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Item No. 13.1.1
Executive Standing Committee
August 18, 2025

TO: Mayor Fillmore and Members of Halifax Regional Council

FROM: Cathie O'Toole, Chief Administrative Officer

DATE: July 10, 2025

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

ORIGIN

Staff initiated.

EXECUTIVE SUMMARY

This report recommends the adoption of amendments to By-law C-1100, the Campaign Financing By-law, specifically the removal of campaign surplus trust accounts held by the municipality, the issuance of bank letters for candidates opening separate bank accounts for campaign purposes, public reporting and disclosure requirements for candidates who withdraw prior to the nomination period, and a time extension for the Returning Officer to request additional information from candidates and official agents when submitting campaign disclosure statements. This report also provides further information and a recommendation on administrative election matters that were not addressed prior to the 2024 Halifax Regional Municipality and CSAP election such as the creation of a municipally funded campaign donation rebate program and restrictions on third-party advertising expenses in municipal campaigns.

RECOMMENDATION

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

1. Adopt By-law C-1103, amending By-law C-1100, the *Campaign Financing By-law*, as set out in Attachment 2 of this report.
2. Request that the Mayor write a letter to the Province of Nova Scotia requesting legislative changes to the *Municipal Elections Act* to regulate, or to allow municipalities the ability to regulate, third-party advertising in municipal election campaigns.

BACKGROUND

Sections 49A and 49B of the *Municipal Elections Act* (MEA) set out the parameters for how municipal election campaign finances are administered. These rules apply to all municipalities in Nova Scotia.

On February 3, 2015, Regional Council requested a staff report examining the legislative options and implications of campaign finance reform.

On September 8, 2015, Regional Council requested the Province of Nova Scotia amend the *Halifax Regional Municipality Charter* (HRM Charter) for the authority to enact a campaign finance by-law. On May 20, 2016, Bill No. 154 received Royal Assent and added section 60A to the HRM Charter.

On October 30, 2018, Regional Council adopted the *Campaign Financing By-law* (By-law) and adopted amendments to it on July 16, 2019, and January 9, 2024.

The last Halifax Regional Municipality and CSAP regular election took place on October 19, 2024. In that time, staff have compiled a list of proposed administrative amendments to By-law C1100 for the consideration of Executive Standing Committee. Additionally, staff have compiled some outstanding election related administrative matters that were not able to be addressed prior to the 2024 election due to operational timing. These additional items include supplemental information regarding a municipal campaign rebate program and issues surrounding third-party advertising during the 2024 election.

DISCUSSION

Proposed amendments to By-law C1100

Campaign Surpluses

Clause 19 (1)(b) of the By-law provides options for candidates to either donate any surplus funds from their campaign to a Non-Profit Organization or provide the surplus to the Municipality to hold in trust for a period of two consecutive regular elections. Since 2018, there have been four candidates who have chosen to hold surplus funds in trust, with no interest, to be used in future elections. Staff are recommending that this practice be discontinued for future elections in the Halifax Regional Municipality primarily due to low participation rates amongst candidates and the administrative costs associated with drafting trust agreements and maintaining the trust accounts. Staff are recommending removing this requirement from the By-law and instructing that candidates donate surplus funds to a registered non-profit organization when submitting campaign statements of disclosure. This change would apply to any surplus for any future general municipal election, and any future special elections held on or after January 1, 2026.

Bank Letters for candidates opening separate accounts

Subsection 49A (4) of the MEA requires that all contributions to a candidate should be deposited in a separate account and be dealt with separately from the candidate's personal funds. It has been the practice of the election office to provide letters to candidates and official agents that register under the Campaign Finance By-law to present to financial institutions stating the intended purpose of the account being open for campaign purposes. This notification serves as notice to the financial institution. Staff are recommending amendments to the By-law to both clarify this practice and adding a requirement obligating a candidate to keep all campaign contributions in a separate bank account.

Reporting requirements for candidates who raise and expend funds that are not nominated or withdraw prior to nomination

The contribution period to collect campaign contributions for a regular election under By-law C1100 commences on March 1st of an Election year and terminates thirty (30) calendar days after ordinary polling day. A person is a Candidate when they, before Nomination Day, are declared Candidates by themselves or others, or are nominated as a Candidate on Nomination Day. Nomination Day is legislated to take place on the 2nd Tuesday of September in an election year. In some cases, candidates withdraw their candidacy before nomination day or do not receive the required signatures to obtain a nomination to become an official candidate by nomination day. The By-law as it is currently written does not expressly state that the reporting requirements apply to candidates that raise and expend funds during the contribution period but do not get officially nominated. Staff are recommending that the By-law be amended to clarify the public reporting requirements for candidates who raise and expend funds but do not undergo the nomination process to

become official candidates.

