



P.O. Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**REVISED**  
**January 3, 2024**

Attachment A (By-law C-1102) revised as  
per December 12, 2023 Council direction

**Item No. 15.5.1**  
**Halifax Regional Council**  
**December 12, 2023**  
**January 9, 2024**

**TO:** Members of Halifax Regional Council

**SUBMITTED BY:** Original Signed  

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Mayor Mike Savage, Chair, Executive Standing Committee

**DATE:** November 27, 2023

**SUBJECT:** **Amendments By-law C-1100, *The Campaign Finance By-law***

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**ORIGIN**

November 27, 2023 meeting of Executive Standing Committee, Item 8.1.

THAT the Executive Standing Committee recommend that Halifax Regional Council: These minutes are considered draft and will require Executive Standing Committee approval by the Executive Standing Committee at Draft Minutes a future meeting. November 27, 2023

1. Adopt Bylaw C1102 amending By-law C-1100, the Campaign Financing By-law, as set out in Attachment 2.1 (Revised) of the report staff report dated November 21 2023;
2. Direct the Chief Administrative Officer to conduct a review of the Campaign Finance By-law that considers inflation for the amount of campaign contribution and the maximum spending limits and that the review be completed prior to January 1 of an election year; and;
3. Amend section 10 (3) of the proposed bylaw to read "The combined total amount a Candidate may contribute to their own campaign shall not exceed five thousand nine hundred dollars (\$5900) per Election".

**LEGISLATIVE AUTHORITY**

Legislative Authority is outlined in the attached staff report dated November 21, 2023.

**RECOMMENDATION ON PAGE 2**

## **RECOMMENDATION**

The Executive Standing Committee recommends that Halifax Regional Council:

1. Adopt By-law C-1102 amending By-law C-1100, the *Campaign Financing By-law*, as set out in Attachment 1 (Revised) of the Executive Standing Committee report dated November 27, 2023; and
2. Direct the Chief Administrative Officer to conduct a review of the Campaign Finance By-law that considers inflation for the amount of campaign contribution and the maximum spending limits and that the review be completed prior to January 1 of an election year.

## **BACKGROUND**

The Executive Standing Committee received a staff recommendation report dated November 21, 2023 to consider Amendments By-Law C-1100, *The Campaign Finance By-law*.

For further information refer to the attached staff report dated November 21, 2023.

## **DISCUSSION**

At its meeting held on November 27, 2023, Executive Standing Committee moved an amendment to subsection 10 (3) of Proposed By-law C-1102 to read:

The combined total amount a Candidate may contribute to their own campaign shall not exceed five thousand nine hundred dollars (\$5900) per Election.

This proposed amendment has been consolidated by staff and is included in the Attachment 1 (Revised) of this report.

The Executive Standing Committee considered the staff report dated November 21, 2023 and approved the recommendation as amended to Halifax Regional Council as outlined in this report.

## **FINANCIAL IMPLICATIONS**

Financial implications are outlined in the attached staff report dated November 21, 2023.

## **RISK CONSIDERATION**

Risk consideration is outlined in the attached staff report dated November 21, 2023

## **COMMUNITY ENGAGEMENT**

Meetings of the Executive Standing Committee are open to public attendance and members of the public are invited to address the Standing Committee for up to five (5) minutes during the Public Participation portion of the meeting. Meetings are live webcast on Halifax.ca. The agenda, reports, video, and minutes of the Standing Committee are posted on Halifax.ca.

For further information on Community Engagement refer to the attached staff report dated November 21, 2023.

**ENVIRONMENTAL IMPLICATIONS**

Environmental implications are outlined in the staff report dated November 21, 2023.

**ALTERNATIVES**

Alternatives are outlined in the attached staff report dated November 21, 2023.

**ATTACHMENTS**

Attachment 1 – Revised Proposed Amending By-law C-1102 amending Bylaw C-1100, the Campaign Finance By-law

Attachment 2 – Staff recommendation report dated November 21, 2023.

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A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by:       Catie Campbell, Legislative Assistant, Municipal Clerk's Office 782.641.0796.

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# REVISED Jan 3/24

## ATTACHMENT 1 (Revised) (Amending By-law)

### HALIFAX REGIONAL MUNICIPALITY BY-LAW NUMBER C-1100 RESPECTING CAMPAIGN FINANCING

**BE IT ENACTED** by the Council of the Halifax Regional Municipality under the authority of section 60A of the *Halifax Regional Municipality Charter* that By-law C-1100, the *Campaign Financing By-law*, is amended as follows:

1. Subclause 2(l)(i) is repealed.
2. Clause 2(l) is amended by adding subclause (iva) after subclause (iv) and before subclause (v), as follows:
  - (iva) a person who is not ordinarily resident in the Canada for a period of six months immediately preceding the first advance polling day;
3. Clause 2(q) is amended by adding the word “and” after the semi colon “;”;
4. Clause 2(r) is repealed.
5. Section 3A is added after section 3 and before section 4, as follows:

#### **Ordinary Resident in the Province of Nova Scotia for the Purposes of Contributions**

- 3A (1) This section sets out the requirements to be an ordinary resident of the Province of Nova Scotia for the purposes of Contributions.
- (2) An Individual shall be an ordinary resident of the Province of Nova Scotia for a period of six months immediately preceding the first advance polling day.
- (3) An Individual is ordinarily resident in the place where the Individual lives and to which, whenever absent, the Individual intends to return.
- (4) An Individual may be ordinarily resident in only one place at a time.
- (5) An Individual does not cease to be an ordinary resident of the Province of Nova Scotia by leaving the Province for a temporary purpose only.
- (6) Where an Individual usually sleeps in one place located within the Province of Nova Scotia and has meals or is employed outside of the Province of Nova Scotia, the Individual is ordinarily resident in the Province of Nova Scotia.
- (7) Where an Individual has temporary residential quarters in the Province of Nova Scotia, those quarters are considered to be the place in which the Individual is ordinarily resident only if the Individual has no other place the Individual considers as their ordinary place of residence.

