TOWNSHIP OF NAIRN AND HYMAN

BY-LAW NUMBER 2021-11

BEING A BY-LAW TO ADOPT THE INTEGRITY COMMISSIONER PROTOCOL POLICY

WHEREAS a municipality shall establish codes of conduct for Members of Council of the municipality pursuant to section 223.2 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended (the "Municipal Act"); and

WHEREAS section 223.3 of the Municipal Act authorizes a municipality to appoint an Integrity Commissioner who reports to Council and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to any or all of the responsibilities set out in section 223.3 of the Municipal Act; and

NOW THEREFORE the Council of the Corporation of the Township of Nairn and Hyman hereby enacts as follows:

1. THAT the Integrity Commissioner Protocol Policy is hereby adopted as set out in Schedule "A" attached hereto and forming part of this by-law;

2. THAT this by-law shall come into force and take effect upon being passed by Council.

Read a first and second time this 12th day of April, 2021.

Read a third time and passed in open Council this 12th day of April, 2021.

(Signature on original)

_____

Mayor

(Signature on original)

_____

Clerk

TOWNSHIP OF NAIRN AND HYMAN

Wishart LAW FIRM LLP

Integrity Commissioner Inquiry Protocol

The Corporation of the Township of Nairn and Hyman

Important Disclaimer: this protocol complies with the relevant provisions of the *Municipal Act, 2001*, SO 2001, c 25 (the "*Act*"). Wishart Law Firm LLP recommends that legal advice be sought by the Integrity Commissioner or anyone acting under his or her authority in responding to an application or conducting an inquiry pursuant to this protocol. If you have any questions or concerns about this protocol or how to implement it, please contact Wishart Law Firm LLP. Wishart Law Firm LLP is not responsible for the results of any edit to this protocol other than as expressly authorized or directed by Wishart Law Firm LLP.

© 2018, Wishart Law Firm LLP

All rights reserved. No part of this work may be reproduced or copied in any form or by any means (graphic, electronic or mechanical, including photocopying, recording, taping or information and retrieval systems) without the written permission of Wishart Law Firm LLP.

A licence is, however, given by Wishart Law Firm LLP to any Municipality that has purchased a copy of this work to print, copy, save, or post on its official website for its own use only and such Municipality may not repurpose or resell the work in any way.

Table of Contents

1. Introduction 1

2. Definitions 1

3. Integrity Commissioner 2

   3.1. Functions 2

   3.2. Powers and duties 3

   3.3. Delegation 3

   3.4. Outside assistance 3

4. Requests for advice 3

   4.1. Requests for advice shall be in writing 3

   4.2. Advice shall be in writing 3

   4.3. Release of advice 3

5. Inquiry by Integrity Commissioner re Code of Conduct 4

   5.1. Request for inquiry 4

   5.2. Request contents 4

   5.3. Jurisdiction re workplace violence, harassment, and sexual harassment 4

   5.4. Request review 5

   5.5. Powers on inquiry 5

   5.6. Information 5

   5.7. Penalties the Municipality may impose 5

   5.8. Penalties the Local Board may impose 6

   5.9. Termination of inquiry when regular election begins 6

   5.10. Other rules that apply during regular election 6

6. Inquiry by Integrity Commissioner re s. 5, 5.1 or 5.2 of the *MCIA* 7

   6.1. Application 7

   6.2. Content of application 7

   6.3. Review of application 7

   6.4. No application for inquiry during regular election 8

   6.5. Application timing 8

   6.6. Exception 8

   6.7. Public meeting 8

   6.8. Powers on inquiry 8

   6.9. Information 9

6.10. Termination of inquiry when regular election begins 9
6.11. No other inquiry in respect of the matter to commence without application 9
6.12. Timing for completion of inquiry 9
6.13. Decision to apply to a judge upon completion of inquiry 9
6.14. Notice to Applicant re decision not to apply to judge 9
6.15. Reasons re decision to apply to a judge 10
6.16. Costs 10
7. Conduct of inquiry 10
8. Reference to appropriate authorities 10
8.1. Referral of matter by Integrity Commissioner 10
8.2. No derogation of rights 11
9. Confidentiality 11
9.1. Integrity Commissioner's duty of confidentiality 11
9.2. Confidentiality of those involved in inquiry 11
9.3. Disclosure required by law 11
9.4. Retention of records 11
10. Reports 12
10.1. Periodic report to council 12
10.2. Report about conduct 12
10.3. Report to Council or Local Board 12
10.4. Publication of reports 12
11. Bad Faith Applications or Requests 13
12. Indemnity 13
13. Protocol review 13
SCHEDULE "A" 14
SCHEDULE "B" 15

1. Introduction

The Municipality has, pursuant to section 223.2 of the *Municipal Act, 2001*, established a Code of Conduct for members of council of the Municipality and members of its Local Boards.

