



CITY OF HAMILTON

DECISION of the ELECTION COMPLIANCE AUDIT COMMITTEE established under the *Municipal Elections Act, 1996*

A COMPLIANCE AUDIT APPLICATION RESPECTING THE CAMPAIGN FINANCES (JANUARY 12, 2016 TO MAY 5, 2016) OF THE WARD 7 BY- ELECTION CAMPAIGN PERIOD OF U. QURESHI, CANDIDATE, WARD 7

With respect to the meeting of the Election Compliance Audit Committee held on September 6, 2016 to deal with the application concerning the Financial Statement of Ms. Uzma Qureshi (the Candidate):

Under the Municipal Election Act (MEA) a Candidate is required to attach an Auditor's Report to their Financial Statement if either contributions or expenses exceed \$10,000.

Ms. Qureshi received contributions and incurred expenses in excess of \$10,000 and as such breached the MEA.

The Candidate informed the Committee that audited financial statements were completed after the required filing date and therefore could not be submitted.

The Committee is in agreement that there has been a breach of the MEA and as such has the authority to order a compliance audit. In the Superior Court rulings of *Lancaster v. Compliance Audit Committee et al.*, 2013 ONSC 7631 and *Vezina v. Parrish*, 2013 ONSC 2368, it was held the ordering of a compliance audit is discretionary.

Based on the information provided, the Committee agreed that an order for a compliance audit is not warranted in this case. The Committee strongly emphasizes that this should not be construed as an open invitation for any current or future candidates to breach the MEA.

Dated at the City of Hamilton September 7, 2016

Written and approved by the following Committee Members:

Ross Anderson, Chair

Barry Gilbert, Vice Chair

John Klein

Linda Lister