(8) Where an Individual is being provided with food, lodging or other social services by a shelter, hostel or similar institution located in the Province of Nova Scotia, the Individual is ordinarily resident in the Province of Nova Scotia.

(9) An Individual who, on the first advance polling day,

(a) is a student and resides in the Province of Nova Scotia, and

(b) has a family home in another province or territory in Canada,

is an ordinary resident of the Province of Nova Scotia.

(10) An Individual is not ordinarily resident in a residence that is generally occupied by the Individual only between the beginning of May and the end of October but that is generally unoccupied between the beginning of November and the end of April unless the Individual does not have another residence in the Province of Nova Scotia where the Individual resides between the beginning of November and the end of April.

6. Section 5 is amended by:

(a) striking out the comma between the word "Individual" and the words "a Candidate";

(b) adding the word "or" after the word "Individual" and newly struck comma and before the words "a Candidate"; and

(c) striking out the words "or a Candidate's Spouse" after the word "Candidate".

7. Section 7 is amended by:

(a) striking out the comma between the word "Individual" and the words "a Candidate";

(b) adding the word "or" after the word "Individual" and newly struck comma and before the words "a Candidate"; and

(c) striking out the words "or a Candidate's Spouse" after the word "Candidate".

8. Subsection 10(1) is amended by:

(a) adding the words "two hundred" after the word "thousand" and before the word "dollars" in clause (a);

(b) striking out the number "1,000" after the dollar sign and before the bracket ")" in clause (a);

(c) adding the number "1,200" after the dollar sign and before the bracket in clause (a);

(d) striking out the words, number, brackets, and symbols "Two thousand five hundred dollars (\$2,500)" at the beginning of clause (b); and

(e) adding the words, number, brackets, and symbols “Three thousand dollars (\$3,000)” at the beginning of clause (b).

9. Subsection 10(2) is amended by:

(a) adding the words “nine hundred” after the word “thousand” and before the word “dollars”;

(b) striking out the number “5,000” after the dollar sign and before the bracket “)”; and

(c) adding the number “5,900” after the dollar sign and before the bracket “)”.

10. Subsection 10(3) is amended by:

(a) striking out the word “combined” after the word “the” and before the word “total”;

(b) striking out the words “and a Candidate’s Spouse” after the word “Candidate” and before the word “may”;

(c) striking out the words “the Candidate’s” between the words “contribute to” and the word “campaign”;

(d) adding the words “their own” after the newly struck words “the Candidate’s” and before the word “campaign”;

(e) striking out the word “fifteen” after the word “exceed” and before the word “thousand”;

(f) adding the word “five” after the word “exceed” and newly struck word “fifteen” and before the word “thousand”;

(g) adding the words “nine hundred” after the word “thousand” and before the word “dollars”;

(h) striking out the number “15,000” after the dollar sign and before the bracket “)”; and

(i) adding the number “5,900” after the dollar sign and before the bracket “)”.

11. Subsection 12(1) is amended by:

(a) adding the hyphen and word “-five” after the word “thirty” and before the word “thousand” in clause (a);

(b) adding the words “three hundred” after the word “thousand” and before the word “dollars” in clause (a);

(c) striking out the number “30,000” after the dollar sign and before the bracket “)” in clause (a);

(d) adding the number “35,300” after the dollar sign and before the bracket “)” in clause (a);

(e) adding the words and hyphen “and fifty-three” after the word “hundred” and before the word “thousand” in clause (b);

(f) striking out the number “300,000” after the dollar sign and before the bracket “)” in clause (b); and

(g) adding the number “353,000” after the dollar sign and before the bracket “)” in clause (b).

12. Subsection 18(f) is amended as follows:

(a) striking out the words “and the Candidate’s Spouse” after the word “Candidate” and before the word “has”.

Done and passed in Council this            day of            , 202    .

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Mayor

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Clerk



P.O. Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**Item No. 8.1**  
**Executive Standing Committee**  
**November 27, 2023**

**TO:** Mayor Savage and Members of Halifax Regional Council

**SUBMITTED BY:**



Cathie O'Toole, Chief Administrative Officer

**DATE:** November 21, 2023

**SUBJECT:** Amendments By-law C-1100, *the Campaign Finance By-law*

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**SUPPLEMENTARY REPORT**

**ORIGIN**

September 25, 2023, Executive Standing Committee deferred motion(Item No. 13.1.4):

*THAT the Executive Standing Committee recommend that Halifax Regional Council*

1. *Adopt By-law C-1102, amending By-law C-1100, the Campaign Financing By-law, as set out in Attachment 2 of the staff report dated September 19, 2023; and*
2. *Direct the Chief Administrative Officer to conduct a review of the Campaign Finance By-law that considers inflation for the amount of campaign contribution and the maximum spending limits and that the review be completed prior to January 1 of an election year.*

September 25, 2023, Executive Standing Committee motion:

MOVED by Councillor Mason, seconded by Councillor Russell

*THAT Item 13.1.4 Amendments By-law C-1100, The Campaign Finance By-Law be deferred to a future meeting of Executive standing Committee and the Chief Administrative Officer be directed to provide a supplementary staff report to include:*

- *Contribution limits per election;*
- *Reduce the maximum contribution of spouse to match the maximum total contribution;*
- *Amend subclause 2(l)(i) By-law C-1100, the Campaign Finance By-Law by striking out 'a Spouse' from definition of Individual; and*
- *Review the utilization of the word spouse throughout the By-law, for the perspective of reducing barriers/promoting equity.*

**MOTION PUT AND PASSED**

**Recommendations on page two**



## **LEGISLATIVE AUTHORITY**

*Halifax Regional Municipality Charter* (HRM Charter) section 60A, as follows:

*The Council may make by-laws, not inconsistent with Sections 49A and 49B of the Municipal Elections Act, respecting contributions and expenses for the election campaigns of candidates for the office of Mayor or councilor including, without limiting the generality of the foregoing, election campaign spending limits, maximum contribution amounts, disclosure requirements, eligibility to contribute and dates for making contributions.*

*Municipal Elections Act, (MEA)*, sections 49A and 49B pertaining to campaign financing

*By-Law C-1100, the Campaign Financing By-law*

*Administrative Order One, Schedule 6, Executive Standing Committee, Terms of Reference,*

8. The Executive Standing Committee shall act as a review committee for matters related to the general self-governance and administration of the Council as directed by the Council.

