure Statement	27
APPENDIX B	29
Code of Conduct For Members Of Saskatoon City Council	29
APPENDIX C	39
Voter Identification	39
APPENDIX D	45
Bylaw No. 8491 The Campaign Disclosure and Spending Limits Bylaw, 2006.....	45
APPENDIX E	65
Frequently Asked Questions about The Campaign Disclosure and Spending Limits Bylaw, 2006 (8491).....	65
APPENDIX F	69
Public School Board – Campaign Disclosure and Spending Limits (Policy 25)	69
APPENDIX G	81
St. Paul's R.C.S.S.D. #20 Policy for Campaign Disclosure and Spending Limits	81
APPENDIX H	91
Sample Ballot	91

Greetings from the Returning Officer

Welcome to the Saskatoon Municipal and School Board Elections 2016! This handbook has been developed to assist you in preparing to be a candidate in the 2016 Local Government Elections to be held on **Wednesday, October 26, 2016**. It summarizes the relevant portions of *The Local Government Election Act, 2015* and other items necessary for a successful campaign for Saskatoon City Council or as a School Board Trustee.

This handbook contains answers to the most frequently asked questions regarding election procedures and many important facts that candidates must understand.

Of course, if you have any questions about the material in this handbook, or you would like more information about municipal and school board elections, please contact Catherine Folkersen, Returning Officer:

222 Third Avenue North
Saskatoon, SK S7K 0J5
306-986-3012
catherine.folkersen@saskatoon.ca

or visit us online at www.saskatoon.ca/election2016

Best wishes for a successful campaign.

Catherine Folkersen
Returning Officer
June 2016

General Information

This document is not inclusive of all the information related to local government election procedures and legislation, but to highlight the provisions which have a direct impact on the activities of candidates. Any person wishing to obtain a copy of *The Local Government Election Act, 2015 and the Local Government Election Regulations, 2015* should contact:

The Queen's Printer
1st Floor, 1871 Smith Street
Regina, SK S4P 3V7
Phone: 306-787-6894 or 1-800-226-7302
E-mail: qprinter@gov.sk.ca
Website: www.qp.gov.sk.ca

Information Sources

City of Saskatoon	www.saskatoon.ca
Saskatoon Public Schools	www.spsd.sk.ca
Greater Saskatoon Catholic Schools	www.gscs.sk.ca
Government Relations – Government of SK	www.saskatchewan.ca
Urban Municipalities Association	www.suma.org
Federation of Canadian Municipalities	www.fcm.ca
Queen's Printer – Government of SK	www.qp.gov.sk.ca
Municipal World Online	www.municipalworld.com

Important Dates

Nominations Period

- Tuesday, September 6, 2016 at 8:00 a.m. to Wednesday, September 21, 2016 at 4:00 p.m.
- Final Date for Filing - Wednesday, September 21, 2016 at 4:00 p.m.
- Final Date for Withdrawal - Thursday, September 22, 2016 at 4:00 p.m.

Candidates Information Sessions

- Mayoral & Councillor Candidates – SE 14, 2:00–5:00 pm City Council Chambers, City Hall
- Public School Board Candidates – SE 15, 2:00–5:00 pm City Council Chambers, City Hall
- Separate School Brd Candidates – SE 16, 2:00–5:00 pm City Council Chambers, City Hall

Advance Polls

Location	Date	Polls Open	Polls Close
City Hall, Committee Room E	Saturday, October 15	10:00 a.m.	5:00 p.m.
	Monday, October 17	11:00 a.m.	6:00 p.m.
	Tuesday, October 18	11:00 a.m.	6:00 p.m.
	Wednesday, October 19	11:00 a.m.	6:00 p.m.
	Thursday, October 20	11:00 a.m.	6:00 p.m.
	Friday, October 21	11:00 a.m.	6:00 p.m.
	Saturday, October 22	10:00 a.m.	5:00 p.m.
4 Mall Locations (list follows this table)	Saturday, October 15	10:00 a.m.	5:00 p.m.
	Thursday, October 20	11:00 a.m.	7:00 p.m.
	Friday, October 21	11:00 a.m.	7:00 p.m.
	Saturday, October 22	10:00 a.m.	5:00 p.m.
University of Saskatchewan Place Riel	Monday, October 17	9:00 a.m.	4:00 p.m.
	Tuesday, October 18	9:00 a.m.	4:00 p.m.

The Advance Poll Mall Locations

- Confederation Mall 300 Confederation Dr, Saskatoon, SK
- Market Mall 2325 Preston Ave, Saskatoon, SK
- The Centre Mall 3510 8 St E, Saskatoon, SK
- The Mall at Lawson Heights 134 Primrose Dr, Saskatoon, SK

Homebound Voting

- Application Deadline Friday, October 14, 2016 at 4:00 p.m.

Election Day

- **Wednesday, October 26, 2016**, polling places are open from 8:00 a.m. to 8:00 p.m.

Becoming an Elected Official

Becoming a member of Council or a school board trustee is a challenging and rewarding experience. As an elected official, you will have the opportunity to influence the future of your community. You will be expected to represent the local community and act on its behalf.

As a member of Council or the School Board, there will be demands on your time, energy and commitment. In addition to regular meetings, you will be required to attend special meetings, committee and board meetings and various public meetings and functions.

If elected as a member of Council or a School Board Trustee, you will be expected to serve a four-year term. Your term of office begins at the first meeting of the Council or Board following the general election and continues until the first meeting of the Council or Board following the next general election.

Responsibilities of Office

City Council

City Council consists of a Mayor and ten Councillors, elected for a term of four years. The Province of Saskatchewan, through legislation, sets out the powers of municipal governments. City Council's main powers are set out in *The Cities Act*.

All of the actions of City Council must be for one or more of the purposes set out in *The Cities Act*, section 4(2), which are as follows:

- a) to provide good government;
- b) to provide services, facilities and other things that, in the opinion of Council, are necessary and desirable for all or part of the city;
- c) to develop and maintain a safe and viable community;
- d) to foster economic, social and environmental well-being; and
- e) to provide wise stewardship of public assets.

City Council is required to carry out its business in a way which ensures that it is accountable to the people who elect it and is responsible for encouraging and enabling public participation in the government process.

City Council also plays a major role in controlling land use in the City, and gets its authority in this area from *The Planning and Development Act, 2007*.

The Mayor is the Chief Executive Officer of the City. The City Manager is the Chief Administrative Officer of the City and is responsible for the day-to-day operations of the City and its employees.

City Council has established two types of meetings – a Regular Business Meeting and a Public Hearing Meeting. Both meetings are held on the same day, typically the fourth Monday of the month, with the Regular Business meeting start at 1:00 p.m. and the Public Hearing meeting starting at 6:00 p.m.

The Governance and Priorities Committee consisting of all members of Council meets once per month typically the Monday prior to the City Council Meeting.

Councillors

The Cities Act, section 65 sets out the general duties of Councillors as follows:

- a) to represent the public and to consider the well-being and interests of the city;
- b) to participate in developing and evaluating the policies, services and programs of the city;
- c) to participate in Council meetings and Council committee meetings and meetings of other bodies to which they are appointed by the Council;
- d) to ensure that administrative practices and procedures are in place to implement the decisions of Council;
- e) subject to the bylaws made pursuant to section 55.1, to keep in confidence matters discussed in private at a Council or Council committee meeting until discussed at a meeting held in public;
- f) to maintain the financial integrity of the city;
- g) to perform any other duty or function imposed on Councillors by this or any other Act or by the Council.

Although Councillors are still considered to be part-time, the time commitment required is substantial. Meetings of City Council and the Governance and Priorities Committee routinely run for five hours, and preparation for the meetings can take between three and five hours. In addition, special meetings to deal with matters such as budget review and strategic planning are held during the day.

Apart from attending City Council and Governance and Priorities Committee meetings, Councillors are required to sit on two Standing Policy Committees, which each meet once per month typically the first and second Monday of the month, as well as approximately five other committees or boards. Committee meetings are typically held during the day.

If you are elected to City Council, you will be required to attend meetings during the business day.

Each Councillor is appointed Deputy Mayor for at least one month every year in order to fulfil the obligations of the Mayor in his or her absence, and to assist the Mayor in areas such as providing civic greetings at public events.

Formal offices are not provided for Councillors at City Hall; however, shared cubicles with a desk, telephone and filing cabinet are offered. Part-time administrative assistance is also available. To conduct City business Councillors are provided with:

- a laptop computer,
- fax machine, and
- a smart phone.

As of June 1, 2016 the annual salary of a Councillor is \$54,646, one-third of which is non-taxable. The salary of a Councillor equals 45% of the Mayor's salary. Group Insurance coverage is available, and each Councillor has the option of participating in a Group Registered Retirement Savings Plan.

Please note: The candidates elected to City Council (Mayor and Councillors) will be required to attend an Orientation Session scheduled for November 1 to 4, 2016 inclusive.

Mayor

The Cities Act, section 66 sets out the general duties of the Mayor as follows:

- 1) In addition to performing the duties of a Councillor, a Mayor has the following duties:
 - a) to preside when in attendance at a Council meeting, unless this Act or another Act or a bylaw of Council provides that another Councillor is to preside; and
 - b) to perform any other duty imposed on a Mayor by this or any other Act or by bylaw or resolution.
- 2) The Mayor is a member of all Council committees and all bodies established by Council pursuant to this Act, unless the Council provides otherwise.

The Mayor chairs all meetings of City Council. The Mayor is also a voting member of all committees which are appointed by Council.

The Mayor signs, along with the City Clerk, all bylaws which City Council passes, as well as many contracts and agreements which the City enters into.

An office at City Hall is provided for the Mayor, as well as the services of an Executive Assistant and Secretarial support. The salary of the Mayor is 85% of that of a Saskatchewan Cabinet Minister, one-third of which is non-taxable. As of June 1, 2016, the Mayor's salary is \$121,436.

Group Insurance coverage is available, and the Mayor has the option of participating in a Group Registered Retirement Savings Plan.

Public and Separate School Board Trustees

For information regarding the positions of Public School Trustee or Separate School Trustee, please contact the following:

- Public School Trustee: Public School Board Office (306) 683-8200
- Separate School Trustee: Greater Saskatoon Catholic Schools (306) 659-7000

The Public School Board consists of ten trustees, elected under a ward system, one of whom is chosen by the Trustees to be the Chair.

The Separate School Board consists of seven trustees, elected at large, one of whom is chosen by the Trustees to be the Chair.

Public Disclosure Requirements (Council Members)

The Cities Act section 116, requires Council members to file with the City Clerk, within 30 days after being elected, a public disclosure statement in order to reflect information which could create a conflict of interest.

The form requires disclosure of:

- the name of every employer, person, corporation, organization, association, or other body from which the member of council or someone in the member's family receives remuneration for services performed as an employee, director, manager, operator, contractor or agent;
- the name of each corporation in which the member of council or someone in the member's family has a controlling interest, or of which the member of council or someone in the member's family is a director or senior officer;
- the name of each partnership or firm of which the member of council or someone in the member's family is a member;
- the name of any corporation, enterprise, firm, partnership, organization, association, or body that the member of council or someone in the member's family directs, manages, operates or is otherwise involved in that transacts business with the City, the council considers appropriate or necessary to disclose, or is prescribed;
- the address or legal description of any property located in the City of Saskatoon or the Rural Municipality of Corman Park that is owned by the member of council, or someone in the member's family; or a corporation, incorporated or continued pursuant to The Business Corporations Act or the Canada Corporations Act, of which the member of council, or someone in the member's family is a director or senior officer or in which the member of council, or someone in the member's

- family has a controlling interest;
- the general nature any material details of any contract or agreement involving the member of council or someone in the member's family that could reasonably be perceived to be affected by a decision, recommendation or action of the council, and to affect the member of council's impartiality in the exercise of his or her office.
- members of Council are subject to an ongoing duty of disclosure and must submit an amendment (if required) as soon as practicable to the City Clerk after the declaration of conflict of interest; within 30 days of a material change to the disclosure statement; and, as soon as practicable after recognition of any errors on the statement.
- the disclosure statement must be updated annually with confirmation that there has been no change or if there are changes they must be detailed and must be submitted by November 30 of each year. Disclosure statements are open to public inspection.

The Cities Act Section 116, Public Disclosure Statement is provided in Appendix A

Code of Conduct

Citizens of Saskatoon expect high standards of conduct from all government officials. The quality of the City of Saskatoon's public administration and governance, as well as its reputation and integrity, depend on the highest standards of conduct from its elected representatives.

Ethics and integrity are at the core of public confidence in government and in the political process. A Code of Conduct has been established for members of City Council relating to their roles and obligations together with a procedure for the investigation and enforcement of those standards. A copy of the Code of Conduct is found in Appendix B.

Qualifications

Municipal Election Candidates

The Local Government Election Act, 2015 Section 26 outlines the qualifications for candidates to hold office. A person is qualified to be nominated as a candidate in a municipal election and to hold office as mayor or Councillor of a municipality if the person:

- (a) in the case of a municipality other than a resort village:
 - (i) on the day of the election, is at least 18 years of age; and
 - (ii) at the time he or she submits the nomination paper, is a Canadian citizen and has resided:
 - (A) in the municipality (in this case the City of Saskatoon), or on land now in that municipality (City of Saskatoon), for at least three consecutive months immediately preceding the date on which nomination papers are submitted; and

(B) in Saskatchewan for at least six consecutive months immediately preceding the date on which nomination papers are submitted.

None of the following persons is qualified to be nominated or elected or to hold office as a member of a Council:

- (a) a judge of a court; or
- (b) an auditor or solicitor of the municipality.

No person is disqualified from being nominated, elected or holding office as a member of a Council by reason of having an interest in a contract with the municipality.

An employee of a municipality or of a board or commission appointed by a Council may seek nomination and election if they have first obtained a leave of absence in accordance with *The Saskatchewan Employment Act*, subsection 2-54(1). If that employee is elected, he/she is deemed to have resigned from the position of employment on the day before the day on which he/she is declared elected unless for any reason the results of the election are overturned.

Candidates for Councillor do not have to reside in the ward in which they are running. However, all of the people nominating the candidate must be electors of the ward.

School Board Election Candidates

The Local Government Election Act, 2015, section 45 states “A person is eligible to be nominated as a candidate for and to hold office as a Board member if he/she is an elector of the school division on the day of the election and, at the time he or she submits nomination papers, is a Canadian citizen and has resided in the school division for at least three months and in Saskatchewan for at least six months.” **In order to run for the Separate School Board, you must be Roman Catholic, and all of the people signing your nomination paper must be of the Roman Catholic faith.** If you are of the Ukrainian or Chaldean Catholic rites or your faith recognizes the Pope as the leader of your church you are considered a member of the minority Catholic faith.

An employee of the Board of Education may seek nomination and election if he/she has first obtained a leave of absence in accordance with *The Saskatchewan Employment Act*, subsection 2-54(1). If that employee is elected, he/she is deemed to have resigned from the position of employment on the day before the day on which he/she is declared elected unless for any reason the results of the election are overturned.

Candidates for the Public School Board do not have to reside in the ward in which they are running. However, all of the people nominating the candidate must be electors of the ward.

