



CORNWALL COMPLIANCE AUDIT COMMITTEE

Terms of Reference

Category:	Corporate Services
Department:	City Clerk's Office
Effective Date	November 15, 2026
Renewal Date:	November 14, 2030

1. Purpose

The Cornwall Compliance Audit Committee ("Committee") is an independent statutory body established in accordance with the *Municipal Elections Act, 1996* to:

- consider applications for compliance audits related to municipal election campaign finances; and
- review reports from the Clerk respecting apparent contraventions of campaign finance contribution limits.

2. Legislative Authority

The Committee is established pursuant to the *Municipal Elections Act, 1996*, including:

- Sections 88.33 and 88.35 (applications for compliance audits);
- Sections 88.34 and 88.36 (Clerk reporting obligations); and
- Section 88.37 (requirement to establish a Compliance Audit Committee).

3.Mandate

The mandate of the Committee is to hear and determine all matters under sections 88.33 to 88.36 of the Act.

The Committee shall:

1. Review applications within 30 days and decide whether to grant or reject them;
2. Appoint a licensed auditor where an application is granted;
3. Receive and consider the auditor's report;
4. Determine whether legal proceedings should be commenced; and
5. Consider Clerk reports regarding over-contributions and determine next steps.

4.Definitions

- **Act** – *Municipal Elections Act, 1996*
- **Clerk** – City Clerk or designate
- **Committee** – Cornwall Compliance Audit Committee
- **Council** – Council of the City of Cornwall
- **Candidate / Registered Third Party** – as defined in the Act

5.Composition

The Committee shall consist of:

- Three (3) voting members
- Two (2) alternate members (ranked)

6.Eligibility Restrictions

The following are not eligible:

- Municipal employees or officers of the City of Cornwall
- Members of Council or local boards
- Candidates or registered third parties

Additional ineligibility includes individuals who:

- prepare candidate financial statements;
- have close personal or business relationships with candidates; or
- are involved in election campaigns.

7.Appointment

Members shall be appointed by Council.

The Clerk in consultation with the Chief Administrative Officer, shall:

- review applications;
- prepare a shortlist; and
- recommend appointments to Council.

Members must complete orientation training.

Vacancies or conflicts shall be filled by alternate members.

8 Term

The Committee's term shall align with the Council's term:

November 15 (election year) to November 14 (four years later)
or until outstanding matters are completed.

9.Roles and Responsibilities

9.1 Committee

The Committee is responsible for:

- making decisions under the Act;
- conducting quasi-judicial hearings;
- ensuring procedural fairness;
- maintaining independence in decision-making.

9.2 Chair

The Chair shall:

- preside over meetings;
- act as spokesperson;
- maintain order and decorum;
- liaise with the Clerk/Secretary.

9.3 Clerk / Secretary

The Clerk (or designate) shall:

- provide administrative support;
- coordinate meetings and agendas;
- establish procedures;
- implement Committee decisions;
- convene meetings within legislated timelines.

10. Meetings

The Committee shall:

- hold meetings in public, subject to permitted exceptions;
- follow the Procedure By-law and *Statutory Powers Procedure Act*;
- publish agendas, minutes, and decisions on the City website.

11. Conflict of Interest

Members shall comply with the *Municipal Conflict of Interest Act*.

Members must:

- declare pecuniary interests;
- refrain from participation;
- avoid all election-related involvement.

Non-compliance may result in removal.

12. Remuneration

Members shall receive:

- \$75 (inclusive of mileage) for training;
- \$75 per meeting.

13. Resources and Funding

The City shall provide all resources required for the Committee, including:

- administrative support;
- auditor procurement;
- legal and court-related costs.

14. Auditor

The Clerk shall procure auditor services through an RFP process.

The Committee shall appoint an auditor in accordance with the Act.

15. Accountability and Reporting

The Committee operates independently but is accountable to Council through:

- formal establishment, by by-law/resolution;
- reporting of decisions as required under the Act;
- administrative support provided by the Clerk.

16. Administrative Practices and Procedures

The Clerk shall establish administrative practices and procedures necessary to support the Committee and ensure compliance with legislative requirements.

17. Application

These Terms of Reference apply to all municipal and school board election compliance audit matters within the City of Cornwall.

18. Review

These Terms of Reference shall be reviewed:

- prior to each municipal election cycle; or
- as required due to legislative changes.

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Tim Mills
Chief Administrative Officer

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Justin Towndale
Mayor