Additional Information required by the Returning Officer

Section 17 of the By-law requires a Statement of Campaign Contributions and Expenditures and a Statement of Campaign Surplus to be filed within 60 days of election day. Section 20 of By-law gives the returning officer the authority to request additional information from the Candidate or the Agent about those Statements at any time up to thirty (30) days after the filing deadline. Since the By-law was adopted in 2018, staff have observed that amount of time for the returning officer to request additional information from a candidate or agent on campaign disclosure documentation could benefit from a time extension. This is due to the volume of disclosure statements being received, reviewed and processed by the election office. In many cases, staff require additional information from candidates or agents before the campaign disclosure statements can be approved by the Returning Officer. This often requires additional time for candidates and agents to produce the required information and revise their statements. Staff are recommending the By-law be amended to grant the returning officer an additional 60 days to request additional information. This new 90 days period will allow for additional information gathering, the administrative processing of required paperwork, and redaction of personal information of disclosure statements for posting on the election webpage.

Municipal Campaign Donation Rebate Program

Income tax credits are regulated by the provincial and federal governments, municipal campaign contributions are ineligible for tax receipts under the *Income Tax Act*. In November 2023, the Executive Standing Committee approved a motion from the Women's Advisory Committee requesting a staff report examining the creation of a municipal campaign donation rebate program. Due to the timing of the municipal election, staff were unable to complete the analysis of this request in advance of the 2024 election.

Ontario municipalities are enabled through subsection 88.11 of the *Municipal Elections Act of Ontario* to create by-laws establishing rebate programs for campaign donations. The cities of Toronto, Ottawa, Mississauga, Markham, Oakville, Vaughan, Whitby, and Ajax all have campaign donation rebate program by-laws. A key feature of the rebate program is voluntary participation for candidates and individuals, an application process that is conducted after the close of a general election, a requirement that all campaign finance disclosure forms are submitted, and all applicable compliance audits are complete before rebates are processed¹. In the context of Ontario, rebate and participation rates vary between each municipality and funding for the programs are provided through the election budget or funded by general revenues of the municipality².

Currently, the MEA does not provide legislative authority for Nova Scotia municipalities to create campaign donation rebate programs. A legislative amendment request to the province of Nova Scotia would be required to enable the creation of a program in the Halifax Regional Municipality. Staff are not recommending that Council proceed with a legislative request to enable a municipal rebate program currently. Further consultation with the Department of Housing and Municipal Affairs and other Nova Scotia election administrators is needed due to the operational and budgetary impact associated with administering and funding a campaign rebate program, particularly in smaller municipal units.

Restrictions on Third-Party Advertising Expenses

Third-party advertisers are individuals or organizations that are not candidates and are independent of a political campaign. Unlike the provincial Elections Act (NS), the *MEA* does not regulate third party election advertising expenses. The *MEA* only regulates contributions made to a candidate, or an association created

¹ [City of Toronto website; Contribution Rebates](#)

² [City of Oakville Council report, October 18, 2021, 2022 Municipal Election Contribution Rebate Program, By-law 2021-122 page 3](#)

to support a candidate, and those contributions must be made to the official agent. The by-law power is limited to “contributions and expenses for the *election campaigns of candidates* for the office of Mayor or councillor”. The power does not extend to regulating third party election advertising expenses.

In 2024, the election office fielded several complaints from members of the public and candidates regarding instances of third-party election advertising during the election campaign. In the absence of enabling legislation from the Province of Nova Scotia, the elections office was unable to point to clear or consistent guidelines on third party advertisers. The By-law restricts campaign donations to individuals that are ordinarily residents of Nova Scotia. For example, financial contributions to municipal candidates from trade unions or corporations are prohibited. Several jurisdictions in Canada, including Ontario, Alberta and British Columbia have the legislative authority to regulate third party advertising expenses in municipal elections. This includes a register of third-party advertisers, eligibility requirements, and adherence to spending limits, record keeping and reporting guidelines. Staff are recommending that Halifax Regional Council request that the Mayor write a letter to the Province of Nova Scotia requesting legislative amendments to regulate, or allow municipalities to regulate, third-party advertising expenditures in municipal election campaigns.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

RISK CONSIDERATION

No risk considerations were identified with this report.

COMMUNITY ENGAGEMENT

No community engagement was required as part of this report

ENVIRONMENTAL IMPLICATIONS

No environmental implications were identified.

ALTERNATIVES

1. The Executive Standing Committee could refuse to recommend the amendments to Regional Council.
2. The Executive Standing Committee could recommend that Halifax Regional Council request the Mayor write a letter to the province of Nova Scotia requesting legislative amendments to enable a municipal campaign contribution rebate program by-law. Staff do not recommend this course of action for reasons outlined in the discussion section of this report.

LEGISLATIVE AUTHORITY

See Attachment 3

ATTACHMENTS

1. Showing Proposed Changes to the *Campaign Financing By-law*
2. Amending By-law C-1103
3. Legislative Authority

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Attachment 1

(Showing Proposed Changes to the *Campaign Financing By-law*)

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 1st 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) Repealed,

(ii) a Corporation,

(iii) a Partnership,

(iv) an Association,

(iva) a person who is not ordinary resident in the Province of Nova Scotia for a period of six months immediately preceding the first advance polling day;

(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

(r) Repealed;

(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.

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 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.

Requirement for Contributions in Separate Account

8A. (1) All Contributions shall be deposited in a separate account and be dealt with separately from the Candidate's personal funds.