Voters

The Local Government Election Act, 2015 section 36(1) states a “person is able to vote in the City of Saskatoon municipal election if, you are:

- a) a Canadian citizen on the day of the election;
- b) who is the full age of 18 years on the day of the election;
- c) who on the day of the election:
 - (i) has resided in Saskatchewan for at least six consecutive months immediately preceding the day of the election and
 - A. has resided in the City of Saskatoon or on land now in the City of Saskatoon for at least three consecutive months immediately preceding the day of the election,
 - B. or is the owner of assessable land situated in the City of Saskatoon or of land now situated in the City of Saskatoon for at least three consecutive months immediately preceding the day of the Election.”

If you don't live in the City, but do own property in the City, you may vote for the Mayor and Ward Councillor. You are not eligible to vote for the School Boards if you do not live in the City. You may only vote ONCE in the municipal election in Saskatoon, regardless of how many properties you own.

In order to vote for the Separate School Board, you must be of the religious faith of the minority that established the Separate School Division, which means that you must be of the Roman Catholic faith. If you are of the Ukrainian or Chaldean Catholic rites or your faith recognizes the Pope as the leader of your church you are considered a member of the minority Catholic faith, thereby a voter for the Roman Catholic Separate School Board.

Evidence of Residence

The Local Government Act, 2015 Section 3 defines residence for voters in the Municipal and School Board elections. The residence of a person is the place where that person normally resides. A person who is temporarily absent from the place where he or she normally resides does not lose his or her residence. If a person has more than one home in the Province, that person must choose one as his or her residence.

Voters will be required to give evidence of residence to the Issuing Deputy Returning Officer to receive a ballot for the purpose of voting in the election. Appendix C contains a list of acceptable voter identification for the 2016 Municipal and School Board Election.

Getting Started

As you prepare to become a candidate for election your nomination papers and the process to file them with the Returning Officer is very important to your initial success.

Please read the following sections carefully. The nomination process and the forms to be completed must meet all requirements of the legislation. It is the responsibility of the candidate to ensure the nomination papers are complete and all requirements are met.

Nominations are filed with the Returning Officer or Nomination Officer at the **Returning Office, 2nd Floor, City Hall, Saskatoon**. Nominations can be filed daily from **Tuesday September 6, 2016** (except Saturday and Sunday) until **Tuesday September 20, 2016** from **8:00 a.m. to 5:00 p.m.**

Nomination Day is Wednesday, September 21, 2016.

It is the last day that nominations can be filed.

Nominations close at 4:00 p.m.

The clock in the Returning Office at City Hall determines the time that nominations close.

Nomination Papers

Nomination papers for candidates will be accepted for the offices of:

- **Mayor** of The City of Saskatoon
- **Councillor** of The City of Saskatoon (Wards 1-10)
- **Trustee** of The Saskatoon Public School Board Division No. 13 (Wards 1-10)
- **Trustee** of The St. Paul's Roman Catholic School Board Division No. 20 (seven to be elected)

Nomination papers for all offices are found on-line www.saskatoon.ca or may be obtained from the **Returning Office**, Second Floor, City Hall: **City Clerks** Office City Hall or at any branch of the **Saskatoon Public Library**.

Nomination papers for the **Public School Board** may also be obtained at the Office of the Secretary, Saskatoon Public Schools, 310 - 21st Street East.

Nomination papers for the **Separate School Board** may also be obtained at the Office of the Assistant to the Director of Education, Greater Saskatoon Catholic Schools, 420 - 22nd Street East.

The nomination paper must state the name and address of the person nominated, as well as the name and address of each nominator. No nomination is valid unless the

candidate's acceptance of nomination statement is signed by the candidate and witnessed by two people and the nomination is accompanied by the required deposit.

Signing of Nomination Papers

Nomination Papers must be signed as follows:

- in the case of Mayor, by 25 voters of the municipality;
- in the case of Councillor, by 25 voters of the ward;
- in the case of Public School Trustee, by 10 voters of the ward;
- in the case of Separate School Trustee, by 10 voters of the School Division
- a voter may sign the nomination papers of more than one person.
- candidates cannot nominate themselves, ie. No candidate is able to sign their own nomination papers.
- only one person can be nominated for election on each nomination paper.

The onus of filing a bona fide nomination paper is the responsibility of the person seeking to be a candidate.

Dual Roles Clarification

- no person can be nominated as both Mayor and Councillor of the same municipality or;
- no person can be nominated as Councillor in more than one ward in a municipality.
- a person can be nominated and hold office as the Mayor or Councillor of a resort village and Mayor or Councillor of another municipality.

Nominations Deposit

Nominations for all offices require a deposit of \$100 cash or certified cheque or money order, payable to the City of Saskatoon.

Submitting Nomination Papers

The Local Government Election Act, 2015 Section 67(2) states that “nomination papers may be submitted personally or by agent by personal service, by registered mail, by ordinary mail, by fax, by email or as otherwise specified by the returning officer”. All methods of filing nominations listed in the Act will be acceptable for candidates for Mayor, Councillor and School Board Trustee for the 2016 Municipal and School Board Election.

In order for the nomination to be accepted the Nominations Deposit must be received by the close of nominations. The payment can be either a certified cheque, money order or \$100 cash.

- No personal cheques are allowed.
- Cheques must be payable to the City of Saskatoon.
- All deposits must be received by September 21, 2016 at 4:00 pm.

Examination of Nomination Papers

The Returning Officer shall permit any person to inspect any nomination paper which has been filed and provide a copy of the nomination paper, upon request.

Form of Candidate's Name on Ballot

The ballot for all offices will have candidates listed in alphabetical order by surname. Where a candidate requests, the ballot will show, in brackets, a name by which he/she is commonly known and, in the case of a municipal election, his/her affiliation with a voters' organization or the word "Independent".

In order to ensure that the ballots are printed correctly, candidates are required to complete the candidate's acceptance form correctly.

Due to ballot size constraints there will be a restricted number of letters for the line containing first names and surnames and also for the line containing occupation and affiliation, if selected. The Returning Officer will work with any candidates to reach agreement on how to present their name on the ballot if size constraints are an issue. Generally names of up to 18 characters (including spaces and hyphens) can be printed on the ballot. Titles such as doctor, reverend, father or sister will not be placed on the ballot.

False Statement by Candidate

The Local Government Election Act, 2015 is clear when outlining the obligations of a candidate to be truthful on the Candidates Acceptance form.

179(1) No person shall sign a candidate's acceptance form that contains a false statement.

(2) Every person who contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine of not more than \$1,000.

(3) If a person convicted of an offence pursuant to subsection (1) has been elected, that person's election is void, and the Council or board shall immediately declare the office to which that person was elected vacant and provide for the holding of a by-election in accordance with section 11.

Withdrawal of Nomination

A person who has been nominated may withdraw his/her nomination by filing with the Returning Officer or Nomination Officer a written statement to that effect, signed by the nominated person and two witnesses or by the Returning Officer or Nomination Officer. The withdrawal period is twenty-four (24) hours after the close of nominations. Nominations may be withdrawn at any time during office hours during the period from the receipt of the person's nomination until **4:00 p.m. on Thursday, September 22, 2016**.

Candidate Profiles

In order to assist voters in the election process, candidates for Mayor, Councillor and School Board Trustee may upload a candidate and photograph profile during the nomination period plus one day (September 22). Profiles will be self-posted on the City's election website and will also be printed in the Voters' Guide, which is distributed to each home in the city and is also available at libraries and civic facilities.

In order for a candidate to be granted access to the site for uploading a profile and photograph, the nomination papers and deposit must be received by the Returning Officer. The candidates will receive further instruction on accessing the website for profile uploading when their nomination is received by the Returning Officer.

Candidate profiles may include:

- a statement of no more than 150 words, (the Returning Officer reserves the right to cut any profiles longer than 150 words at end of the 150th word)
- a head-and-shoulders photograph of the candidate, and
- contact information (not included in the 150 word count).

The Returning Officer will not check candidate profiles for spelling, grammar or other errors. The Returning Officer is not responsible for investigating or verifying the accuracy of any information provided in the profile.

Candidate profiles are only accepted on the website from September 6, 2016 – September 22, 2016, 4:00 pm (one-day following Nomination Day).

Candidate profiles submitted by e-mail or hard copy will not be accepted.

Voters will be informed that all candidates' names and occupations are presented in their respective wards. Candidates who choose not to upload a profile and photograph will have no further information accompanying their name and occupation.

Disclosure of Campaign Contributions and Election Expenses

Candidates are responsible for reading the Bylaw entitled *The Campaign Disclosure and Spending Limits Bylaw, 2006*, Bylaw 8491, to ensure that campaign contributions and expenditures are reported as outlined. In order to ensure that candidates are aware of all of the necessary provisions in this Bylaw, a copy of the Bylaw is included as Appendix D. Also included as Appendix E is a list of frequently asked questions regarding campaign contributions and election expenses.

All candidates for the Municipal Election (Mayoral and Councillor candidates) must keep complete records of all campaign contributions received during the period of January 1, 2013 to December 31, 2016 and of all campaign expenses incurred for the period of August 1, 2016 to October 31, 2016*. In addition, candidates are required to prepare and file a Statutory Declaration that discloses to the public all of their campaign contributions and expenses.

Candidates should note that *The Campaign Disclosure and Spending Limits Bylaw, 2006*, Bylaw 8491 defines a campaign expense as “the cost of goods and services and the value of any donation in kind, used by or for the benefit of the candidate during the election expenses period for the purpose of a candidate’s election campaign, regardless of whether those costs are incurred, or the donation in kind provided, before, during or after the election expenses period, but does not include audit fees, volunteer labour or services”. ***All expenses that are incurred for the purpose of being elected, even if they are incurred prior to August 1, 2016 must be disclosed.***

The Declarations and Statements of Revenues and Expenditures, once filed with the Returning Officer, are public documents and can be examined by any member of the public. In addition, the Returning Officer is required to report to Council the information in the Declarations and the name of any candidate who has not complied with the requirement to file a Statutory Declaration. This information will also be posted on a bulletin board in City Hall, and posted on the City’s election website.

It is an offence for City Council candidates to not comply with *The Campaign Disclosure and Spending Limits Bylaw, 2006*. A person failing to comply with the bylaw may be prosecuted. If convicted, a candidate is liable for a fine up to \$5,000 per day of non-compliance. In addition, a successful candidate who is convicted of failing to file a Statutory Declaration within the time limit or files a false, misleading or incomplete Statutory Declaration is disqualified from Council and must resign immediately.

Municipal, Public and Separate School Board candidates will forfeit their \$100 nomination deposit if they do not file their Statutory Declaration by the required deadline or otherwise fail to comply with any other provision of the bylaw.

Please note that any breach of the bylaw could result in disqualification from City Council for 12 years.

Mayor and Councillor

The total campaign expenses for Mayoral candidates must not exceed **\$200,749.56** and the total campaign expenses of a candidate for Councillor must not exceed **\$20,074.96**.

The Statutory Declaration must be filed with the Returning Officer as follows:

- in the case of a candidate for Councillor, by 5:00 p.m. on Thursday, January 26, 2017 and
- in the case of a candidate for Mayor, by 5:00 p.m. on Monday, February 27, 2017.

The Declarations must list:

- a total of all campaign contributions received during the period of January 1, 2013 to December 31, 2016;
- every contributors cumulative campaign contribution over \$250.00 during the period of January 1, 2013 to May 31, 2016 with the corresponding name of each contributor.
- every contributors cumulative campaign contribution over \$100.00 between the periods of June 1, 2016 and December 31, 2016 with the corresponding name of each contributor.
- a total of campaign expenses incurred between August 1, 2016 and October 31, 2016; and

Candidates please note that **campaign expense** is the cost of goods and services and the value of any donation in kind, used by or for the benefit of the candidate during the election expenses period for the purpose of a candidate's election campaign, **regardless of whether those costs are incurred, or the donation in kind provided, before, during or after the election expenses period**, but does not include audit fees, volunteer labour or services". All expenses that are incurred for the purpose of being elected, even if they are incurred prior to August 1, must be disclosed. Candidates for Council (Mayoral and Councillor) will report on **Line 2(b) of Schedule A Statutory Declaration of Candidates for Municipal Office within the City of Saskatoon with Campaign Expenses and Campaign Contributions**.

City Council candidates (only) will need to describe how any surplus funds will be used.

In addition, Mayoral candidates must submit an audited Statement of Campaign Revenues and Expenses. Upon filing the audited Statement of Campaign Revenues and Expenses, Mayoral candidates will be reimbursed as follows:

- a) the lesser of \$750.00 or the actual cost of the audit (plus GST), where campaign expenses are less than \$5,000.00, or;
- b) the lesser of \$2,000.00 or the actual cost of the audit (plus GST) where campaign expenses are more than \$5,000.00

Public School and Separate School Board Trustees

Both School Boards have passed motions for campaign disclosure and spending limit requirements similar to those for City Council. Attached as Appendix E is a copy of the Public School Board's requirements, and attached as Appendix F is a copy of the Separate School Board's requirements.

Campaign Advertising

Campaign advertising such as election signs, posters, websites, or printed materials shall not display:

- City of Saskatoon Logo,
- City of Saskatoon Civic Election Logo,
- City of Saskatoon Crest,
- City of Saskatoon Seal or,
- other City of Saskatoon identification.

The following provisions of the *The Temporary Sign Bylaw, 1996*, Bylaw 7491, and, *The Zoning Bylaw*, Bylaw 7800 govern the placement of election signs used during City Council and School Board elections and placed on **public property**.

Election Signs

An election sign is a temporary sign which is displayed in connection with the election. Signs such as those on billboards, bus benches or buses are not considered to be temporary election signs.

Election signs may be erected 45 days prior to the day of the election. (September 11, 2016)

Candidates will be provided an Election Sign package when they file their nomination package with the Returning Officer.

To preview information see www.saskatoon.ca

- The Temporary Sign Bylaw, No. 7491
- Zoning Bylaw No. 8770 Appendix A
- The Poster Bylaw No. 7565

Advertising

The following sections of *The Local Government Election Act, 2015* apply to Municipal and School Board elections: Section **182**

(1) In this section:

(a) “**advertisement**” means any of the following that refers to any election or promotes the candidacy of a particular person:

(i) a visual publication, display or representation consisting of images or text;

- (ii) any audio publication or representation;
- (iii) any advertisement, hand bill, placard, poster, circular or circular letter pamphlet;
- (iv) any electronic or digital display;
- (v) any radio or television broadcast that refers to any election or promotes the candidacy of a particular person;

(b) “**distribute**” means to do any of the following:

- (i) print, or produce by any other process;
- (ii) publish;
- (iii) distribute by mail or otherwise;
- (iv) post;
- (v) disseminate or broadcast.

(2) No person shall distribute or cause to be distributed any advertisement that promotes the candidacy of a particular person unless there is included in, or unless there appears on the face of the advertisement:

- (a) the name of the candidate on behalf of whom the advertisement is distributed; and
- (b) the name of the person who has authorized its printing, display and distribution.

(3) Every person who distributes an advertisement in a manner that is not in accordance with subsection (2) is guilty of an offence and liable on summary conviction to a fine of not more than \$5,000, to imprisonment for a term of not more than two years or to both.

