

AMENDED FINANCIAL DISCLOSURE STATEMENTS 2010 GENERAL ELECTION

EXECUTIVE SUMMARY

This is to report on and file amended financial disclosure statements for the 2010 General Election as required under Sections 147.4(1.1) and (1.2) of the Local Authorities Election Act (LAEA).

ADMINISTRATION RECOMMENDATION(S)

That Council receive this report for information and file.

PREVIOUS COUNCIL DIRECTION / POLICY

Sections 147.4(1.1) and (1.2) of the LAEA were in the most recent amendment of The Act in 2012 December and there is no previous direction of Council.

BACKGROUND

In 2012 December, the Province of Alberta gave royal assent to the following amendments to the LAEA:

- 147.4 (1.1) If a candidate does not file nomination papers before the next general election, the candidate shall, within 6 months after the date of the next general election,
- (a) if there is a surplus, donate the amount of money disclosed under subsection (1)(d) to a registered charity within the meaning of subsection 248(1) of the *Income Tax Act* (Canada) or to the municipality where the candidate was declared elected in a previous general election, or
 - (b) if there is a deficit, eliminate the deficit.
- (1.2) A candidate who has a deficit referred to in subsection (1.1)(b) shall, within 30 days after the expiration of the 6-month period referred to in subsection (1.1), file an amended disclosure statement showing any campaign contributions accepted and any other funds received to eliminate the deficit.

In 2014 January, Alberta Municipal Affairs issued Information Bulletin 01/14, Attachment 1, with regard to the application of these amended Sections of the LAEA. This bulletin detailed that the requirements of 147.4(1.1) and (1.2) are in force for candidates for the 2010 election who did not file nomination papers in 2013.

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INVESTIGATION: ALTERNATIVES AND ANALYSIS

An amended financial disclosure statement was filed by Bob Hawkesworth, a 2010 candidate for Mayor, showing the clearance of his deficit, Attachment 2, before the 2014 May 21 deadline. Attachment 2 reflects what is posted on calgary.ca. The original document will be in Corporate Records.

The following candidates declared a deficit in 2010 but did not file amended statements:

Candidate for Mayor	Higgins, Barbara
Candidate for Alderman	Hodges, Dale Kruschel, Curtis Bal, Jay Meilke, Brent Wills, Robert Pashak, Zakary Browne, Alan

No statements or correspondence were received with regard to donation of surpluses. For surpluses, this is a voluntary filing.

Enforcement action on Part 5.1 Municipal Election Finance and Contributions Disclosure of the LAEA rests solely with Alberta Justice. The City is required to make documents public but has no further role.

Stakeholder Engagement, Research and Communication

On 2014 February 18, a letter, Attachment 3, was sent to all candidates for Council in 2010 who did not file nomination papers in 2013 September, to advise them of the Alberta Municipal Affairs Information Bulletin.

Strategic Alignment

N/A.

Social, Environmental, Economic (External)

N/A.

Financial Capacity

Current and Future Operating Budget:

N/A.

Current and Future Capital Budget:

N/A.

Risk Assessment

There are no risks to the City of Calgary.

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REASON(S) FOR RECOMMENDATION(S):

Section 147.4(3) of the LAEA states; "The municipality must ensure that all documents filed under this section are available to the public during regular business hours". Receiving this report for information and filing accomplishes this requirement.

ATTACHMENT(S)

1. Alberta Municipal Affairs Information Bulletin 1/14
2. Amended Financial Disclosure for Bob Hawkesworth
3. 2014 February 18 Letter to 2010 Candidates