



# Declaration of Interest

(Municipal Conflict of Interest Act)

Re: Kettle Creek Conservation Authority Full Authority Agenda dated: SEPT 4 2019

Item Number: CLOSED ITEM F

Item Title: S-28 VIOLATION U19-03 U19-04

I, GRANT JONES declare a potential (deemed/direct/indirect) pecuniary interest on Full Authority/Committee Agenda dated: SEPT 4 2019

Item Number: CLOSED #F, Item Title: S-28 VIOLATION U19-03 U19-04 for

the following reasons:

INDIRECT PECUNIARY AS MAYOR OF SOUTHWOLD

Signature: [Handwritten Signature]

Name: GRANT JONES

### Indirect pecuniary interest

2 For the purposes of this Act, a member has an indirect pecuniary interest in any matter in which the council or local board, as the case may be, is concerned, if,

- (a) the member or his or her nominee,
  - (i) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public,
  - (ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public, or
  - (iii) is a member of a body, that has a pecuniary interest in the matter; or
- (b) the member is a partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter. R.S.O. 1990, c. M.50, s. 2.

### Interest of certain persons deemed that of member

3 For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member. R.S.O. 1990, c. M.50, s. 3; 1999, c. 6, s. 41 (2); 2005, c. 5, s. 45 (3).

### ***Municipal Conflict of Interest Act matters***

The *Municipal Conflict of Interest Act* (MCIA) sets out ethical rules for council and local board members if they have certain pecuniary (financial) interests in a matter that is before their council or local board at a meeting. For example, a member may have to take steps if they are present at a council or local board meeting where that member's land will be discussed.

A member with a pecuniary (financial) interest is required – with certain exceptions – to:

- disclose the interest and its general nature before the matter is considered at the meeting
- not take part in the discussion or voting on any question in respect of the matter
- not attempt to influence the voting before, during, or after the meeting
- immediately leave the meeting, if the meeting is closed to the public

The possible penalties for contravention of the MCIA include removal from office. The courts decide whether or not a contravention of the MCIA has taken place.

### **Important note: *Municipal Conflict of Interest Act***

As of March 1, 2019, the *Municipal Conflict of Interest Act* (MCIA) will generally prohibit members of a council or of a local board from using their office to attempt to influence decisions or recommendations being considered by municipal or local board employees (or by persons with authority delegated from council), if the member has a pecuniary (financial) interest in the matter. For example, a member with a pecuniary interest in a matter could not, in most instances, try to influence a decision or recommendation of a municipal employee who is considering the matter. There will be other new rules concerning members' statements and disclosures under the MCIA, and a registry for them.

A member who discloses a pecuniary interest at a meeting will be required to file a written statement of their interest, either at the meeting or as soon as possible afterwards. (This will be in addition to the existing requirement for the clerk or secretary to record members' declarations of interest in the meeting minutes.)

Municipalities and local boards will be required to establish and maintain a registry of statements and declarations of interests of members and make it available for public inspection. The registry will help increase transparency by providing a compilation of written statements and declarations in one place.

There will be a broader range of penalties for contraventions of the MCIA, which will give the courts more flexibility in how they can respond to contraventions. Potential penalties for contravention of the MCIA will, for example, include reprimand, suspension of pay for a period of up to 90 days, restitution, and removal from office. (Source: *The Ontario Municipal Councillor's Guide, 2018* <https://www.ontario.ca/document/ontario-municipal-councillors-guide-2018>)