Candidates and Candidate’s Agents

Appointment of Candidate’s Agent

Candidates wishing to appoint a Candidate’s Agent(s) must first complete an appointment form, available from the Returning Officer. Upon presentation of this form to the Deputy Returning Officer at the poll, the agent, upon taking an oath of secrecy, will be permitted to exercise his/her functions as an agent.

Identification of Candidates and Agents

Candidates should wear their "Candidate's Badge" (which will be supplied when the nomination papers are filed), so that they are easily recognized by the election officials at poll locations. Candidates and agents must take an Oath of Secrecy when entering a poll location for the first time.

The Oath of Secrecy remains at the poll location. Therefore, candidates and their agents must take another Oath of Secrecy if they go to another poll location.

Number of Agents Permitted

Two agents for each candidate are entitled to be present in the polling place during voting hours in addition to the candidate.

After Voting hours, either the candidate or his or her agent is entitled to be present at the vote counting machine (Accuvote®) to witness as the Receiving Deputy Returning Officer tabulates the polling place results.

Candidate or Agent Behaviour during Voting Hours

At the Polling Location

The Local Government Election Act, 2015 has strict regulations regarding the conduct of candidates and their agents on Election Day.

Section 176: During the hours that a poll is open, no candidate, no agent of any candidate nor any other person shall, in the polling place or within 100 metres of the building in which the poll is held:

- (a) canvass or solicit votes;
- (b) persuade or compel a person to vote or refrain from voting;
- (c) make any communication to a person regarding any matters relating to voting or the election, other than through the deputy returning officer; or
- (d) display, distribute or post a campaign sign, a specimen ballot for a person whose name is on the ballot for election, or any other material purporting to explain how to vote, or leave any of the preceding materials in a voting compartment, except as provided by this Act.

Inside the Polling Location

- The Deputy Returning Officer (DRO) may designate the location in a polling place from which an agent or candidate may observe the conduct of the election.
- **Candidates and their agents must situate themselves and act in accordance with the DRO's instructions.**
- A candidate or agent may object to the entitlement of any person intending to vote and, upon such an objection, the DRO shall:
 - (a) require the person to complete a voter's registration form if the person has not already done so;
 - (b) enter the objection in the poll book opposite the name of the person;
 - (c) note in the poll book the name of the person who made the objection; and
 - (d) initial the entry in the poll book.
- A candidate or agent may make a request to the DRO with respect to any person intending to vote to:

- (a) see the evidence of identity or;
 - (b) verify that the procedures to establish identity and residence have been followed.
- On receipt of a request made by a candidate or agent to see the evidence of identity, or verification that the procedures to establish identity and residence have been followed, the DRO shall require the person to:
 - (a) show the evidence of identity to the candidate or agent whether or not the person has already done so; or
 - (b) verify with the candidate or agent that the procedures to establish identity and residence regulations have been followed.

To provide the candidate or agent with the evidence of identity, the voter will place their identification on a clip board. The DRO while holding the clip board will allow the candidate or agent to review the identification but not to touch the identification. Once the above-noted steps have been followed, the person will be allowed to vote. The candidate or agent must not interfere in any way.

The DRO will note any and all objections in the poll book. Once the DRO has ensured that the voter has complied with the requirement for a declaration and is satisfied that the voter's identity has been established, a ballot will be provided.

- Candidates and their agents may enter and leave as they please during the hours that the poll is open, provided that no candidate has more than the allowed number of agents present at one time.
- **Candidates and their agents must not visit with voters in the polling location. They are free to leave the location if they wish to speak with a voter.**
- Candidates and their agents do not have the right to question the electors or to influence their voting decision in any way.

Every election official, clerk and agent of a candidate in attendance at a polling place shall adhere strictly to the **principle of secrecy of the vote** and shall not communicate or attempt in any way whatsoever at any time to communicate information known to them as to the person for whom any vote is given.

Candidate or Agent Behaviour after Voting Hours

The ballots will not be counted by hand (see Computerized Vote Counting, in Election Results). Therefore, candidates and their agents cannot observe the counting. They can observe all of the activities of the election officers, which include the printing of the Statement of Results from the vote counting unit (Accuvote®). The DRO shall give a copy of this statement to any candidate or agent, upon request.

Ballots may only be handled by Deputy Returning Officers. There is no instance in which it would be acceptable for a candidate or agent to touch a ballot during an election

other than when casting their own vote.

Election Results

Computerized Vote Counting

The election will be conducted utilizing computerized vote counting equipment. The reason for this is to ensure accuracy in counting the ballots. Results will also be available much quicker than when ballots are counted manually. There are several ballots permutations:

1. Mayor, Ward Councillor, Public School Board Trustee;
2. Mayor, Ward Councillor, Separate School Board Trustee
3. Public School Trustee (Ward 7, Whitecap Dakota First Nation Voters)
4. Mayor, Ward Councillor (Individuals not resident in Saskatoon but owning property in Saskatoon)

A sample ballot is shown in Appendix H.

Voters will mark their ballot by filling in the oval to the left of the candidate's name. The voter then places the ballot in a secrecy sleeve and proceeds to the vote counting unit where the Receiving Deputy Returning Officer feeds the ballot into the unit. This ballot is electronically counted and the information is stored on the machine's memory. At the close of the poll, the information is forwarded to City Hall.

Election Central

The media broadcasts election results from City Hall after the close of polls on Election Day. Candidates and the public are welcome to come to City Hall to follow the election results.

Unofficial Results

Unofficial results will be displayed in the Council Chambers, City Hall, following the close of the polls at **8:00 p.m. on election night, October 26, 2016.**

Live results will also be posted on the City's website at www.saskatoon.ca

Official Results

The official results will be formally declared by the Returning Officer at **11:00 a.m. on Friday, October 28, 2016**, at the Returning Office, City Hall.

A poll-by-poll breakdown of the results may be obtained from the Office of the City Clerk on or after **Monday, November 7, 2016**. They will also be posted on the City's website at:

www.saskatoon.ca/org/clerks_office/elections/index.asp

Recount of Ballots

The Local Government Election Act, 2015 Sections 158 - 160 guide the actions of a Returning Officer in the post-election phase with respect to situations which automatically require a recount and those which may be requested by a voter or candidate.

www.saskatoon.ca/elections2016 will post the Recount of Ballots procedures in October 2016.

Information Resources and Forms Included In Candidates' Kit

All candidates will receive the following materials and information

- Candidate Badge
- List of Polling Places
- List of Advance Polls
- List of Special Polls
- Form T - Appointment of Candidate's Agent
- The Controverted Municipal Elections Act
- Election Sign Package
- Candidate Profile Requirements

Ward maps are also available in the City Clerk's Office during the Nomination period.

APPENDICES

APPENDIX A

The Cities Act (116) - Public Disclosure Statement

116(1) Subject to the regulations, every member of council shall, within 30 days after being elected, file a public disclosure statement with the clerk in the form provided by the council.

(2) A public disclosure statement required pursuant to subsection (1) must contain:

(a) the name of:

- (i) every employer, person, corporation, organization, association or other body from which the member of council or someone in the member's family receives remuneration for services performed as an employee, director, manager, operator, contractor or agent;
- (ii) each corporation in which the member or someone in the member's family has a controlling interest, or of which the member or someone in the member's family is a director or a senior officer;
- (iii) each partnership or firm of which the member of council or someone in the member's family is a member; and
- (iv) any corporation, enterprise, firm, partnership, organization, association or body that the member of council or someone in the member's family directs, manages, operates or is otherwise involved in that:

(A) transacts business with the city;

(B) the council considers necessary or appropriate to disclose; or

(C) is prescribed;

(b) the municipal address or legal description of any property located in the city or an adjoining municipality that is owned by:

- (i) the member of council or someone in the member's family; or
- (ii) a corporation, incorporated or continued pursuant to *The Business Corporations Act* or the *Canada Corporations Act*, of which the member or someone in the member's family is a director or senior officer or in which the member or someone in the member's family has a controlling interest;

(c) the general nature and any material details of any contract or agreement involving the member of council or someone in the member's family that could reasonably be perceived to be affected by a decision, recommendation or action of the council and to affect the member's impartiality in the exercise of his or her office; and

(c) any other prescribed information or contents.

(3) Every member of council who has previously filed a public disclosure statement pursuant to subsection (1) shall annually submit a declaration that:

- (a) declares that no material change has occurred since the last public disclosure statement was filed pursuant to this section; or
 - (b) details the material changes that have occurred since the last public disclosure statement was filed pursuant to this section.
- (4) The annual declaration required pursuant to subsection (3) must be submitted on or before November 30 in each year.
- (5) The clerk shall:
 - (a) note any change reported pursuant to clause (3)(b) on the member's public disclosure statement and the date on which the change was noted;
 - (b) make each public disclosure statement filed pursuant to subsection (1) and each declaration submitted pursuant to subsection (3) available for public inspection during normal business hours; and
 - (c) if directed to do so by council, give copies of the statements to any designated officials.
- (6) Notwithstanding subsection (3), a member of council is subject to an ongoing duty of disclosure and is, in any of the following circumstances, required to submit to the clerk within the stated period a written amendment to the member's public disclosure statement:
 - (a) if the member declares a conflict of interest, as soon as is practicable after the declaration;
 - (b) if there is a material change to the information detailed in the disclosure statement, within 30 days after the material change;
 - (c) if there is a recognition by the member or another person of an error or omission, as soon as is practicable after the error or omission is recognized.
- (7) The Lieutenant Governor in Council may make regulations prescribing information and other matters, conditions, exceptions and limitations respecting a public disclosure statement to be filed pursuant to this section.

APPENDIX B

Code of Conduct For Members Of Saskatoon City Council

1. INTRODUCTION

Purpose

Citizens of Saskatoon expect high standards of conduct from all government officials. The quality of the City of Saskatoon's public administration and governance, as well as its reputation and integrity, depend on the highest standards of conduct from its elected representatives.

Ethics and integrity are at the core of public confidence in government and in the political process. The purpose of this Code of Conduct is to provide standards for members of Saskatoon City Council relating to their roles and obligations, and a procedure for the investigation and enforcement of those standards.

Section 55(b)(ii) of *The Cities Act* provides that Council may establish "rules for the conduct of Councillors, of members of Council committees and of members of other bodies established by Council".

2. STATUTORY OBLIGATIONS

A. Statutory Offences with Penalties

Section 120 of *The Cities Act* provides that a member of Council is disqualified from Council if the member:

- (a) when nominated, was not eligible for nomination or election as a candidate pursuant to *The Local Government Election Act*;
- (b) ceases to be eligible for nomination or election or to hold office pursuant to *The Local Government Election Act* or any other Act;
- (c) is absent from all regular Council meetings held during any period of three consecutive months, starting with the date that the first meeting is missed, unless the absence is authorized by a resolution of Council;
- (d) is convicted while in office:
 - (i) of an offence punishable by imprisonment for five years or more; or
 - (ii) of an offence pursuant to section 123, 124 or 125 of the *Criminal Code of Canada* (eg. municipal corruption);

- (e) contravenes:
 - (i) a bylaw passed pursuant to section 145.1 of *The Local Government Election Act* (eg. fails to file a statement of election contributions and expenses in accordance with the provisions of The Campaign Disclosure and Spending Limits Bylaw); or
 - (ii) section 116 or 117 of *The Cities Act* (eg. fails to file a public disclosure statement or fails to declare a pecuniary interest); or
- (f) ceases to reside in the city.

B. Statutory Duties of City Councillors and the Mayor

Section 65 of *The Cities Act* specifies the following duties for all members of Council:

- (a) to represent the public and to consider the well-being and interests of the City;
- (b) to participate in developing and evaluating the policies, services and programs of the City;
- (c) to participate in Council meetings and Council Committee meetings and meetings of other bodies to which they are appointed by the Council;
- (d) to ensure that administrative practices and procedures are in place to implement the decisions of Council;
- (e) to keep in confidence matters discussed in private at a Council or Council committee meeting until discussed at a meeting held in public;
- (f) to maintain the financial integrity of the City;
- (g) to perform any other duty or function imposed on Councillors by this or any other Act or by the Council.

Section 66 of *The Cities Act* provides that the Mayor has the following additional duties:

- “(a) to preside when in attendance at a Council meeting, unless this Act or another Act or a bylaw of Council provides that another Councillor is to preside;
- (b) to perform any other duty imposed on a Mayor by this or any other Act or by bylaw or resolution.”

C. Confidential Information

In addition to the statutory duties set out in section 65(e) of *The Cities Act*, Council members shall:

- refrain from disclosing or releasing by any means to any member of the public or the media, any confidential information acquired by virtue of their office in either oral or written form, except when required by law or authorized by Council to do so;
- not use confidential information (such as knowledge respecting bidding on the sale of City property or assets) for personal or private gain, or for the gain of relatives or any person or corporation; and
- refrain from accessing or attempting to gain access to confidential information in the custody of the City unless it is necessary for the performance of their duties and not prohibited by Council policy.

3. APPROPRIATE USE OF CITY ASSETS AND SERVICES

A. Expectation of Privacy

All City Council members are notified that all computers, cell phones, blackberries and other electronic devices provided by the City are the property of the City, and shall, at all times, be treated as the City's property. Council members are hereby notified that they are to have no expectation of privacy in the use of these devices.

Council members are entitled to use these devices for personal as well as for City purposes. However, they are hereby notified that:

- (a) all emails or messages sent or received on City devices are subject to *The Local Authority Freedom of Information and Protection of Privacy Act*;
- (b) all files stored on City devices, all use of internal email and all use of the internet through the City's firewall may be inspected, traced or logged by the City;
- (c) in the event of a complaint pursuant to this Policy, Executive Committee may require that any or all of the electronic devices provided by the City to Council members may be confiscated and inspected as part of the investigation including downloading information which is considered relevant to the investigation. All email messages or internet connections may be retrieved.

B. Appropriate Use

Members of City Council are entitled to various City-paid services or resources, and in using said resources they shall:

- follow the same rules and practices regarding reimbursement of travel expenses that are followed by civic staff;
- use City resources including civic staff, postage, photocopiers, phones, newsletters, stationery and any other civic property and equipment, with the exception of electronic devices, for civic business only; and
- refrain from including personal information on civic business cards or on the civic webpage.

4. GIFTS AND BENEFITS

No member of Council shall accept a fee, gift or personal benefit that is connected directly or indirectly with the performance of his or her duties of office, unless permitted by the exceptions listed below. For these purposes, a fee or gift or benefit that is paid to or provided with the member's knowledge to a member's spouse, partner, child or parent that is connected directly or indirectly to the performance of the member's duties is deemed to be a gift to that member.

The following are recognized as exceptions:

- (a) such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation, provided that the value of the gift or benefit does not exceed \$750.00;
- (b) a suitable memento of a function honouring the member;
- (c) food, lodging, transportation, event tickets or entertainment provided by provincial, regional and local governments or political subdivisions of them, by the Federal government or by a foreign government within a foreign country, or by a conference, seminar or event organizer where the member is either speaking or attending in an official capacity; and
- (d) food and beverages consumed at banquets, receptions, business lunches or similar events, if attendance serves a legitimate business purpose, the person extending the invitation or a representative of the organization is in attendance, and the value is reasonable and the invitations infrequent.