The Municipality has appointed an Integrity Commissioner whose duties include, among other things, conducting inquires in respect of alleged contraventions of the Code of Conduct and sections 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act ("MCIA")*.

The purpose of this protocol is to set out a framework for the Integrity Commissioner's inquiries into allegations of contraventions of the Code of Conduct and sections 5, 5.1 and 5.2 of the *MCIA* breaches.

2. Definitions

"Applicant" means the person who has submitted an application to the Integrity Commissioner for an inquiry to be carried out concerning an alleged contravention by a Member of sections 5, 5.1 or 5.2 of the *MCIA*.

"Code of Conduct" means a code of conduct established pursuant to section 232.2 of the *Municipal Act, 2001*.

"Elector" means a person entitled to vote at a municipal election in the Municipality.

"Integrity Commissioner" means the Integrity Commissioner appointed by Municipal Council and any individual acting under powers delegated to him or her in writing by the Integrity Commissioner.

"Local Board" means a Local Board other than:

a. A society as defined in subsection 2(1) of the *Child, Youth and Family Services Act, 2017;*
b. A board of health as defined in subsection 1(1) of the *Health Protection and Promotion Act;*
c. A Committee of management established under the *Long-Term Care Homes Act, 2007;*
d. A police service board established under the *Police Services Act, 2018;*
e. A board as defined in section 1 of the *Public Libraries Act;* and,
f. A corporation established in accordance with section 203 of the *Municipal Act, 2001*;

"Member" means a member of the municipal council and any person on his or her staff and/or a member of a Local Board or a Committee of the Municipality and any person on his or her staff.

"Requestor" means the person who has submitted a request to the Integrity Commissioner for an inquiry concerning an alleged contravention of the applicable Code of Conduct.

"Respondent" means the person who is alleged to have violated the Code of Conduct or sections 5, 5.1 or 5.2 of the *MCIA* and whom an Integrity Commissioner inquiry application has been submitted.

3. Integrity Commissioner

3.1. Functions

The Integrity Commissioner reports to council and is responsible for performing in an independent manner, the functions assigned by the Municipality with respect to any of the following:

1. The application of the Code of Conduct for Members.
2. The application of any procedures, rules and policies of the Municipality and Local Boards governing the ethical behaviour of Members.
3. The application of sections 5, 5.1 and 5.2 of the *MCIA* to Members.
4. Requests from Members for advice respecting their obligations under the Code of Conduct applicable to the Member.
5. Requests from Members for advice respecting their obligations under a procedure, rule or policy of the Municipality or of the Local Board, as the case may be, governing the ethical behaviour of Members.
6. Requests from Members for advice respecting their obligations under the *MCIA*.
7. The provision of educational information to Members, the Municipality and the public about the Municipality's Code of Conduct for Members and about the *MCIA*.

3.2. Powers and duties

In carrying out the responsibilities described in section 3.1 above, the Integrity Commissioner may exercise such powers and shall perform such duties as may be assigned to him or her by the Municipality.

3.3. Delegation

After satisfying himself or herself that a person is fully capable of carrying out the Integrity Commissioner's powers or duties, the Integrity Commissioner may, in writing, delegate to any person, other than a member of council, any such duties or powers. For greater certainty, if the Integrity Commissioner delegates any duties or powers, the Integrity Commissioner may continue to exercise the delegated powers and duties despite the delegation.

3.4. Outside assistance

In performing any of his or her duties, the Integrity Commissioner may engage outside assistance or consult with the Municipality's legal counsel. When the Municipality's legal counsel is assisting the Integrity Commissioner their role is solely to assist the Integrity Commissioner and not any particular individual.

4. Requests for advice

4.1. Requests for advice shall be in writing

A request by a Member for advice from the Integrity Commissioner under paragraphs 4, 5 or 6 of section 3.1 above, shall be made in writing.

4.2. Advice shall be in writing

If the Integrity Commissioner provides advice to a Member under paragraphs 4, 5 or 6 of section 3.1 above, the advice shall be in writing.