## **RECOMMENDATION**

It is recommended that Executive Standing Committee recommend that Halifax Regional Council:

1. Amend item 1 of the September 25, 2023, Executive Standing Committee motion (Item No. 13.1.4), moved by Councillor Mason and seconded by Deputy Mayor Austin, to replace the reference to "Attachment 2 of the Staff Report dated September 19, 2023" with "Attachment 2.1 (Revised) of the staff report dated November 21 2023 so it reads:

As amended, the motion would read:

THAT the Executive Standing Committee recommend that Halifax Regional Council

1. Adopt Bylaw C1102 amending By-law C-1100, the *Campaign Financing By-law*, as set out in Attachment 2.1 (Revised) of the report staff report dated November 21 2023; and
2. Direct the Chief Administrative Officer to conduct a review of the Campaign Finance By-law that considers inflation for the amount of campaign contribution and the maximum spending limits and that the review be completed prior to January 1 of an election year.

## **BACKGROUND**

On September 25, 2023, Executive Standing Committee considered the September 19, 2023, staff report respecting Amendments to By-law C-1100, *the Campaign Finance By-law*. Executive Standing Committee deferred its decision on the proposed amendments and requested the Chief Administrative Officer to return with a supplementary report that provides further analysis on the following:

- Contribution limits per election;
- Reducing the maximum contribution of spouse to match the maximum total contribution;
- Amend subclause 2(l)(i) By-law C-1100, the Campaign Finance By-Law by striking out 'a Spouse' from definition of Individual; and
- Review the utilization of the word spouse throughout the By-law, from the perspective of reducing barriers/promoting equity.

This report examines these additional amendments to By-law C-1100 as proposed by Executive Standing Committee.

## **DISCUSSION**

### *Contribution limits per election*

Staff have completed a jurisdictional scan that outlines the contribution limits in British Columbia, Alberta, Manitoba and Ontario and the total allowable campaign contribution and expense limits at the federal and provincial orders of government in Nova Scotia (Attachment 4). It should be noted that municipal campaign finance regulations in each of these jurisdictions are directed through provincial legislation. There are additional allowances for candidates who are members of official political parties, and electoral district/riding associations which are not captured in this review.

In most jurisdictions, a formula is applied with a per elector rate per district or in the case of a mayoral campaign, the municipality at large. This approach was considered by Council when debating the *Campaign Finance By-law* in 2018. However, due to significant differences in the per district elector distribution of the municipality and perceived challenges posed by candidates campaigning in larger rural districts or the municipality at large, in the case of mayoral candidates, Council chose to establish set campaign contribution and expenditure limits.

As part of this report, staff have also conducted individual interviews with all members of Regional Council to gain feedback on the current contribution and expense limits contemplated in the By-law. Interviews were conducted between November 3 and 9, 2023 (Attachment 3). Staff are not currently recommending reductions or increases to the campaign contribution or expenditure limits outside of adjustments made for increases in the Consumer Price Index as determined by the Bank of Canada at this time.

### *Striking out 'a Spouse' from definition of Individual/utilization of the word 'spouse' in the By-law*

In response to the motion from Executive Standing Committee the term 'spouse' has been removed from the entirety of the By-law. A candidate's spouse will no longer be differentiated and removed from the self-financing requirements of the By-law. If approved, a candidate's spouse will be considered an "individual" in the By-law. This means that a spouse is permitted to contribute the maximum individual amount of \$1200 for a Councillor campaign, \$3000 for Mayor and will be permitted to contribute up to a maximum of \$5900 total per election. Additionally, a Candidate's spouse must now also satisfy the residency requirement (ordinary resident of the province of Nova Scotia) to be eligible to donate to a campaign. Staff are not recommending additional changes to candidate self-financing limits (up to \$17,700) toward their own campaign.

## **FINANCIAL IMPLICATIONS**

No financial implications were identified.

## **RISK CONSIDERATION**

None identified.

## **COMMUNITY ENGAGEMENT**

No community engagement was required.

## **ENVIRONMENTAL IMPLICATIONS**

No environmental implications were identified.

## **ALTERNATIVES**

Executive Standing Committee could choose to further amend the proposed contribution and expenditure

limits as presented in this report. This course of action is not recommended due to the timing of the 2024 election and the requirement to have clear campaign financing regulations in ahead of the March 1, 2024 contribution period.

**ATTACHMENTS**

Attachment 1.1(revised) – Showing Proposed Changes

Attachment 2.1(Revised) – Amending By-law C-1102

Attachment 3 – Interviews with Council re: Contribution and Expense Limits

Attachment 4 – Jurisdictional Scan

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A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by:       Iain MacLean, Municipal Clerk, 902.490.6456  
                                  Liam MacSween, Elections and Special Projects Manager, 902-233.5207

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**ATTACHMENT 1.1 (REVISED)**  
(Showing Proposed Changes)

**HALIFAX REGIONAL MUNICIPALITY  
BY-LAW NUMBER C-1100  
RESPECTING CAMPAIGN FINANCING**

**WHEREAS**, section 60A of the *Halifax Regional Municipality Charter*, S.N.S. 2008, c.39 as amended, provides that Council may make by-laws respecting contributions and expenses for the election campaigns of candidates for the office of Mayor or councillor including, without limiting the generality of the foregoing, election campaign spending limits, maximum contribution amounts, disclosure requirements, eligibility to contribute and dates for making contributions;