5. ACTIONS DURING CIVIC ELECTION PERIODS

No member of Council shall use the facilities, equipment, supplies, services or other resources of the City (including Councillor newsletters, the City's website and websites linked through the City's website) for any election campaign or campaign-related activities. Any campaign-related activities that occur in City Hall or any civic facility must take place in a location that is normally available for rental to the public and which has been arranged through the normal rental process. No member shall use the services of civic staff for election-related purposes during hours in which those civic staff members receive any compensation from the City.

For greater clarity and to ensure that members of Council do not receive any undue benefit by virtue of being an incumbent, during the period between Nomination Day (i.e. the second-last Wednesday in September of an election year) and the date of the election, Council members will:

- refrain from using any City-owned resources, including but not limited to cell phones, blackberries, business cards, laptop computers, civic phone number, email address, official photograph, and City crest, for election-related purposes;
- refrain from using City postage or other resources for mass mailings of any kind, regardless of whether or not they are specifically related to the election campaign;
- refrain from wearing the Mayor's Chain of Office at any event, regardless of whether or not it is related to the election campaign;
- refrain from putting their City-issued phone number and e-mail address as their contact information on their campaign material;
- refrain from placing ward information updates in community newsletters;
- refrain from referring to themselves in campaign advertisements as "Councillor X" or "Mayor Y";
- refrain from organizing activities such as formal openings of facilities or public spaces or similar events; and
- strictly adhere to all of the rules that govern candidates in local elections.

6. LEAVES OF ABSENCE

Occasionally a member of Council will take a leave of absence in order to run for elected office of another level of government. During the period of the leave the Council member:

- will not receive any confidential agendas, communications or documents from the City;

- will receive copies of all public information;
- will not be required to return their City-issued material during the period of the unpaid leave, but will not use it for any non-civic purpose; and
- will not be reimbursed for any mileage or telephone or similar expenses.

7. COMPLIANCE

All members of Council shall cooperate in any investigation made pursuant to this Section.

A. Statutory Offences with Penalties

A complaint under this Section of the Code must be in writing and must be made either:

- (a) by a member of Council; or
- (b) by the City Clerk except where the matter relates to section 117 (i.e. failure to declare a pecuniary interest).

The City Clerk shall forward all complaints, including the name of the complainant, to the Executive Committee (in camera), and to the member about whom the complaint is made.

Upon receipt of a complaint under this Section of the Code, the Executive Committee shall meet, in camera, excluding the member of Council concerned, and decide whether to proceed to investigate the complaint or not. The Executive Committee, in its sole discretion, may decide to take no action on the complaint. In that event, the member of Council concerned shall be notified of the Executive Committee's decision.

If the Executive Committee decides to investigate the complaint, it shall take such steps as it may consider appropriate, which may include hiring an independent investigator, seeking legal advice, etc. All proceedings of Executive Committee regarding the investigation shall be in camera.

If the Executive Committee believes that the member of Council concerned has breached section 120 of *The Cities Act*, it shall advise the member of Council of this, and give them an opportunity to make oral or written submissions to the Committee.

If the Executive Committee concludes that the member of Council concerned has breached section 120 of *The Cities Act*, it may, in its sole discretion, decide to advise the Council member concerned of its conclusion and of its intent to recommend to City Council that the appropriate proceedings be commenced pursuant to section 121 of *The Cities Act*.

Section 121 of *The Cities Act* provides that a member who is disqualified must resign immediately. If a member of Council does not resign as required, the Council or an elector may apply to a judge of the court for:

- (a) an order determining whether the person was never qualified to be or has ceased to be qualified to remain a member of Council; or
- (b) an order declaring the person to be disqualified from Council.

Should the Council member concerned not resign immediately, the Executive Committee may, in its sole discretion, recommend to City Council that the appropriate proceedings pursuant to section 121 of *The Cities Act* be commenced against the Council member concerned.

B. Breach of Confidentiality regarding subsection 65(e) of The Cities Act and/or the Confidential Information Section of this Policy

Where a member of Council or a member of the City's Senior Administration has reason to believe that a breach of confidentiality has occurred, the facts, as they are known, shall be reported in writing to the Executive Committee (in camera). If the facts, as reported, include the names of a member or members of Council who are alleged to be responsible for the breach, the member or members of Council concerned shall receive a copy of the report to Executive Committee.

The Executive Committee shall meet, in camera, excluding the member or members of Council concerned, if known, and decide whether to proceed to investigate the potential breach or not. The Executive Committee, in its sole discretion, may decide to take no action in the matter. In that event, the member or members of Council concerned, shall be notified of the Executive Committee's decision.

If the Executive Committee decides to investigate the complaint, it shall appoint an independent investigator to conduct the investigation. All proceedings of Executive Committee regarding the investigation shall be in camera.

Upon receipt of the report of the independent investigator, the Executive Committee shall meet to consider the matter. If one or more Council members are named in the investigative report as being potentially responsible for the breach of confidentiality, that member or members shall be excluded from the meeting.

If the Executive Committee believes that the member or members of Council named are responsible for a breach of confidentiality, it shall advise the member or members of this, and give them an opportunity to make oral or written submissions to the Committee.

If the Executive Committee concludes that the member or members of Council named are responsible for a breach of confidentiality, it may, in its sole discretion, decide to recommend to City Council that sanctions be imposed. The Council member or members concerned shall be advised of the Executive Committee's conclusion and recommendations.

C. All Other Breaches of this Policy

A complaint under this Section must be in writing and must be made either:

- (a) by a member of Council; or
- (b) by the City Clerk.

The City Clerk shall forward all complaints to the Executive Committee (in camera) and to the member about whom the complaint is made.

Upon receipt of a complaint under this Section, the Executive Committee shall meet, in camera, excluding the member of Council concerned, and decide whether to proceed to investigate the complaint or not. The Executive Committee, in its sole discretion, may decide to take no action on the complaint. In that event, the member of Council concerned shall be notified of the Executive Committee's decision.

If the Executive Committee decides to investigate the complaint, it shall appoint an independent investigator to conduct the investigation. All proceedings of Executive Committee regarding the investigation shall be in camera.

If, after receipt of the report of the independent investigator, the Executive Committee believes that the member of Council concerned has breached a provision of this Policy, it shall advise the member of Council of this, and give them an opportunity to make oral or written submissions to the Committee.

If the Executive Committee concludes that the member of Council concerned has breached a provision of this Policy, it may, in its sole discretion, decide to recommend to City Council that sanctions be imposed. The Council member concerned shall be advised of the Executive Committee's conclusion and recommendations.

D. Sanctions

The Cities Act does not provide specific sanctions for Council members who breach their statutory duties pursuant to sections 65 and 66 of *The Cities Act* or the rules of conduct established by this Policy pursuant to subsection 55(b)(ii) of *The Cities Act*.

City Council does have the right to sanction Council members provided that Council members continue to have sufficient access to information and services so as to be able to carry out their duties as Council members. Sanctions may include, but are not limited to:

- (a) removal of the Council member from any national or provincial organization, civic board, commission, authority or committee except for Executive Committee, Planning and Operations, Administration and Finance and Budget Committee;

- (b) restriction of access to civic services or City Hall;
- (c) restrictions on how documents are provided (eg. no electronic copies, but only watermarked paper copies);
- (d) reduction in salary and/or benefits and/or expenses.

APPENDIX C

Voter Identification

All voters must provide identification to be eligible to vote. The purpose of the voter identification is to provide proof of identity and establish the voter's address. Photo identification is your best option but there are other alternatives available to you.

You require only **one original** piece of identification if it has your **photo, name and address** and it is issued by a federal, provincial, or municipal government. Most people use their **Saskatchewan Driver's License**. If you are a non-driver, you may obtain photo identification from Saskatchewan Government Insurance at little or no cost. If your identification does not meet these criteria it will not be recognized as an acceptable form of photo identification.

Examples include:

- A valid Saskatchewan Driver's License. If you have a two-piece license, you need both pieces.
- A valid Saskatchewan ID card issued by SGI or any motor license issuer. (Available for \$10 or free for seniors).
- Any other valid government issued photo ID issued by a Canadian government whether federal, provincial or municipal, or an agency of that government, as long as it includes your name and address.

Government issued photo ID is the BEST form of identification at the polls!

Please note: A Canadian passport is not an acceptable form of photo identification because it does not contain your address. However, a Canadian passport can be used as identification if paired with another document that has your name and address on it.

Acceptable Non-photo ID Options (requires 2 pieces of information)

If you don't have photo identification and are unable to obtain photo identification before Election Day, you can present **two pieces of information** as long as both contain your name and at least one contains your address. Examples include:

Valid ID cards or certificates issued by:

- the Canadian or Saskatchewan government
- a Saskatchewan municipality or school division
- a Saskatchewan Indian band,
- the Métis Nation of Saskatchewan or an agency of one of these entities.

- personal correspondence, benefit/contribution statements and tax/assessment notices issued by any of the above entities,
- bank/credit union cards, credit cards and statements,
- utility bills and statements issued within six months of the date of the election,
- personalized attestation of residence, letter of stay or admission form issued by a seniors or student residence, long-term care or shelter facility.

Vouching

A person without acceptable ID but who is accompanied by another voter who has acceptable ID and is entitled to vote in the same municipality can be vouched for by the accompanying individual using the form available at the polling station from an election official.

A voter with acceptable ID may only vouch for **one** other person, except for immediate family members living at the same address as the voucher. A person who has been vouched for cannot vouch for another voter. Election officials, candidates and candidate's agents are prohibited from vouching.

Things to Know

Before you head to the polls ensure your identification is acceptable. Identification that would not be acceptable as proof of identity includes:

- ID that is expired.
- ID that is not original (copied or otherwise reproduced).
- A general (not personal) attestation of residence, class or membership lists and other documents showing multiple names.

Information that is issued monthly (utility bills, bank statements) must be dated within **six months** preceding election day to be acceptable and information issued annually (property tax bill) must be dated within the **same year** the election is being held.

Getting ID

Election Day is **Wednesday, October 26, 2016**. Take the time to ensure that you have acceptable ID. Below is a list of resources to help you acquire the proper identification:

- Find a driver's licence and photo ID issuer.
- Obtain a Driver's Licence or Non-Driver's Photo ID from SGI.
- If you reside at a long term care facility, senior or student residence or currently utilize a shelter facility or soup kitchen, you can have the responsible authority of the facility provide you with a Certification of Identity and Residence Form.

Complete List of Acceptable Identification

Remember that in the absence of valid, photo ID (see above) voters must have **two** pieces of identification, both of which have the **voter's name**, and at least **one** of which also has his or her **address**.

Information Showing Name

The following *original* documents containing the name of the bearer (no copies):

- Birth Certificate
- Canadian Blood Services Donor Card
- Canadian Passport
- Certificate of Canadian Citizenship (Citizenship Card) issued by Citizenship and Immigration Canada
- Certificate of Indian Status (Status Card) or Secure Certificate of Indian Status issued by the Government of Canada
- Canadian National Institute for the Blind (CNIB) client card bearing the person's photograph and signature or a card bearing the person's photograph and signature issued by any registered charitable organization that provides services to persons with disabilities.
- Credit Card issued by a bank or credit union.
- Debit Card issued by a bank or credit union.
- Identification issued by the Canada Border Services Agency
- Identification issued by Canadian Air Transport Security Agency (CATSA)
- Identity Card issued by the Canadian Forces
- Employee card issued by the Government of Canada, the Government of Saskatchewan, a Saskatchewan municipality, a school division or an Indian Band in Saskatchewan, or an agency of one of these entities
- Firearm Possession and Acquisition Licence or Possession Only Licence issued pursuant to *The Firearms Act* (Canada)
- Hunting, Angling or Trapping Licence issued pursuant to *The Fisheries (Saskatchewan) Act*, 1994 or *The Wildlife Act*, 1998
- Hospital bracelet /Hospital card
- Métis Nation Status Card issued by the Métis Nation – Saskatchewan
- Old Age Security Card issued pursuant to *The Old Age Security Act* (Canada)
- Pleasure Craft Operator Card issued pursuant to *The Canada Shipping Act*
- Parolee identification card or other identification card issued by an institution under the authority of the Commissioner of the Correctional Service of Canada
- Radio Operator Card or Certificate issued by Industry Canada
- Saskatchewan Driver's Licence issued pursuant to *The Traffic Safety Act*

- Saskatchewan Health Services Card issued pursuant to *The Health Administration Act*
- Social Insurance Number Card issued by the Government of Canada
- Student Identification Card issued by a post-secondary institution regulated by a Saskatchewan Act
- Union Identification Card
- Veterans Affairs Canada Health Identification Card
- Wildlife Habitat Certificate
- Professional or trade certification or licence
- Any other piece of any other piece of identification issued by the Government of Canada, the Government of Saskatchewan, a Saskatchewan municipality, a school division or an Indian Band in Saskatchewan, the Métis Nation - Saskatchewan or an agency of one of these entities bearing the person's name.

Information Showing Name and Address

The following valid and original documents containing the name and address of the bearer:

- Any document bearing the person's name and address and issued by the Government of Canada, the Government of Saskatchewan, a Saskatchewan municipality, a school division or Indian band in Saskatchewan, the Métis Nation – Saskatchewan or an agency of one of these entities
- A Certification of Identity and Residence that is substantially in the form of Form A of Appendix A in *The Local Government Election Regulations* issued by the responsible authority of a shelter, soup kitchen, student residence, senior residence, or long-term care facility
- One of the following documents issued by the responsible authority of a shelter, soup kitchen, student residence, senior residence, or long-term care facility:
 - a) Letter of Stay
 - b) Admission Form
 - c) Statement of Benefits
 - d) An original or copy of an original document provided by the facility that includes the resident's name, facility address and other relevant information indicating that the individual resides at the facility, such as:
 - (i) a resident data sheet;
 - (ii) a Face Sheet from the Care Organizer Health Record System; or
 - (iii) a similar document that is kept on record by the facility.
- Bank Card Statement issued by a bank or credit union
- Blank cheque bearing the person's name and address
- Credit Card Statement issued by a bank or credit union

- Certificate of Title issued by the Information Services Corporation
- Certificate of vehicle registration issued pursuant to *The Traffic Safety Act*
- Correspondence issued by a post-secondary institution regulated by a Saskatchewan Act
- Declaration witnessed by a notary public or Commissioner of Oaths
- Document issued or certified by a court in Canada
- Documents issued by a utility that supplies telephone, cable television, electricity, gas, or water services
- Government cheque or cheque stub issued by the Government of Canada, the Government of Saskatchewan, a Saskatchewan municipality, a school division or Indian band in Saskatchewan, the Métis Nation – Saskatchewan or an agency of one of these entities
- Income Tax Assessment Notice issued by the Canada Revenue Agency
- Insurance policy
- Letter from the Public Guardian and Trustee
- Pay cheque or pay receipt issued by an employer
- Pension plan Statement of Benefits, Contributions or Participation
- Property Tax Assessment Notice or a Tax Notice issued by a municipality
- Residential Lease or Mortgage Statement
- Statement of Crop Insurance issued by the Saskatchewan Crop Insurance Corporation
- Statement issued by the Worker's Compensation Board
- Statement of government benefits (employment insurance, old age security, social assistance, disability support or child tax benefit) issued by the Government of Canada or the Government of Saskatchewan
- Voter identification card issued by a Saskatchewan municipality that shows name and address