4.3. Release of advice

Advice provided by the Integrity Commissioner to a Member under paragraphs 4, 5 or 6 of section 3.1 above may be released by the Integrity Commissioner:

1. With the Member's written consent; or
2. Without the Member's written consent if the Member releases part of the advice.

5. Inquiry by Integrity Commissioner re Code of Conduct

5.1. Request for inquiry

A request for inquiry may be made in writing to the Integrity Commissioner by a Member, staff or member of the public about whether a Member has contravened the Code of Conduct.

5.2. Request contents

A request for inquiry under section 5.1 above may be in the form set out in Schedule "A" or, otherwise, shall include sufficient information to set out a prima facie contravention of the applicable Code of Conduct, including, but not necessarily limited to, all of the following:

- The Requestor's name and contact information.
- What happened – a description of the events or situation.
- When it happened – dates and times of the events or incidents.
- Where it happened – the location(s) where the events or incidents occurred.
- Who saw it happen – the names of any witnesses, if any.

5.3. Jurisdiction re workplace violence, harassment, and sexual harassment

Requests made under this section must specifically refer to alleged contraventions of the Code of Conduct by a Member. Allegations of workplace violence, harassment, and sexual harassment by a Member must be reported in the manner set out in the Township of Nairn and Hyman Workplace Anti-Violence, Harassment and Sexual Harassment Policy and must be reported as provided thereunder and that policy shall exclusively apply in respect of any such report.

5.4. Request review

The Integrity Commissioner will conduct an initial review of the request to ensure that it is a proper allegation of a breach of the Code of Conduct. If, after the initial review, the Integrity Commissioner determines that the request is not properly an allegation of a breach of the Code of Conduct, there are insufficient grounds to believe that there has been a contravention of the Code of Conduct, or the Integrity Commissioner, determines that an inquiry is not appropriate for any other reason in the Integrity Commissioner's reasonable discretion, the Integrity Commissioner will dismiss the request. When determining if an inquiry is appropriate, the Integrity Commissioner may, among other things, take into account the date of the alleged breach. Further, the Integrity Commissioner shall, in his or her discretion, dismiss the request if, upon initial review, the Integrity Commissioner determines that the Requestor has not supplied the information set out in section 5.2. If the Integrity Commissioner does not dismiss a request for this reason, the Integrity Commissioner will advise the Requestor that he or she must supply additional information and shall take no further action until the Requestor supplies such information.

5.5. Powers on inquiry

The Integrity Commissioner may elect to exercise the powers under sections 33 and 34 of the *Public Inquiries Act, 2009*, in which case, notwithstanding anything to the contrary herein, those sections apply to the inquiry.

5.6. Information

The Municipality, its Local Boards and Committees shall give the Integrity Commissioner such information as the Integrity Commissioner believes to be necessary for an inquiry including free access to all books, accounts, financial records, electronic data processing records, reports, files and other papers, things or property belonging to or used by the Municipality, Committee or a Local Board. For greater certainty, providing the Integrity Commissioner with information concerning legal advice shall be deemed not to constitute a waiver of solicitor-client privilege.

5.7. Penalties the Municipality may impose

Council may impose any of the following penalties on a Member if the Integrity Commissioner reports to the Municipality that the Member has contravened the Code of Conduct:

1. A reprimand;
2. Suspension of the remuneration paid to the Member for a period of up to 90 days;

3. Other penalties, including, but not necessarily limited to:

   a. Removal from membership of a Committee or Local Board;

   b. Removal as Chair of a Committee or Local Board;

   c. Require repayment or reimbursement of moneys received;

   d. Return of property or reimbursement of its value;

   e. Request for an apology to Council, the Requestor or other relevant party;

   f. Revocation of travel or other budget;

   g. Request for resignation;

   h. Trespass Order restricting access except for Council Meetings.

5.8. Penalties the Local Board may impose

A Local Board may impose any of the penalties described in section 5.7 above on a member of the Local Board if the Integrity Commissioner reports to the Local Board that, in his or her opinion, the member of the Local Board has contravened the Code of Conduct applicable to the Member of the Local Board, and if the Municipality has not imposed a penalty on the member of the Local Board under section 5.7 above in respect of the contravention.

5.9. Termination of inquiry when regular election begins

If the Integrity Commissioner has not completed an inquiry before nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act*, 1996, the Integrity Commissioner shall terminate the inquiry on that day. If an inquiry is so terminated, the Integrity Commissioner shall not commence another inquiry in respect of the matter unless, within six weeks after voting day in a regular election as set out in section 5 of the *Municipal Elections Act*, 1996, the person or entity who made the request or the Member or former Member whose conduct is concerned makes a written request to the Integrity Commissioner that the inquiry be commenced.