(2) The Returning Officer may notify a Candidate, their Agent, or both, about the requirement in subsection 8A(1).

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 (\$1,200) per Councillor Candidate per Election; and

(b) 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 nine hundred dollars (\$5,900).

(3) The total amount a Candidate may contribute to their own campaign shall not exceed five thousand nine hundred dollars (\$5,900) 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 thousand dollars (\$30,000) per Councillor Candidate; and

(b) three hundred thousand dollars (\$300,000) 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.

(1A) For greater certainty, every person who is a Candidate during the Contribution Period shall file both a Statement of Campaign Contributions and Expenditures and a Statement of Campaign Surplus, including a person who is declared as, but not nominated as, a Candidate.

- (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 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) **For an election on or before December 31, 2025, A** 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~~19 (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.

(3A) (1) For an election on or after January 1, 2026, 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; and

(b) confirmation the Candidate donated any surplus to a Non-Profit Organization.

(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)~~ ninety (90) 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 30th day of October, 2018.

Mayor

Clerk

Attachment 2
(Amending By-law C-1103)

**HALIFAX REGIONAL MUNICIPALITY
BY-LAW NUMBER C-1103
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 Bylaw*, is amended as follows:

1. Section 8A is added after section 8 and before section 9, as follows:

Requirement for Contributions in Separate Account

8A. (1) All Contributions shall be deposited in a separate account and be dealt with separately from the Candidate's personal funds.

(2) The Returning Officer may notify a Candidate, their Agent, or both, about the requirement in subsection 8A(1).

2. Subsection 17(1A) is added after subsection 17(1) and before 17(2), as follows:

(1A) For greater certainty, every person who is a Candidate during the Contribution Period shall file both a Statement of Campaign Contributions and Expenditures and a Statement of Campaign Surplus, including a person who is declared as, but not nominated as, a Candidate.

3. Section 19 is amended by:

- (a) de-capitalizing the word "A" at the beginning of subsection 19(1);
- (b) adding "For an election on or before December 31, 2025," at the beginning of subsection 19(1);
- (c) striking out the number "20" after the word "subclause" and before "(1)", and substituting "19" in subsection 19(2); and

- (d) adding subsection (3A) after subsection (3) and before subsection (4), as follows:

(3A) (1) For an election on or after January 1, 2026, 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; and

(b) confirmation the Candidate donated any surplus to a Non-Profit Organization.

4. Subsection 20(1) is amended by striking out "thirty (30)" after the words "up to" and before the words "days" and substituting "ninety (90)".

Done and passed in Council this day of , 202 .

Mayor

Clerk

Attachment 3

Legislative Authority

Halifax Regional Municipality 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, sections 49A and 49B, as follows:

49A (1) In this Section and Section 49B,

(a) “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;

(b) “association” means an association of one or more people established to, a trust established for or a fund established to further the election of the candidate;

(c) “contributions” 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;

(d) “spouse” means a person married to another person and, for the purpose of this Section, 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.

(2) An association shall appoint an agent for the purpose of this Section and shall file the appointment with the clerk or the secretary of a school board.

(3) Contributions to a candidate or association shall be made only to the agent.

(4) All contributions to a candidate shall be deposited in a separate account and be dealt with separately from the candidate’s personal funds.

(5) The agent shall record the full name and residential or business address, other than a post office box address unless that is the only address available, of each contributor together with the amount of the contribution.

(6) An agent shall not accept an anonymous contribution in any amount and, if any anonymous contribution cannot be returned to the contributor, it shall be remitted to the treasurer of the municipality or school board.

(7) No person shall contribute to any association or candidate funds not beneficially belonging to the person or funds that have been given or furnished to that person by another person for the purpose of contributing those funds unless the person to whom the funds beneficially belong is

identified as the contributor or unless the person contributing the funds is the spouse of the person to whom the funds beneficially belong.

(8) Within sixty days after ordinary polling day in an election, every candidate and agent of an association shall file with the clerk of a municipality or the secretary of a school board a disclosure statement.

(8A) A disclosure statement must show the full name and residential or business address, other than a post office box unless that is the only address available, of each contributor whose contributions received during the period since the previous election exceed fifty dollars in total and the amount of the total contributions by that contributor.

(9) Where a trust or fund is established to further the goals of a candidate or association and the trust or fund is not controlled by an association or candidate, the names of contributors to the trust or fund shall be disclosed when a transfer is made from the trust or fund to either an association or candidate.

(10) Where a contribution or gift of goods or services is made to a candidate or association for the purpose of sale or auction, the value of the contribution is the dollar value at which those goods or services are sold or auctioned.

(11) A candidate who is not nominated is not required to file a disclosure statement.

(12) Subject to subsection (11), every candidate who fails to file a disclosure statement within sixty days after ordinary polling day, or who files a false disclosure statement, is guilty of an offence.

49B (1) Any person may examine a disclosure statement respecting contributions to a candidate.

(2) Disclosure statements shall be available for examination at any time during regular office hours.

(3) A person who examines a disclosure statement may obtain a copy of that statement upon payment of the reasonable cost of copying the statement.

(4) The disclosure statement shall be as nearly as may be in the form prescribed by the Minister.

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.