**AND WHEREAS** Council desires to create additional rules respecting the raising of money for municipal elections and the setting of limits on the amount of money that may be expended by each Candidate;

**AND WHEREAS** Halifax Regional Municipal Council endeavours to increase accountability and transparency by requiring additional disclosure respecting campaign expenses, contribution and surpluses;

**BE IT ENACTED** by the Council of the Halifax Regional Municipality under the authority of section 60A of the Halifax Regional Municipality Charter as amended, as follows:

**Short Title**

1. This By-law may be cited as By-law C-1100, the *Campaign Financing By-law*.

**Interpretation**

2. In this By-law,
  - (a) **“Act”** means the *Municipal Elections Act*, 1989 R.S.N.S. c. 300, as amended;
  - (b) **“Agent”** means the official agent of a Candidate and includes the Candidate if the Candidate is acting as official agent and, in the case of an Association, means the person appointed by the Association to act as agent;
  - (c) **“Association”** means an association of one or more people established to, a trust established for or a fund established to further the election of a Candidate, including a provincially or federal registered political party;
  - (d) **“Candidate”** means a Candidate pursuant to the *Act* and includes an Association;
  - (e) **“Clerk”** means the Clerk of the Municipality;
  - (f) **“Corporation”** includes an organization registered in the Nova Scotia Registry of Joint Stocks, a Non-Profit Organization, crown corporation, or a service commission;
  - (g) **“Contribution”** means services, money or other property donated to an Association or a person to support the political purposes of an Association or Candidate, but does not include personal services or the use of a vehicle volunteered by a person and not provided as part of that person's work in

the service of an employer;

(h) **“Contribution Period”** means the period of time

(i) for a general Election, commencing, on March 1<sup>st</sup> of an Election year and terminating thirty (30) calendar days after ordinary polling day, and

(ii) for a special Election, commencing the day immediately after the Council or Minister has named the day of a special election and terminating thirty (30) calendar days after the ordinary polling day;

(i) **“Election”** means an election held pursuant to the *Act* for the office of the Mayor or a Councillor, including a special election for the office of the Mayor or a Councillor;

(j) **“Filing”** means

(i) the appointment of an official agent or a declaration that the Candidate will personally act as the official agent pursuant to section 70 of the *Act*, or

(ii) the appointment of an Agent by an Association pursuant to 49A(2) of the *Act*,

(ja) **“In-kind Contribution”** means a non-monetary Contribution in the form of services or other property;

(k) Repeal;

(l) **“Individual”** means a person, excluding

(i) ~~a Spouse~~ Repeal,

(ii) a Corporation,

(iii) a Partnership,

(iv) an Association,

(iva) a person who is not ordinary resident in the Province of Nova Scotia;

(v) a Non-Profit Organization, and

(vi) a Trade Union;

(m) **“Municipality”** means the Halifax Regional Municipality;

(n) **“Non-Profit Organization”** means

(i) a society incorporated pursuant to the *Societies Act*, R.S.N.S 1989 c.435, as amended,

(ii) a non-profit association incorporated pursuant to the *Co-Operative Associations Act*, R.S.N.S c.98, as amended,

(iii) a not-for-profit incorporated pursuant to the *Canada Not-for-profit Corporations Act*, S.C 2009, c.23,

(iv) a non-profit organization otherwise incorporated pursuant to an Act of the Nova Scotia Legislature, or

(v) a registered Canadian charitable organization;

(o) **“Partnership”** means a partnership registered under the *Partnerships and Business Names Registration Act* or a partnership doing business in the Province;

(p) **“Permitted Expenditure”** means those expenditures listed in Section 15 made by a Candidate or an Agent during the Contribution Period in furtherance of the Candidate’s campaign;

(q) Repeal;

(q) **“Returning Officer”** means a Returning Officer appointed pursuant to the Act; and [change arising from September 25, 2023, meeting]

(r) ~~**“Spouse” means a person married to another person and includes persons who, not being married to each other, live together as if they are spouses and have done so for at least one year; and**~~ Repeal;

(s) **“Trade Union”** means a certified bargaining agent as defined in the *Trade Union Act* or a labour organization representing workers in the Province.

#### **Application of the By-law**

3. (1) This By-law shall apply to an Election.

(2) For the purposes of this By-law, a Candidate is any person who was a Candidate at any time during the Contribution Period, whether or not they are nominated as a Candidate.

#### **Ordinary Resident in the Province of Nova Scotia for the Purposes of Contributions**

3A (1) This section sets out the requirements to be an ordinary resident of the Province of Nova Scotia for the purposes of Contributions.

(2) An Individual shall be an ordinary resident of the Province of Nova Scotia for a period of six months immediately preceding the first advance polling day.

(3) An Individual is ordinarily resident in the place where the Individual lives and to which, whenever absent, the Individual intends to return.

(4) An Individual may be ordinarily resident in only one place at a time.

(5) An Individual does not cease to be an ordinary resident of the Province of Nova Scotia by leaving the Province for a temporary purpose only.

(6) Where an Individual usually sleeps in one place located within the Province of Nova Scotia and has meals or is employed outside of the Province of Nova Scotia, the Individual is ordinarily resident in the Province of Nova Scotia.

(7) Where an Individual has temporary residential quarters in the Province of Nova Scotia, those quarters are considered to be the place in which the Individual is ordinarily resident only if the Individual has no other place the Individual considers as their ordinary place of residence.

(8) Where an Individual is being provided with food, lodging or other social services by a shelter, hostel or similar institution located in the Province of Nova Scotia, the Individual is ordinarily resident in the Province of Nova Scotia.

(9) An Individual who, on the first advance polling day,

(a) is a student and resides in the Province of Nova Scotia, and

(b) has a family home in another province or territory in Canada,

is an ordinary resident of the Province of Nova Scotia.