5.10. Other rules that apply during regular election

The following rules apply during the period of time starting on nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, and ending on voting day in a regular election, as set out in section 5 of that *Act*:

1. There shall be no requests for an inquiry about whether a member of council or of a Local Board has contravened the Code of Conduct applicable to the Member.

2. The Integrity Commissioner shall not report to the Municipality or Local Board about whether, in his or her opinion, a member of council or of a Local Board has contravened the Code of Conduct applicable to the Member.

3. The Municipality or Local Board shall not consider whether to impose the penalties referred to in sections 5.5 and 5.6 above on a member of council or of a Local Board.

6. Inquiry by Integrity Commissioner re s. 5, 5.1 or 5.2 of the *MCIA*

6.1. Application

An Elector, or a person demonstrably acting in the public interest, may apply in writing to the Integrity Commissioner for an inquiry to be carried out concerning an alleged contravention of sections 5, 5.1 or 5.2 of the *MCIA* by a Member.

6.2. Content of application

An application may be in the form set out in Schedule "B" or, otherwise, shall set out the reasons for believing that the Member has contravened sections 5, 5.1 or 5.2 of the *MCIA* and include the Applicant's name and contact information and a statutory declaration attesting to the fact that the Applicant became aware of the contravention not more than six weeks before the date of the application or, in the case where the Applicant became aware of the alleged contravention during the period of time described in paragraph 1 of section 6.6 below, a statutory declaration attesting to the fact that the Applicant became aware of the alleged contravention during that period of time.

6.3. Review of application

The Integrity Commissioner will conduct an initial review of the application to ensure that it complies with this section. If the application does not comply with this section, the Integrity Commissioner will advise the Applicant about the non-compliance in writing and the Integrity Commissioner shall take no further action unless or until the Applicant submits a compliant application. If upon initial review, the Integrity Commissioner determines that the application is not properly an application alleging contravention of sections 5, 5.1 or 5.2 of the *MCIA* or there are no reasonable grounds to support the application, the Integrity Commissioner shall dismiss the application.

6.4. No application for inquiry during regular election

No application for an inquiry under this section may be made to the Integrity Commissioner during the period of time starting on nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act*, 1996, and ending on voting day in a regular election as set out in section 5 of that *Act*.

6.5. Application timing

An application under this section may only be made within six weeks after the Applicant became aware of the alleged contravention. No application shall be brought after the expiration of six years from the time at which the contravention is alleged to have occurred.

6.6. Exception

Despite section 6.5 above, an application may be made more than six weeks after the Applicant became aware of the alleged contravention if both of the following are satisfied:

1. The Applicant became aware of the alleged contravention six weeks before nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, and ending on voting day in a regular election, as set out in section 5 of that *Act*.

2. The Applicant applies to the Integrity Commissioner under section 6.1 within six weeks after the day after voting day in a regular election, as set out in section 5 of the *Municipal Elections Act, 1996*.

6.7. Public meeting

If the Integrity Commissioner decides to conduct an inquiry, the Integrity Commissioner may have a public meeting to discuss the inquiry.

6.8. Powers on inquiry

The Integrity Commissioner may elect to exercise the powers under sections 33 and 34 of the *Public Inquiries Act, 2009*, in which case, notwithstanding anything to the contrary herein, those sections apply to the inquiry.

6.9. Information

The municipality and its Local Boards shall give the Integrity Commissioner such information as the Integrity Commissioner believes to be necessary for an inquiry including free access to all books, accounts, financial records, electronic data processing records, reports, files and other papers, things or property belonging to or used by the Municipality or a Local Board. For greater certainty, providing the Integrity Commissioner with information concerning legal advice shall be deemed not to constitute a waiver of solicitor-client privilege.

6.10. Termination of inquiry when regular election begins

If the Integrity Commissioner has not completed an inquiry before nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, the Integrity Commissioner shall terminate the inquiry on that day.

6.11. No other inquiry in respect of the matter to commence without application

If an inquiry is terminated under section 6.10, the Integrity Commissioner shall not commence another inquiry in respect of the matter unless, within six weeks after voting day in a regular election as set out in section 5 of the *Municipal Elections Act*, 1996, the person who made the application or the Member or former Member whose conduct is concerned applies in writing to the Integrity Commissioner for the inquiry to be carried out.