APPENDIX D

Bylaw No. 8491 The Campaign Disclosure and Spending Limits Bylaw, 2006

**Codified to Bylaw No. 9374
May 24, 2016**

BYLAW NO. 8491

THE CAMPAIGN DISCLOSURE AND SPENDING LIMITS BYLAW, 2006

Whereas *The Local Government Election Act*, S.S. 1982-83, c. L-30.1, provides that a Council may, by bylaw, establish disclosure requirements respecting campaign contributions and expenses, and establish campaign spending limits;

And Whereas the Council of The City of Saskatoon is desirous of enacting such a bylaw;

Now Therefore The Council of The City of Saskatoon enacts:

Part I

Short Title and Interpretation

Short Title

1. This Bylaw may be cited as The Campaign Disclosure and Spending Limits Bylaw, 2006.

Definitions

2. In this Bylaw:
 - (a) “campaign contribution” means any money paid, or any donation in kind provided, to or for the benefit of a candidate during the election contribution period for the purpose of financing an election campaign, including revenue raised from a fundraising event by the sale of tickets or otherwise, but does not include volunteer labour or services;
 - (b) “campaign expense” means the cost of goods and services and the value of any donation in kind, used by or for the benefit of the candidate during the election expenses period for the purpose of a candidate’s election campaign, regardless of whether those costs are incurred, or the donation in kind provided, before, during or after the election expenses period, but does not include audit fees, volunteer labour or services;
 - (c) “candidate” means a person nominated in accordance with The Local Government Election Act for election to Council;
 - (c.1) “Chartered Professional Accountant” means a member in good standing of the Institute of Chartered Professional Accountants of Saskatchewan; (Effective – June 1, 2016 - Bylaw No. 9369)

- (d) “City” means The City of Saskatoon;
- (e) “Clerk” means the City Clerk of The City of Saskatoon appointed pursuant to Section 85 of *The Cities Act*;
- (f) “contributor” means an individual, organization or corporation providing a campaign contribution;
- (g) “Council” means the Council of The City of Saskatoon
- (g.1) “CPI” means the Statistics Canada Consumer Price Index; **(Effective – June 1, 2016 - Bylaw No. 9369)**

(h) “donation in kind” means 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 or services;

- (h.1) “election advertising” means the transmission to the public by any means of an advertising message that promotes or opposes the election of a candidate, and includes one in which the candidate’s name or image is predominately featured promoting, sponsoring, endorsing or launching any project or enterprise if, in the opinion of the Election Disclosure Complaints Officer, it can reasonably be inferred that the message is intended to promote the election of that candidate, but shall not include advertising done in the ordinary course of the candidate’s business;

- (i) “election contribution period” means:

- (i) in the case of the general election to be held on October 25, 2006, the period beginning April 1, 2006 and ending on December 31, 2006;
- (ii) in the case of all subsequent general elections, the period between January 1st of the year following the preceding general election and ending on December 31st of the year of the next general election; and

- (iii) in the case of a by-election to fill a vacancy on Council, the period beginning on the day following the meeting at which Council decides to hold the by-election and ending 60 days following election day;

- (j) “election expenses period” means:

- (i) in the case of a general election, the period beginning on August 1 of an election year and ending on October 31st of an election year; and
- (ii) in the case of a by-election to fill a vacancy on Council, the period beginning on the day following the meeting at which Council decides to hold the by-election and ending 10 days following election day;

- (k) “fundraising event” means events or activities held for the purpose of raising funds for an election campaign of the person by whom or on whose behalf the function is held;
- (l) “registered charity” means a registered charity within the meaning of the *Income Tax Act*;
- (m) “Returning Officer” means the returning officer within the meaning of *The Local Government Election Act*; and
- (n) “volunteer labour or services” means labour or services provided for no remuneration but does not include labour or services provided by an individual:
 - (i) if the individual is self-employed and the labour or services provided are normally sold or otherwise charged for by that individual; or
 - (ii) if the individual is being paid by an employer, individual or organization for providing the labour or services.

Part II

Election Expenses and Contributions

Limitation on Campaign Expenses

3. (1) The maximum allowable campaign expenses of a candidate for Mayor or Councillor for any election campaign shall not exceed the limits determined in accordance with this section.
- (2) The maximum allowable campaign expenses of a candidate for Mayor shall be determined by application of the following formula:

$$\text{MCE} = \$0.75 \times (\text{IE} \div \text{IB}) \times \text{P}$$

where: MCE = mayoralty candidate's expenses

\$0.75 = allowable campaign expense per capita

IE = CPI for the City up to March 1st in an election year

IB = CPI for the City for 2012 up to October 1st

P = total population of the City as established by the most recent municipal wards commission.

(Effective – June 1, 2016 - Bylaw No. 9369 and Bylaw No. 9374)

- (3) The maximum allowable campaign expenses of a candidate for Councillor shall be ten percent (10%) of the maximum allowable expenses of a mayoralty candidate as established pursuant to subsection (2).

Official Agent

- 3.1 (1) A candidate for mayor shall appoint an official agent who shall be responsible for the financial records relating to the election campaign.
- (2) A candidate for mayor may serve as his or her own official agent.
- (3) The appointment of an official agent shall not relieve the candidate for mayor from responsibility for compliance with the provisions of this Bylaw.

- (4) Any remuneration paid to an official agent shall not be considered a campaign expense.

(Effective – June 1, 2016 - Bylaw No. 9369)

Candidate to Keep Records

- 4. (1) A candidate for election to Council shall keep complete and proper accounting records of all campaign contributions and all campaign expenses.
 - (2) Without limiting the generality of subsection (1), the candidate is responsible to ensure that:
 - (a) proper records are kept of receipts and expenses;
 - (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; and
 - (c) all records kept in accordance with this Section remain in the possession and under the control of the candidate at all times.

Candidate's Statement of Election Expenses and Contributions

- 5. (1) A candidate shall disclose his or her campaign contributions and expenses in accordance with this Section.
 - (2) A candidate shall file a Statement of Election Expenses/Contributions with the Returning Officer:
 - (a) in the case of a candidate for mayor, within four months following the date of a general election or by-election; and
 - (b) in the case of a candidate for Councillor, within three months following the date of a general election or by-election.
 - (3) A candidate shall file a Statement of Election Expenses/Contributions which shall include:
 - (a) a Statutory Declaration in writing in the form prescribed in Schedule "A" to this Bylaw providing a statement of the total campaign contributions and the total campaign expenses of the candidate for that election campaign;

- (b) a list in writing in the form prescribed in Schedule “B” to this Bylaw that shall include the following information in relation to election contributions:
 - (i) the name of each contributor whose cumulative campaign contribution exceeded \$100.00;
 - (ii) the cumulative amount that each of the named contributors has given to the candidate; and
 - (iii) if no contributor’s cumulative campaign contribution exceeded \$100.00, a notation to that effect; and
- (c) a list of all campaign expenses and contributions, a full accounting of all campaign expenses and contributions relating to fundraising events, details relating to donations-in-kind and details relating to loans received for the purposes of an election campaign in the form prescribed in Schedule “C” to this Bylaw.

(Effective – June 1, 2016 - Bylaw No. 9369)

Auditing

6. (1) A candidate for mayor shall have the Statement of Campaign Revenues and Campaign Expenses (Schedule “C”) audited by a Chartered Professional Accountant in accordance with generally accepted auditing standards, and in compliance with the applicable rules of the Institute of Chartered Professional Accountants of Saskatchewan. **(Effective – June 1, 2016 - Bylaw No. 9369)**
- (2) The auditor shall complete the Statement of Auditor on the Statement of Campaign Revenues and Campaign Expenses (Schedule “C”) prior to the candidate filing the statement with the Returning Officer.
- (3) If a mayoralty candidate files a properly audited Statement of Campaign Revenues and Campaign Expenses (Schedule “C”), the City shall reimburse the candidate for the cost of the audit as follows:
 - (a) where the campaign expenses are less than \$5,000.00, the candidate shall receive the lesser of \$750.00 or the actual cost of the audit, plus GST;
 - (b) where the campaign expenses are \$5,000.00 or more, the candidate shall receive the lesser of \$2,000.00 or the actual cost of the audit, plus GST.**(Effective – June 1, 2016 - Bylaw No. 9369)**
- (4) The maximum allowable limits for reimbursement of auditing costs for the 2012 general election shall be as prescribed in paragraphs 3(a) and (b). For all subsequent elections, the maximum allowable limits shall be adjusted to reflect

the cumulative rate of inflation in Saskatoon since the immediately preceding election.

False or Misleading Statement

7. No candidate shall file with the Returning Officer a false, misleading or incomplete Statement of Campaign Expenses/Contributions.

Fundraising Events

8. (1) All contributions received at fundraising events and all costs associated with fundraising events must be included in the Statement of Election Expenses/Contributions required under this Bylaw; however, the costs associated with a fundraising event shall not be considered a campaign expense for the purpose of calculating a candidate's maximum allowable campaign expenses.
- (2) Receipts must be issued:
- (a) for all funds received at or relating to a fundraising event, including ticket purchases, money given in response to a general collection and money solicited from persons in attendance; and
 - (b) for all expenses relating to a fundraising event.
- (3) Where the price of a ticket to a fundraising event exceeds the cost per ticket of the event, the excess shall be considered a campaign contribution and where that excess is \$100.00 or more, the name of the purchaser of the ticket shall be included in the list of campaign contributors required under this Bylaw.
- (4) The name of every person who contributes \$100.00 or more in response to a general collection or solicitation of money at a fundraising event shall be included in the list of campaign contributors required under this Bylaw.
- (5) The City Clerk, or any other person appointed by Council, shall have the authority to audit a candidate's records relating to fundraising events. **(Effective – June 1, 2016 - Bylaw No. 9369)**

Anonymous Contributions

9. (1) No candidate shall accept an anonymous campaign contribution. **(Effective – June 1, 2016 - Bylaw No. 9369)**
- (2) If a candidate receives an anonymous campaign contribution, the candidate shall ensure that the contribution shall not be used or spent, but shall be donated to a registered charity of the candidate's choice within 30 days of the receipt of the contribution. **(Effective – June 1, 2016 - Bylaw No. 9369)**

Campaign Surplus

- 9.1 If a Candidate's Statement of Election Expenses/Contributions, filed with the Returning Officer in accordance with Section 5, discloses a surplus for the candidate's campaign, the candidate shall disclose how the surplus funds will be used by providing the appropriate details in the Statutory Declaration attached hereto and marked as Schedule "A".

Deferral of Campaign Expenses

- 9.2 Campaign expenses incurred by a candidate in an election shall not be carried forward to be considered as allowable campaign expenses in a subsequent election. **(Effective – June 1, 2016 - Bylaw No. 9369)**

Publication of Disclosure Statements

10. (1) All documents filed with the Returning Officer pursuant to this Bylaw are public documents and, upon the expiration of the time prescribed by this Bylaw for filing the documents, may, on request, be inspected at the office of the Clerk during regular office hours.
- (2) The Clerk shall retain the documents referred to in subsection (1) in accordance with the City's records retention and disposal schedule established pursuant to Section 90 of *The Cities Act*.
- (3) The Returning Officer shall forward to Council for its information, a report summarizing the campaign contributions and campaign expenses of each candidate, with a notation for any candidate who has exceeded the limit on campaign expenses pursuant to Section 3, and the names of any candidates who fail to file the required disclosure statements pursuant to Sections 5 and 6.
- (4) The Clerk shall post in a conspicuous place a summary of the campaign contributions and expenses of each candidate, with a notation for any candidate who has exceeded the limit on campaign expenses pursuant to Section 3, and the names of any candidates who fail to file the required disclosure statements pursuant to Sections 5 and 6.
- (5) In addition to the requirements of subsections (3) and (4), the Clerk shall post on the City's website the Statement of Campaign Contributions and Expenses for all candidates seeking election in the immediately preceding election, whether the candidate was elected or not.

Deposits

- 10.1 A deposit submitted by a candidate for the office of Councillor or mayor pursuant to section 46.1 of *The Local Government Election Act* shall not be returned to the candidate unless the candidate and the candidate's business manager have complied with the provisions of this Bylaw.

Retention of Records by Candidate

11. All records of a candidate required to be maintained pursuant to this Bylaw shall be retained by that candidate for the duration of the term of office for which the candidate sought election. **(Effective – June 1, 2016 - Bylaw No. 9369)**

Part III

Election Disclosure Complaints Officer

Election Disclosure Complaints Officer Designated

12. Council hereby designates the Election Disclosure Complaints Officer as the person to investigate complaints pursuant to this Bylaw.

Appointment and Eligibility to Hold Appointment

13. (1) A person appointed as the Election Disclosure Complaints Officer pursuant to Section 12 shall be appointed for a term of two years or until a successor is appointed.

(2) A person who is appointed as the Election Disclosure Complaints Officer shall:

- (a) be a Canadian citizen;
- (b) be over the age of 18 years; and
- (c) have a general knowledge of this Bylaw.

(3) No person who is a member of Council or any employee of the City or the City's controlled corporations is eligible to be appointed as the Election Disclosure Complaints Officer.

Remuneration

14. The Election Disclosure Complaints Officer shall be paid remuneration and reimbursement for expenses in accordance with the rates established from time to time by Council.

Duties

15. (1) The Election Disclosure Complaints Officer shall be responsible to investigate any complaint that a candidate has filed a false, misleading or incomplete disclosure of election contributions or expenses.

(2) For the purposes of carrying out an investigation pursuant to subsection (1), the Election Disclosure Complaints Officer may retain the services of any person that the Election Disclosure Complaints Officer considers necessary to assist him or her to carry out the investigation of the complaint, and the cost of the services shall be considered an expense to be reimbursed pursuant to Section 14.

Complaint

16. (1) A complaint that a candidate has filed a false, misleading or incomplete disclosure of election contributions or expenses shall be in writing and shall contain:

- (a) the name, mailing address and telephone number of the complainant;
- (b) the name of the candidate who is the subject of the complaint;
- (c) the nature of the complaint and the material facts upon which the complaint is made; and
- (d) the name, address and telephone number of any person that may have information that will assist in the investigation of the complaint.

(2) A complaint pursuant to subsection (1) shall be filed with the Clerk.

(3) Upon receipt of a complaint, the Clerk shall forward the complaint to the Election Disclosure Complaints Officer.

Referral from Returning Officer

17. If, in the opinion of the Returning Officer, a candidate's disclosure of election contributions and expenses is, on its face, irregular or suspicious, the Returning Officer may refer the matter to the Election Disclosure Complaints Officer for investigation notwithstanding that no formal complaint has been filed with the Clerk.

Investigation

18. (1) Upon receipt of a complaint, the Election Disclosure Complaints Officer shall:

- (a) contact the complainant and acknowledge receipt of the complaint;
- (b) advise the complainant about the procedures that will be followed in investigating the complaint; and
- (c) obtain from the complainant any information required to investigate the complaint.

(2) In addition to the requirements of subsection (1), the Election Disclosure Complaints Officer shall notify the candidate that is the subject of the complaint that a complaint has been received and shall provide the candidate with a copy of the complaint.

(3) The Election Disclosure Complaints Officer shall obtain from the candidate any information required to investigate the complaint.