(10) An Individual is not ordinarily resident in a residence that is generally occupied by the Individual only between the beginning of May and the end of October but that is generally unoccupied between the beginning of November and the end of April unless the Individual does not have another residence in the Province of Nova Scotia where the Individual resides between the beginning of November and the end of April.

#### **Contributions to Agent**

4. A Contribution shall only be made to an Agent.

5. No person shall make a Contribution to an Agent except an Individual, **or** a Candidate, ~~or a Candidate's Spouse~~.

6. A person, including a Corporation, Trade Union, Partnership or Non-Profit Organization who makes a Contribution in contravention of section 5 is guilty of an offence.

7. An Agent who accepts a Contribution from a person other than an Individual, **or** a Candidate ~~or a Candidate's Spouse~~ is guilty of an offence.

8. Candidate information and Agent information contained in the Filing shall be made public by the Municipality by posting such information to the Municipality's website.

#### **Anonymous Contributions**

9. (1) An Agent shall not accept an anonymous Contribution.

(2) If an anonymous Contribution cannot be returned to the contributor, it shall be remitted to the Treasurer of the Municipality, or the Treasurer's designate.

(3) The Treasurer of the Municipality, or the Treasurer's designate, shall donate the anonymous Contribution to a Non-Profit Organization of the Candidate's choice.

#### **Contribution Limits**

10. (1) An Individual may make a Contribution to a maximum amount of:

(a) One thousand **two hundred** dollars ~~(\$1,000)~~ **(\$1,200)** per Councillor Candidate per Election; and

(b) ~~Two thousand five hundred dollars (\$2,500)~~ Three thousand dollars (\$3,000) per Mayoral Candidate per Election.

(2) The total amount of Contributions an Individual may make, per Election, shall not exceed five thousand ~~five hundred~~ ~~(\$5,000)~~ ~~5,900~~ dollars (\$5,900).

(3) The ~~combined~~ total amount a Candidate ~~and a Candidate's Spouse~~ may contribute to ~~the Candidate's~~ ~~their own~~ campaign shall not exceed ~~fifteen~~ ~~seventeen~~ thousand ~~seven hundred~~ dollars ~~(\$15,000)~~ ~~(\$17,700)~~ per Election.

#### Dates to Receive Contributions

11. An Agent shall only accept a Contribution if:

- (a) the Filing has been received by the Municipality; and
- (b) the Contribution is made during the Contribution Period.

#### Maximum Spending Limits

12. (1) A Candidate in an Election, shall spend no more than:

(a) ~~thirty-five~~ thousand ~~three hundred~~ dollars (~~\$30,000~~ ~~35,300~~) per Councillor Candidate; and

(b) three hundred ~~and fifty-three~~ thousand dollars (~~\$300,000~~ ~~353,000~~) per Mayoral Candidate.

(2) A Candidate who spends more than the amount set by this section is guilty of an offence.

#### Permitted Expenditures

13. (1) Only a Candidate or an Agent shall expend Contributions.

(2) A Candidate or an Agent shall only expend Contributions:

- (a) on Permitted Expenditures; and
- (b) during the Contribution Period.

14. The following are the only Permitted Expenditures for which a Candidate or an Agent may expend Contributions:

- (a) the nomination deposit;
- (b) advertising and printing costs, including costs associated with online advertising;
- (c) office and facility rental costs;
- (d) office administrative costs, including office supplies, software, computer programs and any other thing on which information is created, recorded or stored by electronic or other means, and equipment costs such as telephones and other utilities;



- (e) insurance costs;
- (f) remuneration or salaries;
- (g) the costs of printed electoral materials, including maps, list of electors, signs, sign posts, sign holders, and distribution costs such as postage and couriers;
- (h) storage costs for electoral materials;
- (i) food, beverage, and entertainment costs;
- (j) transportation costs; and
- (k) In-kind Contributions.

### **Returning Officer**

15. (1) The Returning Officer for the Election shall create
- (a) a Statement of Campaign Contributions and Expenditures; and
  - (b) a Statement of Campaign Surplus.
- (2) The Returning Officer for the election shall provide each Candidate with a copy of the statements set forth in subsection 15(1).

### **Reporting**

16. A Candidate shall use the statements provided by the Returning Officer in subsection 15(1) to make the Candidate's disclosures as required by this By-law.

### **Disclosure Requirements**

17. (1) In addition to any disclosure requirements set forth in the *Act*, within sixty (60) calendar days after the ordinary polling day in an Election, every Candidate who submitted a Filing shall file with the Clerk:
- (a) a Statement of Campaign Contributions and Expenditures; and
  - (b) a Statement of Campaign Surplus.
- (2) A Candidate who:
- (a) fails to file a Statement of Campaign Contributions and Expenditures and a Statement of Campaign Surplus within sixty (60) calendar days after the ordinary polling day; or
  - (b) files a false Statement of Campaign Contributions and Expenditures, or a false Statement of Campaign Surplus,
- is guilty of an offence.

### **Statement of Campaign Contributions and Expenditures**

18. (1) A Statement of Campaign Contributions and Expenditures shall include:
- (a) the name of the Candidate;
  - (b) the Contribution Period;
  - (c) the total dollar amount of Contributions that were received for the Election;
  - (d) the full name and residential address, other than a post office box unless that is the only address available, of each Individual who made a Contribution exceeding fifty dollars (\$50), and the amount of the Contribution by that Individual, and the date the Contribution was received by the Candidate or Agent;
  - (e) the total dollar amount of Contributions of less than fifty dollars (\$50);
  - (f) the amount a Candidate ~~and the Candidate's Spouse~~ has contributed to the Candidate's campaign;
  - (g) any In-kind Contributions and the details of such Contributions;
  - (h) a list of the Permitted Expenditures, as set forth in section 14, to which the Candidate expended a Contribution and including the total dollar amounts for each expenditure;
  - (i) any other revenue, including interest, or refund of nomination filing fees which the Candidate received; and
  - (j) any personal property brought forward from previous Elections, such as signs and office supplies.

