



**Form 39**  
**Town of Saugeen Shores**  
**Notice of Default – Third Party**  
Municipal Elections Act, 1996, as amended s. 88.23(3)

**To:**

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Name of Registered Third Party

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Office

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Address

**From:** Clerk, Town of Saugeen Shores

**TAKE NOTICE THAT you are in default of the requirements of the Municipal Elections Act, 1996, because:**

- a) You failed to file documents with the Municipal Clerk as required by Section 88.29 or 88.32 of the Municipal Elections Act 1996 on or before the relevant date, or
- b) You failed to pay the amount of surplus shown in documents which were filed with the Municipal Clerk by the relevant date as required by Section 88.31(4) of the Municipal Elections Act, 1996, or
- c) A document filed under Section 88.29 of the Municipal Elections Act 1996 shows on its face that you have incurred expenses exceeding the amount permitted under Section 88.21 of that Act;
- d) You failed to pay the amount under Section 88.32 and failed to pay the amount required by that Section to the Clerk by the relevant date.

If this Notice indicates that you have failed to file a document required by Section 88.29 or 88.32 of the Municipal Elections Act, the following provisions and penalties apply:

Municipal Elections Act, Section 88.27(1) – Subject to the Act, Section 88.27(6), and in addition to any other penalty that may be imposed under this Act, anyone registered as a third party in relation to an election in a municipality is not entitled to register in relation to a subsequent election in the municipality until after the next regular election has taken place.

## **NOTICE OF PENALTIES**

Sections 92 and 94 of the Municipal Elections Act, 1996 set out penalties with respect to violations under the Act as follows:

### **Offences by Registered Third Party:**

92(4) A registered third party is guilty of an offence and, on conviction, in addition to any other penalty that may be imposed under this Act, is subject to the penalty described in subsection 88.27(1):

If the registered third party incurs expenses that exceed the amount determined under Section 88.27(1); or

If the registered third party files a document under Section 88.29 or 88.32 that is incorrect or otherwise does not comply with that Section.

### **Exception**

92(5) However, if the presiding judge finds that the registered third party, acting in good faith, committed the offence inadvertently or because of an error in judgement, the penalty described in subsection 88.27(1) does not apply.

### **Additional Penalty, Registered Third Party**

92(6) If the expenses incurred by or under the direction of a registered third party exceed the amount determined for the office under Section 88.21, the registered third party is liable to a fine equal to the excess, in addition to any other penalty provided for in the Act.

### **General Offence**

94. A person who contravenes any provision of this Act or regulation under this Act or a by-law passed by a municipality under this Act is guilty of an offence.

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**Date**

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**Municipal Clerk**