- (4) In carrying out an investigation, the Election Disclosure Complaints Officer may inspect, at all reasonable times, all books, documents and accounting records of the candidate.
- (5) The Election Disclosure Complaints Officer may make copies of anything referred to in subsection (4).
- (6) Every candidate that is the subject of an investigation by the Election Disclosure Complaints Officer shall cause all books, documents and accounting records pertaining to the candidate's election campaign to be available for inspection by the Election Disclosure Complaints Officer at all reasonable times.
- (7) If a person refuses to allow or interferes with an inspection described in subsection (4), the Election Disclosure Complaints Officer may apply to a justice of the peace or a provincial court judge for a warrant authorizing a person named in the warrant to:
 - (a) enter the property and carry out the inspection authorized by this Bylaw; and
 - (b) search for and seize anything relevant to the subject matter of the warrant.
- (8) No candidate or person acting on behalf of a candidate shall:
 - (a) fail to comply with any reasonable request of the Election Disclosure Complaints Officer;
 - (b) knowingly make any false or misleading statement to the Election Disclosure Complaints Officer; or
 - (c) obstruct or interfere with the Election Disclosure Complaints Officer.
- (9) No complainant pursuant to this Bylaw shall:
 - (a) fail to comply with any reasonable request of the Election Disclosure Complaints Officer;
 - (b) knowingly make a false or misleading complaint to the Election Disclosure Complaints Officer; or
 - (c) obstruct or interfere with the Election Disclosure Complaints Officer.

Decisions

- 19. (1) After completion of the investigation, the Election Disclosure Complaints Officer may:

- (a) dismiss the complaint; or
 - (b) uphold the complaint.
- (2) After a decision is made pursuant to subsection (1), the Election Disclosure Complaints Officer shall send to the complainant and the candidate a copy of the decision together with any written reasons for the decision.
- (3) The decision of the Election Disclosure Complaints Officer shall be final.
- (4) If the complaint is upheld, the Election Disclosure Complaints Officer shall send a copy of the decision to the Clerk with a recommendation that the matter be referred for review as to whether a prosecution is warranted.

Refusal to Investigate

20. (1) The Election Disclosure Complaints Officer may refuse to investigate any complaint or may terminate an investigation of a complaint if:
- (a) the complaint is received more than six months after the date for the filing of the Statement of Election Expenses/Contributions pursuant to subsection 5(2);
 - (b) in the opinion of the Election Disclosure Complaints Officer, the complaint is frivolous, vexatious, trivial or is made in bad faith; or
 - (c) in the opinion of the Election Disclosure Complaints Officer, the circumstances of the complaint do not warrant investigation.
- (2) The decision of the Election Disclosure Complaints Officer to refuse to investigate any complaint or to terminate an investigation of a complaint is final.

Report to Council

21. Upon completing the investigation of all complaints arising out of a general election or a by-election, the Election Disclosure Complaints Officer shall submit a report to Council setting out:

- (a) the number of complaints received;
- (b) the general nature of the complaints received; and
- (c) the disposition or resolution of the complaints.

Confidentiality of Information

22. (1) The report submitted by the Election Disclosure Complaints Officer pursuant to Section 21 shall be a matter of public record.
- (2) The particulars of all complaints and all information obtained by the Election Disclosure Complaints Officer shall be confidential unless the release of that information is required in accordance with the provisions of *The Local Authority Freedom of Information and Protection of Privacy Act*.

Records

23. The particulars of all complaints and all information obtained by the Election Disclosure Complaints Officer shall become part of the records of the City and shall be kept in the office of the Clerk.

Part IV Enforcement

Offences and Penalties

24. (1) Every person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction to a fine of not more than \$5,000.00 and, in the case of a continuing offence, to a further fine of not more than \$5,000.00 for each day during which the offence continues.
- (2) A conviction for an offence under this Bylaw does not relieve the person convicted from complying with the Bylaw and the convicting judge may, in addition to any fine imposed, order the person to do any act or work, within the time specified by the judge in the order, to comply with the provisions of this Bylaw.
- (3) A person to whom an order is directed pursuant to subsection (2), who fails to comply with that order within the time specified by the judge, is guilty of any offence and liable on summary conviction to a fine of not more than \$5,000.00 for each day during which the non-compliance continues.
- (4) If a candidate is the subject of an investigation pursuant to this Bylaw and the candidate is convicted of an offence against this Bylaw based on information obtained pursuant to the investigation, the convicting court may order, in addition to any penalty imposed pursuant to this Bylaw, that the candidate pay all or any costs of the investigation.

Disqualification from Office

25. (1) In addition to the penalties set out in Section 24, if a candidate who is elected contravenes any provision of this Bylaw, the candidate is disqualified from Council and shall resign immediately.
- (2) Notwithstanding subsection (1), where on application a judge of the Court of Queen's Bench is of the opinion that the disqualification of the candidate arose through inadvertence or by reason of an honest mistake, the candidate shall not be required to resign.

Part V

Miscellaneous

Coming Into Force

26. This Bylaw shall come into force on the day of its final passing.

Read a first time this 27th day of March, 2006.

Read a second time this 27th day of March, 2006.

Read a third time and passed this 27th day of March, 2006.

"Donald J. Atchison"

"SEAL"

Mayor

"Janice Mann"

City Clerk

Schedule "A"

Statutory Declaration of Candidates for Municipal Office within the City of Saskatoon with Campaign Expenses and Campaign Contributions

I, _____
(name) (address)
in the Province of Saskatchewan, do solemnly declare:

1. That I was a candidate for the position of Mayor/Councillor for The City of Saskatoon in the election held on the _____ day of _____, 20____.

2. That the following is a true account of all the campaign expenses and campaign contributions of my election campaign in respect of the aforesaid election:

(a) (a) Campaign Contributions: \$ _____
(b) Campaign Expenses: \$ _____
(c) Total Surplus (Deficit): \$ _____

3. That I intend to use the surplus as follows:

- ☐ Personal Use
☐ Charitable Donation - Specify:
☐ Other - Specify:

N/A

4. That I have no reason to believe that any campaign expenses 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.

5. 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 Saskatoon, in
the Province of Saskatchewan
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

For the period up to and including May 31, 2016, I have accepted campaign contributions in excess of \$250.00 towards my campaign expenses from the following contributors and in the following cumulative amounts:

Contributor	Amount
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

For the period after and including June 1, 2016, I have accepted in excess of \$100.00 towards my campaign expenses from the following contributors and in the following cumulative amounts:

Contributor	Amount
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

I have no reason to believe that any cumulative campaign contributions from any contributor in excess of \$250.00 for the period up to May 31, 2016, and in excess of \$100.00 thereafter have been received or expended for the purpose of assisting me in the election other than those listed above.

Signature: _____
(signature of Candidate)

Date: _____

Schedule "C"
Statement of Campaign Revenues and Campaign Expenses
for Candidates

Candidate Name: _____

Campaign Period: From _____ to _____

Campaign Period Revenues:

Campaign Contributions:

Fundraising Functions _____

Cash Donations _____

Donations in Kind _____

Loans (detail) _____

Other (detail) _____

Total Contributions (to Schedule "A"): _____

Other Revenues (including interest & self contributions): _____

Total Campaign Period Revenues: _____

Campaign Period Expenses:

Nomination Deposit _____

Fundraising Costs _____

Advertising/Printing _____

Office/Facility Space Rental _____

Office Administration _____

Office Supplies & Equipment _____

Electoral Materials (maps, list of Electors, etc.) _____

Food & Beverages/Entertainment _____

Telephone/Communications/Utilities _____

Insurance _____

Distribution/Postage _____

Transportation _____

Record Keeping Costs _____

Other (detail) _____

Total Campaign Expenses (to Schedule "A") _____

Surplus (Deficit) of Campaign Revenues Over Campaign Expenses: _____

Attestation of the Candidate

I declare that the above statement is a true account of all the campaign expenses and campaign revenues incurred by me or by my agent on my behalf in respect of the above campaign period.

Signature of Candidate: _____ Date: _____

Statement of Auditor

(To be Completed on behalf of Candidates for Mayor Only)

I declare that I have audited the above Statement in accordance with generally accepted auditing standards. In my opinion this Statement presents fairly the candidates Campaign Revenues and Expenses for the Campaign Period.

Signature of Auditor: _____ Date: _____

Name and Qualifications of Auditor: _____

APPENDIX E

Frequently Asked Questions about The Campaign Disclosure and Spending Limits Bylaw, 2006 (8491)

The following list of frequently asked questions is provided in order to assist candidates in complying with the requirements of the *Bylaw*.

1. *I am only required to list on the Statutory Declaration the names of people who contributed more than \$250.00 from the period of January 1, 2013 to May 31, 2016, and more than \$100 from June 1, 2016 onwards. Do I have to list anywhere the names of people who contributed to my campaign?*

Even though you do not have to include this information on the Statutory Declaration, you are still required to keep a record of everyone who contributed anything to your campaign. You do not file this information with the City Clerk, but you are required to retain it for the term of office for which you sought election (4 years). Therefore, you are required to have a list of the names of people who contributed to your campaign.

2. *Could the names of the people who contributed less than \$250.00 or less than \$100.00 (after June 1, 2016) ever be released to the public?*

Since you do not file this information with the City, it is not considered to be a municipal record, and you would not be compelled to disclose it under the provisions of *The Local Authority Freedom of Information and Protection of Privacy Act*. However, there may be other circumstances, such as a prosecution, in which the information might be disclosed.

3. *Can I accept an anonymous campaign contribution?*

No. If you receive a contribution and are unable to determine from whom it came, you are not allowed to spend it, and must donate it, within 30 days of receipt, to a registered charity of your choice.

A donor cannot request that his or her contribution be kept anonymous. If the source of an anonymous contribution becomes known, the identity of the individual or organization making the contribution must be recorded, or the contribution returned.

4. What is a donation in kind?

Many people prefer to donate goods or services instead of money. (This does not include volunteer labour.) These are known as donations in kind, and must first be assigned a value, and then recorded and disclosed in the same way as a monetary contribution.

Donations in kind are recorded as campaign contributions because they have been given to you for use in your campaign. They are also recorded as election expenses, because they are used by you in your election campaign. The value of the expense is not the price you pay, but rather is the usual market price. The campaign contribution is the difference between the usual market price and what you paid.

Here are three examples:

- You are a candidate for Mayor, and when setting up your campaign office you make a stop at an office supply store, where one of the owners applies a generous discount to your bill. If the office supplies would typically have cost \$100, and the business gave you a 50% discount, the campaign expense would be \$100, and the campaign contribution would be \$50.
- An acquaintance of yours makes her living as a communications professional. She has offered to provide you with some free assistance in polishing your image. She would typically charge \$200 for the three hours that she spends with you. In this case, the campaign expense would be \$200 and the campaign contribution would be \$200.
- A photographer has agreed to donate her time on a two-hour photo shoot to take your picture for campaign advertising, and only charges you for the supplies. Her normal charge is \$60 per hour. The cost of the supplies is \$50. The value of the election expense is \$170 (being the cost of her time that she donated plus the supplies that you paid for) and the value of the campaign contribution is \$120 (being the cost of her time that she donated).

5. What is the distinction between volunteer labour and a donation in kind?

A volunteer is a person who provides services for free. However the following services are not deemed volunteer services and must be valued and disclosed:

- when a self-employed person provides you with the same service for which he or she would normally charge; and
- when a person is being paid by an employer, individual or organization while providing those services.

If you are aware that a person volunteering for your campaign falls into one of the above categories, you must declare the appropriate campaign contribution, based on the market value of the service being provided.

6. What are eligible campaign expenses?

All expenses that are incurred for the purpose of being elected must be disclosed.

An election expense is the value of property, goods or services used in your campaign, either by you or by campaign workers or volunteers on your behalf. Audit fees and volunteer labour or services are not considered to be campaign expenses.

The election expense period is August 1 to October 31 of an election year. Candidates should note that *The Campaign Disclosure and Spending Limits Bylaw, 2006* defines a campaign expense as “the cost of goods and services and the value of any donation in kind, used by or for the benefit of the candidate during the election expenses period for the purpose of a candidate’s election campaign, regardless of whether those costs are incurred or the donation in kind provided, **before during or after the election expenses period**, but does not include audit fees, volunteer labour or services.”

The following would be valid election expenses:

- campaign advertising or other communication;
- operating your campaign office;
- holding or attending public meetings or other campaign-related functions or events;
- research and opinion polling; and
- campaign-related transportation.

Here are some examples:

- You have spent \$250 for sign printing and lumber, and now need some help in placing signs. A friend rounds up three co-workers who support your campaign. They first spend an hour assembling the signs, then another hour driving around town in your friend’s pick-up truck putting them up. When they get back to the office, your friend estimates that the quarter tank of gas they used would normally cost him \$20, but says not to worry about reimbursing him for the gas. You order pizza (at a cost of \$20) for them in appreciation for the work.

Sign Printing and Lumber – Campaign expense of \$250.

Labour (Sign Placement) – Volunteer labour, no value assigned.

Transportation (Gas) – Election expense of \$20 (based on estimated value of \$20).
Campaign contribution of \$20, since no payment was made.

Food – Campaign expense of \$20.

- A friend of your daughter, who is a high school student, is a budding photographer. She spends two hours taking your photograph and makes a number of prints on her home computer. She charges you only for supplies, which cost \$20.

In this case, she is a true volunteer so no value would be assigned to her time.
The campaign expense is \$20, being the cost of the supplies.

7. How do I distinguish between election advertising and any other type of advertising that I might typically do for personal or work-related reasons?

Election advertising is the transmission to the public by any means of an advertising message that promotes or opposes the election of a candidate, and includes one in which a candidate’s name or image is predominately featured promoting, sponsoring, endorsing or launching any project or enterprise. Election advertising does not include advertising done in the ordinary course of a candidate’s business.

8. Do I have to claim for goods I purchased at the last election and plan to use for this election (e.g., lawn signs)?

No, you do not have to include expenses incurred for goods purchased for a previous election.

9. If my campaign expenses exceeded contributions, do I show a deficit in Schedule “A” or show a self-contribution to balance out expenses and contribution?

It is not necessary to show a self-contribution. Schedule “A” should reflect your total campaign contributions, total campaign expenses and total surplus or deficit.

10. If I receive a loan and then pay it back during the campaign do I need to disclose this on Schedule C?

You are required to disclose any loans in the appropriate section of Schedule C. Transparency of revenues and expenditures means that candidates must be able to show how money was received and in the case of a loan, details must be provided with the papers that are filed with the Returning Officer. If there is a repayment during the campaign this should be detailed with the explanation of the loan.

APPENDIX F

Public School Board – Campaign Disclosure and Spending Limits (Policy 25)

POLICY 25 – ELECTIONS (CAMPAIGN DISCLOSURE AND SPENDING LIMITS)

1. The Board has agreed to campaign disclosure and spending limits to be followed during Trustee elections.

The Board believes in the accountability and transparency of the democratic process. This process is described in detail in this section for the public and candidates who wish to run as Trustee for Saskatoon Public Schools.