(1A) The value for In-kind Contributions is the price for which services or other property may be sold.

(1B) For the purposes of 18(1)(j), any personal property brought forward from a previous Election shall be assigned a dollar amount equal to the cost of buying the personal property at the time of the current Election.

(2) The person filing the Statement of Campaign Contributions and Expenditures shall attest to the accuracy and truthfulness of the contents of the Statement of Campaign Contributions.

(3) Upon filing the Statement of Campaign Contributions and Expenditures, the Clerk or the Clerk's designate, shall post a redacted Statement of Campaign Contributions and Expenditures to the Municipality's website.

### **Statement of Campaign Surplus**

19. (1) A Statement of Campaign Surplus shall set out:

- (a) the amount of any surplus, with surplus being the difference between the Candidate's total amount of Contributions accepted and the Candidate's total amount of spending during the Contribution Period;
- (b) the Candidate's choice to either:

(i) donate any surplus to a Non-Profit Organization, or

(ii) provide the surplus to the Municipality which shall hold the surplus in trust, without interest, on behalf of the Candidate for use by the Candidate in a future Election; and

(c) the Candidate's choice of Non-Profit Organization that will receive the surplus if the Candidate does not run in the next two Elections, other than special elections, per subsection 20(3).

(2) If a Candidate runs in a future Election, the surplus held in trust by the Municipality as per subclause 20(1)(b)(ii) shall be provided to the Candidate at the commencement of the Contribution Period for that Election and the surplus shall be included in the Candidate's Contribution limit for that Election.

(3) The surplus held in trust by the Municipality as per subclause 19(1)(b)(ii) for a Candidate who does not offer themselves as a Candidate for the next two Elections, other than special elections, shall be forfeited to the Municipality and the Municipality shall donate the surplus to:

(a) a Non-Profit Organization as indicated by the Candidate on the Statement of Campaign Surplus; or

(b) if the Non-Profit Organization has dissolved since the filing of the Statement of Campaign Surplus, to another Non-Profit Organization chosen by the Clerk.

(4) The Candidate shall attest to the accuracy and truthfulness of the contents of the Statement of Financial Surplus.

(5) Upon filing the Statement of Campaign Surplus, the Clerk or the Clerk's designate, shall post a redacted Statement of Campaign Surplus to the Municipality's website.

### **Additional Information**

20. (1) The Returning Officer may, at any time up to thirty (30) days after the deadline of receipt of a Candidate's Statement of Contributions and Expenditures or a Candidate's Statement of Campaign Surplus as set out in subsection 17(1), request additional information from a Candidate or an Agent and such Candidate or Agent shall provide responses to the Returning Officer no later than the time set forth in the Returning Officer's request for further information.

(2) A Candidate or an Agent who does not provide the Returning Officer the additional information requested in subsection 20(1) is guilty of an offence.

### **Transition**

21. The maximum spending limit permitted by section 12 shall apply to all expenditures for an Election, including those expenditures that occurred before this By-law comes into force and outside of the Contribution Period.

### **Offences**

22. Every person who contravenes any of the provisions of this By-law is guilty of an offence and is liable, upon summary conviction, to a penalty of not less than five hundred dollars (\$500) and not more than ten thousand dollars (\$10,000) and in default of payment, to imprisonment for a term of not more than six (6) months.

Done and passed in Council this 30<sup>th</sup> day of October, 2018.

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Mayor

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Clerk

**ATTACHMENT 2.1 (Revised)**  
(Amending By-law)

**HALIFAX REGIONAL MUNICIPALITY**  
**BY-LAW NUMBER C-1102**  
**RESPECTING CAMPAIGN FINANCING**

**BE IT ENACTED** by the Council of the Halifax Regional Municipality under the authority of section 60A of the *Halifax Regional Municipality Charter* that By-law C-1100, the *Campaign Financing By-law*, is amended as follows:

1. Subclause 2(l)(i) is repealed.
2. Clause 2(l) is amended by adding subclause (iva) after subclause (iv) and before subclause (v), as follows:
  - (iva) a person who is not ordinary resident in the Canada for a period of six months immediately preceding the first advance polling day;
3. Clause 2(q) is amended by adding the word “and” after the semi colon “;”;
4. Clause 2(r) is repealed.
5. Section 3A is added after section 3 and before section 4, as follows:

**Ordinary Resident in the Province of Nova Scotia for the Purposes of Contributions**

- 3A
- (1) This section sets out the requirements to be an ordinary resident of the Province of Nova Scotia for the purposes of Contributions.
  - (2) An Individual shall be an ordinary resident of the Province of Nova Scotia for a period of six months immediately preceding the first advance polling day.
  - (3) An Individual is ordinarily resident in the place where the Individual lives and to which, whenever absent, the Individual intends to return.
  - (4) An Individual may be ordinarily resident in only one place at a time.
  - (5) An Individual does not cease to be an ordinary resident of the Province of Nova Scotia by leaving the Province for a temporary purpose only.
  - (6) Where an Individual usually sleeps in one place located within the Province of Nova Scotia and has meals or is employed outside of the Province of Nova Scotia, the Individual is ordinarily resident in the Province of Nova Scotia.
  - (7) Where an Individual has temporary residential quarters in the Province of Nova Scotia, those quarters are considered to be the place in which the Individual is ordinarily resident only if the Individual has no other place the Individual considers as their ordinary place of residence.

(8) Where an Individual is being provided with food, lodging or other social services by a shelter, hostel or similar institution located in the Province of Nova Scotia, the Individual is ordinarily resident in the Province of Nova Scotia.