6.12. Timing for completion of inquiry

The Integrity Commissioner shall complete the inquiry within 180 days after receiving the completed compliant application under section 6.1 above unless the inquiry is terminated under section 6.10 above.

6.13. Decision to apply to a judge upon completion of inquiry

Upon completion of the inquiry, the Integrity Commissioner may, if he or she considers it appropriate, apply to a judge for a determination as to whether the Member has contravened sections 5, 5.1 or 5.2 of the *MCIA*.

6.14. Notice to Applicant re decision not to apply to judge

The Integrity Commissioner shall advise the Applicant if the Integrity Commissioner will not be making an application to a judge.

6.15. Reasons re decision to apply to a judge

After deciding whether or not to apply to a judge, the Integrity Commissioner shall publish written reasons for the decision.

6.16. Costs

The Integrity Commissioner's costs of applying to a judge shall be paid by:

1. The municipality, if the Member is alleged to have contravened sections 5, 5.1 or 5.2 of the *MCIA* as member of council of the Municipality; or

2. The Local Board, if the Member is alleged have contravened sections 5, 5.1 or 5.2 of the *MCIA* as member of the Local Board.

7. Conduct of inquiry

The Integrity Commissioner may conduct such inquiry as he or she considers necessary in response to a compliant request or application under sections 5 or 6 above and such inquiry may include all or some of the following:

- Informing the Respondent of the application;
- Interviewing the Applicant, the Respondent, any person involved in the incident, and any identified witnesses;
- Interviewing any other person who may have knowledge of the incidents related to the application or any other similar incidents; and
- Reviewing any information the Integrity Commissioner believes necessary and document such review.

8. Reference to appropriate authorities

8.1. Referral of matter by Integrity Commissioner

If the Integrity Commissioner, when conducting an inquiry, determines that there are reasonable grounds to believe that there has been a contravention of the Criminal Code of Canada or any other *Act*, the Integrity Commissioner shall immediately refer the matter to the appropriate authorities and suspend the inquiry until any resulting investigation, including, but not limited to, police investigations and/or the charges have been finally disposed of, and shall

report the suspension to council. Contravention of any other *Act* includes, but is not limited to, contravention of the *Occupational Health and Safety Act.*

8.2. No derogation of rights

The provisions of this protocol in no way affect the right of anyone to:

(a) contact the police, other law enforcement agency, or any other appropriate authority on their own initiative;
(b) exercise their right(s) under any legislation; or
(c) take any other available legal action.

9. Confidentiality

9.1. Integrity Commissioner's duty of confidentiality

The Integrity Commissioner and every person acting under his or her jurisdiction shall preserve confidentiality with respect to all matters that come to his or her knowledge in the course of performing his or her duties. This section prevails over the *Municipal Freedom of Information and Protection of Privacy Act.*

9.2. Confidentiality of those involved in inquiry

Out of respect for the relevant individuals, it is essential that the Applicant, Respondent, witnesses and anyone else involved in an inquiry conducted by the Integrity Commissioner hereunder maintain confidentiality throughout the inquiry and afterwards.

9.3. Disclosure required by law

Notwithstanding sections 9.1 or 9.2 above, information may be disclosed in a criminal proceeding, or as required by law.

9.4. Retention of records

The Integrity Commissioner and person providing outside assistance to the Integrity Commissioner pursuant to section 3.4 above, shall retain all records related to any application and any inquiry indefinitely.

10. Reports

10.1. Periodic report to council

If the Integrity Commissioner provides a periodic report to the Municipality on his or her activities, the Integrity Commissioner may summarize advice he or she has given, but shall not disclose confidential information that could identify a person concerned.

10.2. Report about conduct

After completing an inquiry, the Integrity Commissioner shall provide a written report to the Municipality or the Local Board (the "Report").

The Integrity Commissioner may disclose in the Report, such matters as in the Commissioner's opinion are necessary for the purposes of the Report. Where the Integrity Commissioner finds that there has been a contravention of the Code of Conduct, the Report may, at the Integrity Commissioner's discretion, contain the following:

1. An outline of the Integrity Commissioner's finding; and,
2. The terms of any recommended corrective action;

Where the Integrity Commissioner finds that there has been a contravention of the Code of Conduct, the Report must contain sufficient information for the Municipality or Local Board to determine whether or not to impose corrective action under section 5.7.