1.1. Definitions

- 1.1.1. **“campaign contribution”** means any money paid, or any donation in kind provided, to or for the benefit of a candidate during the election contribution period for the purpose of financing an election campaign, including revenue raised from a fund-raising event by the sale of tickets or otherwise, but does not include volunteer labour or services;
- 1.1.2. **“campaign expense”** means the cost of goods and services and the value of any donation in kind, used by or for the benefit of the candidate during the election expenses period for the purpose of a candidate’s election campaign, regardless of whether those costs are incurred, or the donation in kind provided, before, during or after the election expenses period, but does not include audit fees, volunteer labour or services;
- 1.1.3. **“candidate”** means a person nominated in accordance with *The Local Government Election Act* for election to the Board;
- 1.1.4. **“Board”** means the Board of Education of the Saskatoon School Division No. 13;
- 1.1.5. **“contributor”** means an individual, organization or corporation providing a campaign contribution;
- 1.1.6. **“donation in kind”** means 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 or services;
- 1.1.7. **“election contribution period”** means:
 - 1.1.7.1. in the case of general elections, the period between January 1st of the year following the preceding general election and ending on December

31st of the year of the next general election; and

- 1.1.7.2. in the case of a by-election to fill a vacancy on the Board, the period beginning on the day following the meeting at which the Board decides to hold the by-election and ending 60 days following election day;

1.1.8. **“election expenses period”** means:

- 1.1.8.1. in the case of a general election, the period beginning on August 1 of an election year and ending on October 31 on an election year; and
- 1.1.8.2. in the case of a by-election to fill a vacancy on the Board, the period beginning on the day following the meeting at which the Board decides to hold the by-election and ending 10 days following election day;

1.1.9. **“fund-raising event”** means events or activities held for the purpose of raising funds for an election campaign of the person by whom or on whose behalf the function is held;

1.1.10. **“registered charity”** means a registered charity within the meaning of *The Income Tax Act*;

1.1.11. **“volunteer labour or services”** means labour or services provided for no remuneration but does not include labour or services provided by an individual:

- 1.1.11.1. if the individual is self-employed and the labour or services provided are normally sold or otherwise charged for by that individual; or
- 1.1.11.2. if the individual is being paid by an employer, individual or organization for providing the labour or services.

1.2. Limitation on Campaign Expenses

- 1.2.1. The total campaign expenses of a candidate for Trustee shall not exceed \$10,000.00 for any election campaign.

1.3. Candidate to Keep Records

- 1.3.1. A candidate for election to the Board shall keep complete and proper accounting records of all campaign contributions and all campaign expenses.
- 1.3.2. Without limiting the generality of subsection (1), the candidate is responsible to ensure that:
 - 1.3.2.1. proper records are kept of receipts and expenses;
 - 1.3.2.2. 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; and
 - 1.3.2.3. all records kept in accordance with this Section remain in the possession and under the control of the candidate at all times.

1.4. Candidate's Statement of Election Expenses and Contributions

- 1.4.1. A candidate shall disclose his or her campaign contributions and expenses in accordance with this section.
- 1.4.2. A candidate shall file a Statement of Election Expenses/Contributions with the Chief Financial Officer.
 - 1.4.2.1. in the case of a general election, on or before the first working day of May in the year immediately following the year in which an election is held; or
 - 1.4.2.2. in the case of a by-election, within 180 days following election day.
- 1.4.3. A Statement of Election Expenses/Contributions shall include:
 - 1.4.3.1. in the case of all candidates for election to the Board:
 - 1.4.3.1.1. A Statutory Declaration in writing in the form prescribed in Schedule "A" to this Policy providing a statement of the total campaign contributions and the total campaign expenses of the candidate for that election policy.
 - 1.4.3.1.2. a list in writing in the form prescribed in Schedule "B" to this Policy that shall include the following information in relation to election contributions:
 - 1.4.3.1.2.1. the name of each contributor whose cumulative campaign contribution exceeded \$250.00;
 - 1.4.3.1.2.2. the cumulative amount that each of the named contributors has given to the candidate; and
 - 1.4.3.1.2.3. if no contributor's cumulative campaign contribution exceeded \$250.00, a notation to that effect.
- 1.4.4. A deposit submitted by a candidate for the office of School Board Trustee pursuant to section 46.1 of *The Local Government Election Act* shall not be returned to the candidate unless the candidate has complied with the provisions of School Board Policy 25 (Elections).

1.5. False or Misleading Statement

- 1.5.1. No candidate shall file with the Chief Financial Officer a false, misleading or incomplete Statement of Campaign Expense/Contributions.

1.6. Contributions from Fund-Raising Events

- 1.6.1. The net proceeds from a fund-raising event shall be considered a campaign contribution and shall be reported by a candidate to the Chief Financial Officer as a campaign contribution in the candidate's Statement of Campaign Expenses/Contributions.
- 1.6.2. Expenses incurred in holding a fund-raising event shall not be considered a campaign expense for the purposes of this Bylaw.
- 1.6.3. If money is given in response to a general collection or money is solicited from persons in attendance at a fund-raising event, the gross amount collected shall be recorded and reported by the candidate to the Chief Financial Officer as a campaign contribution in the candidate's Statement of Campaign Expenses/Contributions.
- 1.6.4. Money paid to attend a fund-raising event, or money given in response to a general collection or money solicited from a person in attendance at a fund-raising event shall not be included in the contributor's cumulative campaign contribution to a candidate.

1.7. Anonymous Contributions

- 1.7.1. No candidate shall accept anonymous campaign contribution except those received at a fund-raising event.
- 1.7.2. If a candidate receives an anonymous campaign contribution, except those received at a fund-raising event, the candidate shall ensure that the contribution shall not be used or spent, but shall be donated to a registered charity of the candidate's choice within 30 days of the receipt of the contribution.

1.8. Publication of Disclosure Statements

- 1.8.1. All documents filed with the Chief Financial Officer pursuant to this Policy are public documents and, upon the expiration of the time prescribed by this Policy for filing the documents, may, on request, be inspecting at the office of the Chief Financial Officer during regular office hours.
- 1.8.2. The Chief Financial Officer shall retain the documents referred to in subsection (1) in accordance with the City's records retention and disposal schedule established pursuant to Section 90 of *The Cities Act*.
- 1.8.3. The Chief Financial Officer shall forward to the Board for its information, a report summarizing the campaign contributions and campaign expenses of each candidate, with a notation for any candidate who has exceeded the limit on campaign expenses pursuant to Section 3, and the names of any candidates who fail to file the required disclosure statements pursuant to Sections 13.5 and 13.6.

- 1.8.4. The Chief Financial Officer shall post in a conspicuous place a summary of the campaign contributions and expenses of each candidate, with a notation for any candidate who has exceeded the limit on campaign expenses pursuant to Section 13.3, and the names of any candidates who fail to file the required disclosure statements pursuant to Section 13.5 and 13.6.

1.9. Retention of Records by Candidate

- 1.9.1. All records of a candidate shall be retained by that candidate for a period of two years following the date on which the candidate's Statement of Campaign Expense/Contributions was required to be filed.

1.10. Election Disclosure Complaints Officer Designated

- 1.10.1. The Board hereby designates the Election Disclosure Complaints Officer as the person to investigate complaints pursuant to this policy.

1.11. Appointment and Eligibility to Hold Appointment

- 1.11.1. A person appointed as the Election Disclosure Complaints Officer pursuant to Section 12 shall be appointed for a term of two years or until a successor is appointed.
- 1.11.2. A person who is appointed as the Election Disclosure Complaints Officer shall:
- 1.11.2.1. be a Canadian citizen;
 - 1.11.2.2. be over the age of 18 years; and
 - 1.11.2.3. have a general knowledge of this Bylaw.
 - 1.11.2.4. No person who is a member of the Board or any employee of the Board is eligible to be appointed as the Election Disclosure Complaints Officer.

1.12. Remuneration

- 1.12.1. The Election Disclosure Complaints Officer shall be paid remuneration and reimbursement for expenses in accordance with the rates established from time to time by the Board.

1.13. Duties

- 1.13.1. The Election Disclosure Complaints Officer shall be responsible to investigate any complaint that a candidate has filed a false, misleading or incomplete disclosure of election contributions or expenses
- 1.13.2. For the purposes of carrying out an investigation pursuant to subsection (1), the Election Disclosure Complaints Officer may retain the services of any person that the Election Disclosure Complaints Officer considers necessary to assist him or her to carry out the investigation of the complaint, and the cost of the services shall be considered an expenses to be reimbursed pursuant to Section 14.

1.14. Complaint

- 1.14.1. A complaint that a candidate has filed a false, misleading or incomplete disclosure of election contributions or expenses shall be in writing and shall contain:
 - 1.14.1.1. the name, mailing address and telephone number of the complainant;
 - 1.14.1.2. the name of the candidate who is the subject of the complaint;
 - 1.14.1.3. The nature of the complaint and the material facts upon which the complaint is made; and
 - 1.14.1.4. the name, address and telephone number of any person that may have information that will assist in the investigation of the complaint.
- 1.14.2. A complaint pursuant to subsection (1) shall be filed with the Chief Financial Officer.
- 1.14.3. Upon receipt of a complaint, the Chief Financial Officer shall forward the complaint to the Election Disclosure Complaints Officer.

1.15. Referral from Chief Financial Officer

- 1.15.1. If, in the opinion of the Chief Financial Officer, a candidate's disclosure of election contributions and expenses is, on its face, irregular or suspicious, the Chief Financial Officer may refer the matter to the Election Disclosure Complaints Officer for investigation.

1.16. Investigation

- 1.16.1. Upon receipt of a complaint, the Election Disclosure Complaints Officer shall:
 - 1.16.1.1. contact the complainant and acknowledge receipt of the complaint;
 - 1.16.1.2. advise the complainant about the procedures that will be followed in investigating the complaint; and
 - 1.16.1.3. obtain from the complainant any information required to investigate the complaint.
- 1.16.2. In addition to the requirements of 1.16.1, the Election Disclosure Complaints Officer shall notify the candidate that is the subject of the complaint that a complaint has been received and shall provide the candidate with a copy of the complaint.
- 1.16.3. The Election Disclosure Complaints Officer shall obtain from the candidate any information required to investigate the complaint.
- 1.16.4. In carrying out an investigation, the Election Disclosure Complaints Officer may inspect, at all reasonable times, all books, documents and accounting records of the candidate.

- 1.16.5. The Election Disclosure Complaints Officer may make copies of anything referred to in subsection 1.16.4.
- 1.16.6. Every candidate that is the subject of an investigation by the Election Disclosure Complaints Officer shall cause all books, documents and accounting records pertaining to the candidate's election campaign to be available for inspection by the Election Disclosure Complaints Officer at all reasonable times.
- 1.16.7. If a person refused to allow or interferes with an inspection described in subsection 1.16.4, the Election Disclosure Complaints Officer may apply to a justice of peace or a provincial court judge for a warrant authorizing a person named in the warrant to:
 - 1.16.7.1. enter the property and carry out the inspection authorized by this Policy; and
 - 1.16.7.2. search for and seize anything relevant to the subject matter of the warrant.

1.17. Decisions

- 1.17.1. After completion of the investigation, the Election Disclosure Complaints Officer may:
 - 1.17.1.1. dismiss the complaint; or
 - 1.17.1.2. uphold the complaint.
- 1.17.2. After a decision is made pursuant to subsection 1.17.1, the Election Disclosure Complaints Officer shall send to the complainant and the candidate a copy of the decision together with any written reasons for the decision.
- 1.17.3. The decision of the Election Disclosure Complaints Officer shall be final.
- 1.17.4. If the complaint is upheld, the Election Disclosure Complaints Officer shall send a copy of the decision to the Chief Financial Officer who in turn will publish this decision in the next Board file.

1.18. Refusal to Investigate

- 1.18.1. The Election Disclosure Complaints Officer may refuse to investigate any complaint or may terminate an investigation of a complaint if:
 - 1.18.1.1. the complaint is received more than six months after the date for the filing of the Statement of Election Expense/Contributions pursuant to subsection 1.5.2;
 - 1.18.1.2. in the opinion of the Election Disclosure Complaints Officer, the complaint is frivolous, vexatious, trivial or is made in bad faith; or
 - 1.18.1.3. in the opinion of the Election Disclosure Complaints Officer, the circumstances of the complaint do not warrant investigation.

- 1.18.2. The decision of the Election Disclosure Complaints Officer to refuse to investigate any complaint or to terminate an investigation of a complaint is final.

1.19. Report to the Board

- 1.19.1. Upon completing the investigation of all complaints arising out of a general election or a by-election, the Election Disclosure Complaints Officer shall submit a report to the Board setting out:
- 1.19.1.1. the number of complaints received;
 - 1.19.1.2. the general nature of the complaints received; and
 - 1.19.1.3. the disposition or resolution of the complaints.

1.20. Confidentiality of Information

- 1.20.1. The report submitted by the Election Disclosure Complaints Officer pursuant to Section 2.21 shall be a matter of public record.
- 1.20.2. The particulars of all complaints and all information obtained by the Election Disclosure Complaints Officer shall be confidential unless the release of that information is required in accordance with the provisions of *The Local Authority Freedom of Information and Protection of Privacy Act*.

1.21. Records

- 1.21.1. The particulars of all complaints and all information obtained by the Election Disclosure Complaints Officer shall become part of the records of the Board and shall be kept in the office of the Chief Financial Officer.

1.22. Coming Into Force

- 1.22.1. This policy applies to the election of October 25, 2006 and all subsequent elections thereafter.

Date Last Revised: January 12, 2016

Schedule A

Statutory Declaration of Candidates for Board of Education of the Saskatoon School Division No. 13 with Campaign Expenses and Campaign Contributions

I, _____ of _____
(name) (address)

in the Province of Saskatchewan, do solemnly declare:

1. That I was a candidate for the position of Trustee for the Board of Education of the Saskatoon School Division No. 13 in the election held on the 24th day of October, 2012.
2. That the following is a true account of all the campaign expenses and campaign contributions of my election campaign in respect of the aforesaid election:
 - a) Campaign Contributions \$ _____
 - b) Campaign Expenses: \$ _____
 - c) Total Surplus (Deficit): \$ _____
3. That I have no reason to believe that any campaign expenses 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 Saskatoon, in
the Province of Saskatchewan
this ____ day of _____, 20____.

(Signature of Candidate)

(to be declared before a Justice of the Peace,
Notary Public, or a Commissioner of Oaths)

Schedule B

Listing of Cumulative Campaign Contributions from Contributors in Excess of \$250.00

Board of Education of the Saskatoon School Division No. 13

I have accepted campaign contributions in excess of \$250.00 towards my campaign expenses from the following contributors and in the following cumulative amounts:

I have no reason to believe that any cumulative campaign contributions from any contributor in excess of \$250.00 have been received or expended for the purpose of assisting me in the election other than those listed above.