(9) An Individual who, on the first advance polling day,

(a) is a student and resides in the Province of Nova Scotia, and

(b) has a family home in another province or territory in Canada,

is an ordinary resident of the Province of Nova Scotia.

(10) An Individual is not ordinarily resident in a residence that is generally occupied by the Individual only between the beginning of May and the end of October but that is generally unoccupied between the beginning of November and the end of April unless the Individual does not have another residence in the Province of Nova Scotia where the Individual resides between the beginning of November and the end of April.

6. Section 5 is amended by:

(a) striking out the comma between the word "Individual" and the words "a Candidate";

(b) adding the word "or" after the word "Individual" and newly struck comma and before the words "a Candidate"; and

(c) striking out the words "or a Candidate's Spouse" after the word "Candidate".

7. Section 7 is amended by:

(a) striking out the comma between the word "Individual" and the words "a Candidate";

(b) adding the word "or" after the word "Individual" and newly struck comma and before the words "a Candidate"; and

(c) striking out the words "or a Candidate's Spouse" after the word "Candidate".

8. Subsection 10(1) is amended by:

(a) adding the words "two hundred" after the word "thousand" and before the word "dollars" in clause (a);

(b) striking out the number "1,000" after the dollar sign and before the bracket ")" in clause (a);

(c) adding the number "1,200" after the dollar sign and before the bracket in clause (a);

(d) striking out the words, number, brackets, and symbols "Two thousand five hundred dollars (\$2,500)" at the beginning of clause (b); and

(e) adding the words, number, brackets, and symbols “Three thousand dollars (\$3,000)” at the beginning of clause (b).

9. Subsection 10(2) is amended by:

(a) adding the words “nine hundred” after the word “thousand” and before the word “dollars”;

(b) striking out the number “5,000” after the dollar sign and before the bracket “)”; and

(c) adding the number “5,900” after the dollar sign and before the bracket “)”.

10. Subsection 10(3) is amended by:

(a) striking out the word “combined” after the word “the” and before the word “total”;

(b) striking out the words “and a Candidate’s Spouse” after the word “Candidate” and before the word “may”;

(c) striking out the words “the Candidate’s” between the words “contribute to” and the word “campaign”;

(d) adding the words “their own” after the newly struck words “the Candidate’s” and before the word “campaign”;

(e) striking out the word “fifteen” after the word “exceed” and before the word “thousand”;

(f) adding the word “seventeen” after the word “exceed” and newly struck word fifteen and before the word “thousand”;

(g) adding the words “seven hundred” after the word “thousand” and before the word “dollars”;

(h) striking out the number “15,000” after the dollar sign and before the bracket “)”; and

(i) adding the number “17,700” after the dollar sign and before the bracket “)”.

11. Subsection 12(1) is amended by:

(a) adding the hyphen and word “-five” after the word “thirty” and before the word “thousand” in clause (a);

(b) adding the words “three hundred” after the word “thousand” and before the word “dollars” in clause (a);

(c) striking out the number “30,000” after the dollar sign and before the bracket “)” in clause (a);

(d) adding the number “35,300” after the dollar sign and before the bracket “)” in clause (a);

(e) adding the words and hyphen “and fifty-three” after the word “hundred” and before the word “thousand” in clause (b);

(f) striking out the number “300,000” after the dollar sign and before the bracket “)” in clause (b); and

(g) adding the number “353,000” after the dollar sign and before the bracket “)” in clause (b).

12. Subsection 18(f) is amended as follows:

(a) striking out the words “and the Candidate’s Spouse” after the word “Candidate” and before the word “has”.

Done and passed in Council this            day of            , 202    .

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Mayor

\_\_\_\_\_

Clerk



| <b>By-law C-1100, the Campaign Finance By-law</b>  |  |
|--|--|
| <b>Interviews with members of Halifax Regional Council Campaign contribution and expense limits</b>  |  |
| <b>Question</b>  | <b>Responses</b>   |
| <p>The current maximum contribution limits for individual contributions per election are \$5000 in total and a \$1000 maximum contribution (\$2500 for mayoral campaigns) to an individual campaign. Is this sufficient or should this number be increased or decreased?</p> | <p>Overall, members of Council agree that the current maximum contribution limits for individual contributions (\$1000 for Council, \$2500 for Mayor) and the \$5000 maximum total contribution limit are sufficient.</p> <p>All members of Council agreed that the contribution and expense limits should be reviewed for changes in Consumer Price Index on a regular basis and all but one agreed that the limits should not increase outside of adjustments for inflation.</p> <p>One member of Council suggested that the contribution limits for Council and Mayor should be increased as the pool of potential donors, particularly for non-incumbent candidates is low, it was suggested that the contribution limit should be based on a formula that is easy to calculate.</p> <p>Three members of Council noted that the \$5000 total maximum contribution limit per individual is confusing in light of the \$1000 and \$2500 maximum individual contribution limits suggesting that the language in the By-law should be reviewed for clarity.</p> <p>Five members of Council noted that the inability for both candidates and donors to claim campaign contributions and expenditures when filing income taxes can be barrier to new and incumbent candidates.</p> |
| <p>The current maximum amount that a candidate (and their spouse) may contribute to their own campaign is \$15,000. Is this sufficient or should this figure be increased or decreased?</p>  | <p>Eleven (11) members of Halifax Regional Council agreed that the current self-financing limit of \$15,000 (candidate and spouse) is sufficient.</p>  |