10.3. Report to Council or Local Board

Upon receipt of the Report, the Clerk shall indicate on the regular agenda of Council or the Local Board, notice of intent from the Integrity Commissioner to submit a Report for consideration at the following regular meeting.

The Respondent shall have the right of reply when the Report is considered by the Municipality or the Local Board.

Upon review of the Report, Council shall pass a resolution stating whether or not it intends to take action in response to the Report, and if so, what action Council will take.

10.4. Publication of reports

The Municipality and each Local Board shall ensure that reports received from the Integrity Commissioner by the Municipality or by the Local Board, as the case may be, are made available to the public upon request.

11. Bad Faith Applications or Requests

If a person or entity makes a request or application for an inquiry hereunder and the Integrity Commissioner determines such request or application is made in bad faith, notwithstanding anything to the contrary in protocol, the Integrity Commissioner may disclose all relevant information concerning the request or application to the Municipality such that the Municipality may pursue any recourse available against the individual or entity. Examples of bad faith include, but are not limited to, making a report knowing the allegations therein are untrue or making a report for an improper purpose.

12. Indemnity

The Municipality shall indemnify and save harmless the Integrity Commissioner, or any person acting under the instructions of the Integrity Commissioner, for costs reasonably incurred by either of them in connection with the defence of a proceeding if the proceeding relates to an act done in good faith in the performance or intended performance of a duty or authority hereunder or an alleged neglect or default in the performance in good faith of such duty or a by-law passed under Part V.1 of the *Municipal Act, 2001*. For greater certainty, nothing in this section affects the application of section 448 of the *Municipal Act, 2001* with respect to a proceeding referred to in this section.

13. Protocol review

The Municipality will review this Policy as often as it deems reasonably necessary and will post the most current version of this protocol on its website.

SCHEDULE "A"

INTEGRITY COMMISSIONER REQUEST FOR INQUIRY
CODE OF CONDUCT

This form will be used to request the Integrity Commissioner conduct an inquiry of an alleged Code of Conduct contravention	Submit completed complaint in a sealed envelope to: **Integrity Commissioner** **Request for Inquiry Re Code of Conduct** **[Integrity Commission Contact Information]**

REQUESTOR'S INFORMATION

Last Name:	First Name:
Street Address:	Municipality:
Postal Code:	Phone #:
E-mail Address:	Name of Member:

DETAILS OF ALLEGED CODE OF CONDUCT CONTRAVENTION

Date(s) of alleged Code of Conduct contravention:		
Provision(s) of Code of Conduct allegedly contravened:		
Facts constituting the alleged Code of Conduct contravention (please use separate page(s) if required)		
Name(s) and contact information of any witnesses:		
☐ I agree to release my identity with regard to this request ☐ I do NOT agree to release my identity with regard to this request		
Signature:	Date: Year:	Month: Day:

FOR OFFICE USE ONLY

Date Received Year: Month: Day:	Request #:	Comments:
Personal information contained on this form is collected under the authority of the *Municipal Freedom of Information and Protection of Privacy Act* and will be used for the purpose of requesting an inquiry.		

SCHEDULE "B"

INTEGRITY COMMISSIONER APPLICATION FOR INQUIRY
MUNICIPAL CONFLICT OF INTEREST ACT

AFFIDAVIT OF_____(insert full name) I, _____(insert full name), of the (insert City, Town etc.) _____(Municipality of residence) in the Province of Ontario.

MAKE OATH AND SAY (or AFFIRM):

1. I have personal knowledge of the facts as set out in this affidavit, because: (insert reasons - e.g. I work for/I attended a meeting at which, etc.)

2. I have reasonable and probable grounds to believe that a Member, namely: (insert specify name of Member)

has contravened section(s)_____(specify section(s) 5, 5.1 or 5.2) of the *Municipal Conflict of Interest Act*, RSO 1990, c M.50. The particulars of which are asfollows:

(If more room is required, attach and initial extra pages to set out the statement of facts in consecutively numbered paragraphs, with each paragraph being confined as far as possible to a particular statement of fact. Exhibits should be labelled as Exhibit A, B, etc. and attached to this affidavit.)

3. I became aware of the alleged contravention:

☐ not more than six weeks before the date of this application.

☐ within the period of time beginning six weeks before nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, and ending on voting day in a regular election, as set out in section 5 of that *Act*.

This affidavit is made for the purpose of applying for an inquiry by the Integrity Commissioner and for no other purpose.

SWORN (or AFFIRMED) before me at the City of , this day of ,20 .

_____

A Commissioner etc.