Signature: _____

Date: (Signature of Candidate)

APPENDIX G

St. Paul's R.C.S.S.D. #20 Policy for Campaign Disclosure and Spending Limits

Whereas *The Local Government Election Act*, S.S. 1982-83, c. L-30.1, provides that a school board may establish disclosure requirements respecting campaign contributions and expenses, and establish campaign spending limits;

And Whereas the Board of Education St. Paul's R.C.S.S.D. #20 is desirous of enacting such a provision;

Now Therefore the Board of Education of St. Paul's R.C.S.S.D. #20 resolves to enact the following disclosure requirements respecting campaign contributions and expenses and election campaign spending limits:

Part I Definitions

1. In this resolution:

- (a) "campaign contribution" means any money paid, or any donation in kind provided, to or for the benefit of a candidate during the election contribution period for the purpose of financing an election campaign, including revenue raised from a fund-raising event by the sale of tickets or otherwise, but does not include volunteer labour or services;
- (b) "campaign expense" means the cost of goods and services and the value of any donation in kind, used by or for the benefit of the candidate during the election expenses period for the purpose of a candidate's election campaign, regardless of whether those costs are incurred, or the donation in kind provided, before, during or after the election expenses period, but does not include audit fees, volunteer labour or services;
- (c) "candidate" means a person nominated in accordance with *The Local Government Election Act* for election to the Board;
- (d) "Board" means the Board of Education of St. Paul's R.C.S.S.D. #20
- (e) "contributor" means an individual, organization or corporation providing a campaign contribution;
- (f) "donation in kind" means 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 or services;
- (g) "election contribution period" means:

- (i) in the case of the general election to be held on October 25, 2006, the period beginning upon the passage of this resolution and ending on December 31, 2006;
 - (ii) in the case of all subsequent general elections, the period between January 1st of the year following the preceding general election and ending on December 31st of the year of the next general election; and
 - (iii) in the case of a by-election to fill a vacancy on the Board, the period beginning on the day following the meeting at which the Board decides to hold the by-election and ending 60 days following election day;
- (h) “election expenses period” means:
- (i) in the case of a general election, the period beginning on August 1 of an election year and ending on October 31st of an election year; and
 - (ii) in the case of a by-election to fill a vacancy on the Board, the period beginning on the day following the meeting at which the Board decides to hold the by-election and ending 10 days following election day;
- (i) “fund-raising event” means events or activities held for the purpose of raising funds for an election campaign of the person by whom or on whose behalf the function is held;
- (j) “registered charity” means a registered charity within the meaning of the *Income Tax Act*;
- (k) “Returning Officer” means the returning officer within the meaning of *The Local Government Election Act*; and
- (l) “volunteer labour or services” means labour or services provided for no remuneration but does not include labour or services provided by an individual:
- (i) if the individual is self-employed and the labour or services provided are normally sold or otherwise charged for by that individual; or
 - (ii) if the individual is being paid by an employer, individual or organization for providing the labour or services.

Part II

Election Expenses and Contributions

Limitation on Campaign Expenses

2. The total campaign expenses of a candidate for a member of the Board shall not exceed **\$10,000** for any election expenses period.

Candidate to Keep Records

3. (1) A candidate for election to the Board shall keep complete proper accounting records of all campaign contributions for an election contribution period and all campaign expenses for an election expenses period.

- (2) Without limiting the generality of subsection (1), the candidate is responsible to ensure that:
 - (a) proper records are kept of receipts and expenses;
 - (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; and
 - (c) all records kept in accordance with this Section remain in the possession and under the control of the candidate at all times.

Candidate's Statement of Election Expenses and Contributions

4. (1) A candidate shall disclose his or her campaign contributions and expenses in accordance with this Section.

(2) A candidate shall file a Statement of Election Expenses/Contributions with the Superintendent of Administrative Services, or such other person as the Board may specify for receipt of such statements:

- (a) in the case of a general election, on or before the first working day of May in the year immediately following the year in which an election is held; or
- (b) in the case of a by-election, not less than 180 days following election day.

(3) A Statement of Election Expenses/Contributions shall include:

(a) in the case of all candidates for election to the Board:

(i) a Statutory Declaration in writing in the form prescribed in Schedule "A" to this Resolution providing a statement of the total campaign contributions and the total campaign expenses of the candidate for that election campaign;

(ii) a list in writing in the form prescribed in Schedule "B" to this Resolution that shall include the following information in relation to election contributions:

(A) the name of each contributor whose cumulative campaign contribution exceeded \$250.00;

(B) the cumulative amount that each of the named contributors has given to the candidate; and

(C) if no contributor's cumulative campaign contribution exceeded \$250.00, a notation to that effect; and

False or Misleading Statement

5. No candidate shall file with the Superintendent of Administrative Services, or person specified in accordance with subsection 4 (2) a false, misleading or incomplete Statement of Campaign Expenses/Contributions.

Contributions from Fund-Raising Events

6. (1) The net proceeds from a fund-raising event shall be considered a campaign contribution and shall be reported by a candidate as a campaign contribution in the candidate's Statement of Campaign Expenses/Contributions.

(2) Expenses incurred in holding a fund-raising event shall not be considered a campaign expense for the purposes of this Resolution.

(3) If money is given in response to a general collection or money is solicited from persons in attendance at a fund-raising event, the gross amount collected shall be recorded and reported by the candidate as a campaign contribution in the candidate's Statement of Campaign Expenses/Contributions.

(4) Money paid to attend a fund-raising event, or money given in response to a general collection or money solicited from a person in attendance at a fund-raising event shall not be included in the contributor's cumulative campaign contribution to a candidate.

Anonymous Contributions

7. (1) No candidate shall accept an anonymous campaign contribution except those received at a fund-raising event.

(2) If a candidate receives an anonymous campaign contribution, except those received at a fund-raising event, the candidate shall ensure that the contribution shall not be used or spent, but shall be donated to a registered charity of the candidate's choice within 30 days of the receipt of the contribution.

Publication of Disclosure Statements

8. (1) The candidate's Statement of Campaign Expenses/Contributions, summary reports provided pursuant to subsection (3) and the decisions of the Election Disclosure Complaints Officer filed pursuant to this Resolution are public documents and, upon the expiration of the time prescribed by this Resolution for filing the documents, may, on request, be inspected at the office of the Superintendent of Administrative Services during regular office hours.

(2) The Superintendent of Administrative Services, or person specified in accordance with subsection 4 (2), shall retain copies of:

(a) candidates' Statement of Campaign Expenses/Contributions and the reports provided to the Board pursuant to subsection (3) for a period of two (2) years following the date on which the candidate's Statement of Campaign Expenses/Contributions was required to be filed; and

(b) the decisions of the Election Disclosure Complaints Officer for a period of ten (10) years from date of filing with the Superintendent of Administrative Services, or person specified in accordance with subsection 4 (2).

(3) The Superintendent of Administrative Services, or person specified in accordance with subsection 4 (2), shall forward to the Board for its information, a report summarizing the campaign contributions and campaign expenses of each candidate, with a notation for any candidate who has exceeded the limit on campaign expenses pursuant to Section 2, and the names of any candidates who fail to file the required disclosure statements pursuant to Sections 4 and 6.

(4) The Superintendent of Administrative Services, or person specified in accordance with subsection 4 (2), shall post in a conspicuous place a summary of the campaign

contributions and expenses of each candidate, with a notation for any candidate who has exceeded the limit on campaign expenses pursuant to Section 2, and the names of any candidates who fail to file the required disclosure statements pursuant to Sections 4 and 6.

Retention of Records by Candidate

9. All records of a candidate shall be retained by that candidate for a period of two years following the date on which the candidate's Statement of Campaign Expenses/Contributions was required to be filed. In the event that the Election Disclosure Complaints Officer shall notify the candidate pursuant to subsection 15 (2) that they are the subject of a complaint, the candidate shall preserve and retain all records until the Election Disclosure Complaints Officer advises that they need no longer be retained.

Part III

Election Disclosure Complaints Officer

Election Disclosure Complaints Officer Designated

10. The Board hereby designates the Election Disclosure Complaints Officer as the person to investigate complaints pursuant to this Resolution.

10.1 A deposit submitted by a candidate for a member of the Board pursuant to section 46.1 of The Local Government Election Act shall not be returned to the candidate unless the candidate and the candidate's business manager have complied with the provisions of this Bylaw."

Appointment and Eligibility to Hold Appointment

11. (1) A person appointed as the Election Disclosure Complaints Officer pursuant to Section 10 shall be appointed for a term of two years or until a successor is appointed, and the incumbent Election Disclosure Complaints Officer is eligible for reappointment.

(2) A person who is appointed as the Election Disclosure Complaints Officer shall:

- (a) be a Canadian citizen;
- (b) be over the age of 18 years; and
- (c) have a general knowledge of this Resolution.

(3) No person who is a member of the Board or any employee of the Board is eligible to be appointed as the Election Disclosure Complaints Officer.

Remuneration

12. The Election Disclosure Complaints Officer shall be paid remuneration and reimbursement for expenses in accordance with the rates established from time to time by the Board.

Duties

13. (1) The Election Disclosure Complaints Officer shall be responsible to investigate any complaint that a candidate has filed a false, misleading or incomplete disclosure of election contributions or expenses.

- (2) For the purposes of carrying out an investigation pursuant to subsection (1), the Election Disclosure Complaints Officer may retain the services of any person that the Election Disclosure Complaints Officer considers necessary to assist him or her to carry out the investigation of the complaint, and the cost of the services shall be considered an expense to be reimbursed pursuant to Section 12.

Complaint

14. (1) A complaint that a candidate has filed a false, misleading or incomplete disclosure of election contributions or expenses shall be in writing and shall contain:

- (a) the name, mailing address and telephone number of the complainant;
 - (b) the name of the candidate who is the subject of the complaint;
 - (c) the nature of the complaint and the material facts upon which the complaint is made; and
 - (d) the name, address and telephone number of any person that may have information that will assist in the investigation of the complaint.
- (2) A complaint pursuant to subsection (1) shall be filed with the Superintendent of Administrative Services, or person specified in accordance with subsection 4 (2).
- (3) Upon receipt of a complaint, the Superintendent of Administrative Services, or person specified in accordance with subsection 4 (2) shall forward the complaint to the Election Disclosure Complaints Officer.

Investigation

15. (1) Upon receipt of a complaint, the Election Disclosure Complaints Officer shall:

- (a) contact the complainant and acknowledge receipt of the complaint;
 - (b) advise the complainant about the procedures that will be followed in investigating the complaint; and
 - (c) obtain from the complainant any information required to investigate the complaint.
- (2) In addition to the requirements of subsection (1), the Election Disclosure Complaints Officer shall notify the candidate that is the subject of the complaint that a complaint has been received and shall provide the candidate with a copy of the complaint.
- (3) The Election Disclosure Complaints Officer shall obtain from the candidate any information required to investigate the complaint.
- (4) In carrying out an investigation, the Election Disclosure Complaints Officer may inspect, at all reasonable times, all books, documents and accounting records of the candidate.

- (5) The Election Disclosure Complaints Officer may make copies of anything referred to in subsection (4).
- (6) Every candidate that is the subject of an investigation by the Election Disclosure Complaints Officer shall cause all books, documents and accounting records pertaining to the candidate's election campaign to be available for inspection by the Election Disclosure Complaints Officer at all reasonable times.
- (7) No candidate or person acting on behalf of a candidate shall:
 - (a) fail to comply with any reasonable request of the Election Disclosure Complaints Officer;
 - (b) knowingly make any false or misleading statement to the Election Disclosure Complaints Officer; or
 - (c) obstruct or interfere with the Election Disclosure Complaints Officer.
- (8) No complainant pursuant to this Resolution shall:
 - (a) fail to comply with any reasonable request of the Election Disclosure Complaints Officer;
 - (b) knowingly make a false or misleading complaint to the Election Disclosure Complaints Officer; or
 - (c) obstruct or interfere with the Election Disclosure Complaints Officer.

Decisions

- 16. (1) After completion of the investigation, the Election Disclosure Complaints Officer may:
 - (a) dismiss the complaint; or
 - (b) uphold the complaint; and/or
 - (c) may make a determination that the candidate or other person acting on behalf of the candidate has failed to comply with one or more of their obligations under this Resolution.
- (2) After a decision is made pursuant to subsection (1), the Election Disclosure Complaints Officer shall send to the complainant and the candidate a copy of the decision together with any written reasons for the decision.
- (3) The decision of the Election Disclosure Complaints Officer shall be final.
- (4) If the complaint is upheld or a determination has been made that the candidate or other person acting on behalf of the candidate has failed to comply with one or more of their obligations under this Resolution, the Election Disclosure Complaints Officer shall send a copy of that decision to the Superintendent of Administrative Services who in turn will report the results of the decision to the Board at a meeting of the Board and attach the decision of the Election Disclosure Complaints Officer to the minutes of that Board meeting.

Refusal to Investigate

- 17. (1) The Election Disclosure Complaints Officer may refuse to investigate any complaint or may terminate an investigation of a complaint if:

- (a) the complaint is received more than six months after the date for the filing of the Statement of Election Expenses/Contributions pursuant to subsection 4(2);
 - (b) in the opinion of the Election Disclosure Complaints Officer, the complaint is frivolous, vexatious, trivial or is made in bad faith; or
 - (c) in the opinion of the Election Disclosure Complaints Officer, the circumstances of the complaint do not warrant investigation.
- (2) The decision of the Election Disclosure Complaints Officer to refuse to investigate any complaint or to terminate an investigation of a complaint is final, and the Election Disclosure Complaints Officer shall advise the complainant and the candidate of such decision.

Reports to the Board

18. Upon completing the investigation of all complaints arising out of a general election or a by-election, the Election Disclosure Complaints Officer shall submit a report to the Board setting out:

- (a) the number of complaints received;
- (b) the general nature of the complaints received; and
- (c) the disposition or resolution of the complaints.

Confidentiality of Information

19. (1) The reports submitted by the Election Disclosure Complaints Officer pursuant to Section 18 shall be a matter of public record.

- (2) Except as required to comply with the provisions of this resolution, including the rendering and publishing of a decision by the Election Disclosure Complaints Officer, the particulars of all complaints and all information obtained by the Election Disclosure Complaints Officer shall be confidential unless the release of that information is in accordance with the provisions of *The Local Authority Freedom of Information and Protection of Privacy Act*.

Records

20. The particulars of all complaints and all information obtained by the Election Disclosure Complaints Officer shall become part of the records of the Board and shall be kept in the office of the Superintendent of Administrative Services.

Part IV Miscellaneous


Coming Into Force

21. This motion of the Board shall come into force on the day of its approval, August ___, 2006.

Board Approved: June 22, 2009

APPENDIX H

Sample Ballot

CITY OF SASKATOON Wednesday October 28, 2009		
Instructions to Voter: Vote by completely filling in the OVAL to the LEFT of the candidate(s) of your choice. If you tear or wrongly mark your ballot, return it and another will be provided.		
VOTE LIKE THIS 		
MAYOR YOU ARE ENTITLED TO VOTE FOR <u>ONE</u> (1) CANDIDATE	COUNCILLOR WARD 1 YOU ARE ENTITLED TO VOTE FOR <u>ONE</u> (1) CANDIDATE	TRUSTEE PUBLIC SCHOOL BOARD WARD 1 YOU ARE ENTITLED TO VOTE FOR <u>ONE</u> (1) CANDIDATE
<input type="radio"/> First LASTNAME Occupation	<input type="radio"/> First LASTNAME Occupation	<input type="radio"/> First LASTNAME Occupation
<input type="radio"/> First LASTNAME Occupation	<input type="radio"/> First LASTNAME Occupation	<input type="radio"/> First LASTNAME Occupation
<input type="radio"/> First LASTNAME Occupation		
<input type="radio"/> First LASTNAME Occupation		
<input type="radio"/> First LASTNAME Occupation		

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