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|---|---|
|   | <p>Three (3) members of Council suggested that the maximum allowable self-financing limit should match the total allowable individual contribution limit of \$5000.</p> <p>Three (3) members of Council suggested that the maximum allowable limit could be reduced to \$10,000.</p> <p>Eleven (11) members of Council agreed that term “spouse” in the By-law should be reviewed for equity and noted that the term could be removed from the By-law.</p> <p>Five (5) members of Council had no formal opinion on the use of the term spouse within the By-law noting that it could be removed or it could remain.</p> <p>One (1) member of Council suggested that the legal definition of the term spouse should be applied to the By-law and self-financing rules to ensure clarity.</p> |
| <p>The current campaign expenditure limits for Councillor and Mayoral Candidates are \$30,000 and \$300,000 respectively are these limits sufficient or should these amounts be increased or decreased?</p> | <p>Thirteen (13) members of Council noted that the current expense limit of \$30,000 is sufficient for Councillor campaigns.</p> <p>One (1) member of Council suggested that the \$300,000 limit for Mayoral Campaigns seems high and should be adjusted but did not provide a figure.</p> <p>Three (3) members of Council were unsure of what an acceptable expense limit for Mayoral campaigns might be.</p> <p>Thirteen (13) members of Council agreed that the \$300,000 expense limit for Mayoral campaigns is sufficient.</p> <p>Three (3) members of Council suggested that Councillor campaigns could be reduced to \$20,000-25,000.</p>  |

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|  | One (1) member of Council did not provide an opinion on the current expense limits for mayoral or councillor campaigns but noted that the determination of the expense limits should be justifiable and based on a simple formula that is easy to calculate. |
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*Notes: Interviews were conducted between November 3 and 8, 2023. The questions asked reflect the current figures, under the Campaign Finance By-law and did not include the figures that were adjusted for CPI.*

## ATTACHMENT 4

### Jurisdictional Scan – Contribution and Expense limits

| Provincial Scan  | Maximum contribution limits for Council Candidates   | Maximum contribution limits for Mayoral Candidates  |
|--|--|---|
| <p>British Columbia</p> <p><a href="#">Elections British Columbia</a></p> <p><a href="#">2022 General local elections expense limits</a></p>   | <p>\$1324 per individual</p> <p>For a by-election endorsed candidates may contribute an additional \$1324 to a campaign or an endorsed candidate can also contribute an additional \$1324 to the elector organization.</p> <p>Expense limits vary per municipality and are calculated by formula based on the number of electors per district or ward.</p> | <p>\$1324 per individual</p> <p>For a by-election endorsed candidates may contribute an additional \$1324 to a campaign or an endorsed candidate may also contribute an additional \$1324 to the elector organization.</p> <p>Expense limits vary per municipality and are calculated by formula based on the number of electors in the municipality.</p> |
| <p>Alberta</p> <p><a href="#">Elections Alberta – A Candidates Guide: Running for Municipal Elections</a></p>  | <p>\$5000 per individual</p> <p>Self-financing \$10,000 maximum candidate contribution</p> <p><i>There are no expense limits required under the Alberta Local Elections Act.</i></p>   | <p>\$5000 per individual</p> <p>Self-financing \$10,000 maximum candidate contribution</p> <p><i>There are no expense limits required under the Alberta Local Elections Act</i></p>   |
| <p>Manitoba</p> <p><a href="https://www.gov.mb.ca/mr/mfas/election_faq.html#cf3">https://www.gov.mb.ca/mr/mfas/election_faq.html#cf3</a></p> <p><a href="#">City of Winnipeg 2022 Municipal and School Board Election Candidates Guide: Campaign Expenses and Contributions Guide: Mayor and Councillor Candidates</a></p> | <p>\$750 per individual. This also applies to candidates and their spouses.</p> <p>Expense limits are subject to municipal By-law which are based on the number of electors in each ward/district.</p>   | <p>\$1500 per individual. This also applies to candidates and their spouses.</p> <p>Expense limits are subject to Municipal By-law and are based on the number of electors in the municipality.</p>   |
| <p>Ontario</p> <p><a href="#">Elections Ontario – 2022 Candidates Guide for Municipal and School Board Elections</a></p> <p><a href="#">City of Toronto Executive Committee report dated June 18, 2021 re: Comparison of Campaign Spending Limits in Ontario Municipal, Provincial and Federal Elections</a></p>           | <p>Self-finance and Spouse: \$5000 plus \$.20 per eligible elector up to a maximum of \$25,000</p> <p>\$1200 total maximum per individual</p>  | <p>Self-finance and Spouse: \$7500 plus \$.20 per elector up to a maximum of \$25,000</p> <p>\$2500 total maximum contribution per individual</p> <p>General spending limit:</p>  |

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|--|---|---|
|  | <p>\$5000 total maximum individual contribution.</p> <p>General spending limit:</p> <p>\$5,000 plus \$0.85 per eligible elector</p> | <p>\$7500 plus \$.85 per eligible elector</p> |
|--|---|---|

| <b>Nova Scotia – Other levels of Government</b>   | <b>Maximum individual contribution limit</b> | <b>Maximum Self-financing limit</b> | <b>Maximum campaign expenditure limit</b> | <b>Notes</b>  |
|---|--|-------------------------------------|---|---|
| <p>Member of Parliament</p> <p><a href="#">Federal campaign contribution limits</a></p> <p><a href="#">Federal candidate campaign expense limits for 2023</a></p> | \$1700                                       | \$5000*                             | \$120,364**                               | <p>*This number applies to the maximum contribution to an individual candidate running for MP and does not include contribution allowances provided to registered political parties, registered associations, nomination and leadership contestants.</p> <p>**This number was calculated by averaging the total allowable campaign expenditures for the 11 federal ridings in Nova Scotia. Expenditure limits are based on the number of electors in each riding.</p> |
| <p>Member of Legislative Assembly</p> <p><a href="#">2021 Official Agent Handbook</a></p> <p><a href="#">Expense limits for 2021 General Election</a></p>         | \$5000***                                    | \$5000                              | \$81,078****                              | <p>***This number is a cumulative maximum for the calendar year and includes contributions made to registered political parties, the individual candidate, or the Electoral District Association.</p> <p>****This number was calculated by averaging the total allowable campaign expenditures for the 55 provincial ridings in Nova Scotia. Expenditure limits are based on the number of electors in each riding.</p>   |