

NOTICE OF DEFAULT

Municipal Elections Act, 1996 (s. 80 (3))

TO:

Tina Konecny (Name of Candidate)	/ Candidate – Councillor Ward 3 (Office)
51 Wharf Street, Wellington, ON	K0K 3L0
(Address)	(Postal Code)

FROM:

Kim White, Clerk, The Corporation of the County of Prince Edward
(Name of Municipality)

TAKE NOTICE that you are in default of the requirements of the Municipal Elections Act, 1996, because:

A. You failed to file documents with the Municipal Clerk as required by Section 78 of the Municipal Elections Act 1996 on or before the relevant date.

NOTICE OF DEFAULT -

- (I) If this notice indicates that you have failed to file a document required by Section 78 or 79.1 of the Municipal Elections Act, the following provisions and penalties apply:

TO AN UNSUCCESSFUL CANDIDATE

- (i) until the next regular election has taken place, you are ineligible to be elected or appointed to any office to which the Municipal Elections Act, 1996 applies.

Notice of Penalties

Sections 91 and 92 of the Municipal Elections Act, 1996 set out penalties with respect to violations under the Act as follows:

91. (1) *If a person is convicted of a corrupt practice under this Act, or of an offence under the Criminal Code (Canada) in connection with an act or omission that relates to an election to which this Act applies, then, in addition to any other penalty provided for in this Act,*

- (a) any office to which the person was elected is forfeited and becomes vacant; and*
- (b) the person is ineligible to be nominated for, or elected or appointed to, any office until the next two regular elections have taken place after the election to which the offence relates.*

Exception

(2) However, if the presiding judge finds that the person committed the corrupt practice or offence under the Criminal Code (Canada) without any intent of causing or contributing to a false outcome of the election, clause (1) (b) does not apply.

92.(3) *If the expenses incurred by or on behalf of a candidate exceed the amount determined for the office under section 76, the candidate is liable to a fine equal to the excess, in addition to any other penalty provided for in the Act.*

(5) A candidate is guilty of an offence and, on conviction, in addition to any other penalty that may be imposed under this Act, is subject to the penalties described in subsection 80 (2) if he or she,

- (a) files a document under section 78 or 79.1 that is incorrect or otherwise does not comply with that section; or*
- (b) incurs expenses that exceed what is permitted under section 76.*

March 30, 2015
Date

Kim White Clerk
Municipal Clerk or designate