



Meeting Date: February 20, 2019

Submitted by: Ann Wright, Clerk

Report No: C-02-2019

Subject: Written Statement of Disclosure of Pecuniary Interest and Registry

Recommendation:

That the Council for the Municipality of Middlesex Centre receives Report C-02-2019 entitled Declaration of Pecuniary Interest Registry as information.

Purpose:

To inform Council, and the public about the requirements under the Municipal Conflict of Interest Act regarding the Declaration of Pecuniary Interest Registry.

Background:

Legislative amendments of municipal legislation were passed through Bill 68, which received Royal Assent on May 30th, 2017. One of the key pieces of legislation that was amended was the Municipal Conflict of Interest Act. The Act sets out conflict of interest rules for municipal council members and members of local boards.

As of March 1, 2019 if a Council Member has a conflict of Interest at a meeting the member must file a written statement of the member's interest at the meeting, or as soon as possible afterwards.

Analysis:

In keeping the importance of integrity, independence and accountability in local decision-making, Council members are expected to perform their duties of office with integrity and impartiality in a manner that will bear scrutiny. Therefore *the Municipal Conflict of Interest Act* requires members of Council to declare any direct or indirect pecuniary interest in relation to a matter under consideration. A pecuniary interest in a matter is one where there is a reasonable likelihood or expectation of financial loss or gain of the Member or related persons as per the Act. Where a member has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, the member: (a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof; and (b) shall not take part in the discussion of, or vote on any question in respect of the matter;

and (c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question. The member, when in closed session, in addition to the previous listed requirements, the member shall immediately leave the meeting or the part of the meeting during which the matter is under consideration.

If a member is absent from a meeting and has a conflict with an item on that agenda, they must then disclosed that interest at the first meeting he or she attends thereafter

The onus is on the member to determine whether they are affected by the pecuniary interest provisions. All members must submit their disclosures of pecuniary interest in writing to the Clerk immediately following the meeting during which they verbally disclose a pecuniary interest using the Disclosure of Pecuniary Interest Form.

Changes to the Municipal Conflict of Interest Act require municipalities to maintain a registry of all declarations made under this Act, as of March 1, 2019. The registry must include the original written declaration provided by the member of Council and must be available to the public.

The registry, will be available on our website and will be updated online following a Council meeting where an interest is declared.

To view a paper copy of the forms submitted by Members of Council visit the Clerk's Office, Municipal Offices, 10227 Ilderton Road, Ilderton, anytime during working hours.

Additional details can be obtained from the Municipal Conflict of Interest Act, R.S.O. 1990, c.M.50.

Financial Implications:

None

Strategic Plan:

N/A

Attachments:

Written Statement of Disclosure of Pecuniary Interest Form

Disclosure of Pecuniary Interest Registry 2019 Template



**Written Statement of
Disclosure of Pecuniary Interest**

Municipal Conflict of Interest Act (s.5.1, 6.1(1, 2))

This form is used to file a written statement of pecuniary interest and its general nature with the Municipality of Middlesex Centre as required by Section 5.1 of the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50.

I, Mayor/ Deputy Mayor/ Councillor _____, hereby declare a potential pecuniary interest on:

Council Meeting Date: _____

Agenda Item Number: _____

Agenda Title: _____

General Nature of the declared pecuniary interest:

Date: _____

_____ Council Member Signature

This form will become part of the Municipality of Middlesex Centre's Registry of Disclosures and will be made publicly available in accordance with subsection 6.1(1) and 6.1(2) of *the Municipal Conflict of Interest Act*.



Disclosure of Pecuniary Interest Registry 2019

Municipal Conflict of Interest Act (s 6.1)

Registry

As per 6.1(1) of the Act, every municipality and local board shall establish and maintain a registry in which shall be kept.

- a) a copy of each statement filed under section 5.1; and
- b) a copy of each declaration recorded under section 6. 2017, c.10, Sched..3,s.5

Access to Registry

As per 6.1(2), the registry shall be available for public inspection in the manner and during the time that the municipality or local board, as the case may be, may determine. The registry will be posted on the municipal website.

Additional details can be obtained from the Municipal Conflict of Interest Act, R.S.O 1990, c.M.50.

Meeting Date	Council Member	General Nature Thereof	Page
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Each Written Statement of Disclosure of Pecuniary Interest will be affixed and makeup part of this registry