

**2023  
Municipal By-Election  
Balgonie, Saskatchewan**

# ***Candidate Information Guide***

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***Prepared by:*** Town of Balgonie

**By-Election Day  
October 25, 2023**

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# Introduction

This resource is designed to assist all individuals interested in seeking Election or Re-Election to the office of Municipal Council.

The information contained in this resource is general in nature and has been prepared as a reference for candidates but should not be considered all encompassing. Providing this resource does not relieve candidates from the responsibilities of complying with all statutory provisions, for which candidates should refer to:

- [The Local Government Elections Act, 2015](#)
- [The Local Government Election Regulations, 2015](#)
- [The Municipalities Act](#)
- [Bylaw 419/2021 – A Bylaw to Establish Council Procedures](#)
- [Bylaw 452/2023 – A Bylaw to Require a Criminal Record Check](#)
- [Bylaw 392/2016 – A Bylaw to Establish a Code of Ethics](#)
- [Bylaw 416/2020 – A Bylaw to Establish a General Election](#)

Copies of the Acts may be obtained from Publications Saskatchewan located at Room B19 – 3085 Albert Street or on-line at [www.saskatchewan.ca](http://www.saskatchewan.ca). Bylaws may be obtained through the Town of Balgonie office or on-line at [www.townofbalgonie.ca](http://www.townofbalgonie.ca).

If you have any questions about the information in this guide or would like more details about Municipal and School Board Elections, please contact the Town of Balgonie.

Visit:	Mail:
Town of Balgonie Suite D - 129 Railway Street E. Balgonie, SK S0G 0E0 306-771-2284	Town of Balgonie Box 310 Balgonie, SK S0G 0E0

Karen Craigie, Returning Officer

# ***Becoming an Elected Official***

## **Why Run for Office**

Becoming a member of Council is a challenging and rewarding experience. Elected officials have the opportunity to influence the future of our Town. People look to you to represent their best interests and make informed decisions that will benefit the Municipality.

## **Time Commitment**

Being an active member of Council can be demanding on your time. You might consider talking to a current Town Councillor to find out how much time you should expect to commit. There are two regular Council meetings scheduled per month, the 2nd and 4th Monday. You may also be required to attend special meetings, committee meetings, and at times, public meetings and community functions.

## **Term of Office**

Town Councillor's, including the Mayor, are expected to serve a full four-year term. That term officially begins at the first meeting of the Council after the general Election and continues until the first meeting of the Council after the next general Election, unless their offices are vacated sooner.

In the case of a **By-Election**, the term of the office would start at the first meeting of Council following the By-Election until the next general election. The next general election for Saskatchewan municipalities is Wednesday, November 13, 2024.

A By-Election is an election held to fill a vacant seat on Council until the end of the original term of office.

## Key Info

### By-Election Day

The By-Election date is scheduled for October 25, 2023. Polling stations will open at 9:00 a.m. and close at 8:00 p.m.

### Nomination Day

Nomination Day is September 20, 2023 – this is the last day to submit nomination papers to become a candidate. Applications will be accepted between 9:00 a.m. and 4:00 p.m. on this day at the Town of Balgonie office.

Nomination papers may be filed September 1, 2023 to September 19, 2023 with the Returning Officer or the Nominations Officer at the Town of Balgonie office.

The Town office is located at Suite D - 129 Railway Street East. Regular office hours are Monday – Friday 9:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m.

### Call for Nominations

The Returning Officer will place a call for nominations in the September issue of the Balgonie Talk of the Town, social media sites, Balgonie Post Office, and the Town office.

# Qualifications of Candidates and Agents

## Am I Eligible?

You may run for the office of Municipal Council if:

- On the day of the By-Election, you are the full age of 18 years or will attain the full age of 18 years on or before By-Election day;
- At the time you submit the nomination papers, are a Canadian citizen and have resided in Balgonie for at least three consecutive months immediately preceding the date on which nomination papers are submitted and in Saskatchewan for at least six months immediately preceding the date on which nomination papers are submitted; and
- Are not disqualified by *The Local Government Election Act, 2015* or any other Act from holding the office for which you are a candidate.

## Who May Not Run

You may not run for the office of Municipal Council if you:

- Are a Judge of any Court;
- Are an Auditor or Solicitor of the Municipality.

No person is disqualified from being nominated for office as a member of Council by reason of having an interest in a contract with the Town.

(Refer to Sections 42, 43 & 44 of *The Local Government Election Act, 2015*.)

## Employees

The following persons may seek nomination to the Council, Board or Joint Board with which the person is employed if the person has first obtained a leave of absence in accordance with subsection 2-54(1) of *The Saskatchewan Employment Act*:

- Employee of the Town of Balgonie;
- Employee of a board or commission appointed by Town of Balgonie Council.

If an employee is required to take a leave of absence during their campaign, the leave of absence must commence when the Candidate files their nomination paper with the Nomination Officer at the Town of Balgonie. Candidates are expected to discuss these terms with their employer to fully understand the leave of absence before submitting their nomination forms.

If an employee on leave of absence is successfully elected, the employee is deemed to have resigned from their position on the day before he or she is declared elected, unless the results of the Election are overturned.

## Candidates' Agents

Candidates wishing to appoint agents must complete an Appointment of Candidate's Agent form for each agent. The agent must present the appointment form and make a declaration to the Deputy Returning Officer at the poll. Once the agent makes the declaration, the agent is permitted to be at the poll in a location designated by the Deputy Returning Officer so that he or she may observe the conduct of the By-Election. An agent is permitted to observe, but in no way interfere with the process of the By-Election.

(Refer to Sections 103, 105, 134 and 172 of *The Local Government Elections Act, 2015*.)

# ***General Duties of Elected Officials***

## **Mayor and Councillors**

Refer to Section 91 and 92 of *The Municipalities Act* for information on general duties of a Mayor and/or Councillor.

For additional information, contact the Town of Balgonie at 306-771-2284.

## **Council Members' Handbook**

<https://www.saskatchewan.ca/government/municipal-administration/tools-guides-and-resources/information-for-council-members>



# Nominations

## Nomination Period

The Nomination period is Friday, September 1, 2023 to Wednesday, September 20, 2023. The deadline to file nomination papers is 4:00 p.m., Wednesday, September 20, 2023.

## Nomination Papers

Nomination papers will be accepted during normal business hours, 9:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. Monday to Friday, with the exception of Nomination Day, when they will be accepted only between 9:00 a.m. and 4:00 p.m.

To be nominated for an elected position, a person must file nomination papers with the Returning Officer or Nomination Officer during the specified period.

Nomination papers must state the name, address and occupation of the person nominated and the office for which the person is being nominated. The occupation will be included on the election ballots behind the candidate's name.

## Application Criteria

For the position of Mayor, the application must be signed by at least five (5) Voters of the Municipality.

For the position of Councillor, the application must be signed by at least five (5) Voters of the Municipality.

No person can be nominated as both Mayor and Councillor of the same Municipality.

## Other Criteria

The nomination paper is not considered complete unless the nominee's acceptance statement is:

- signed by the person being nominated;
- witnessed by two people;
- accompanied by a completed Public Disclosure Statement;
- accompanied by a completed Form B1 and a Criminal Record search.

Only one person can be nominated for an Election on each nomination paper. A Voter may sign the nomination papers of more than one person. Candidates cannot nominate themselves.

**The onus to file a bona fide nomination paper is on the person being nominated. Town of Balgonie staff is not eligible to witness the Nomination Papers.**

(Refer to Sections 67, 68, 69, and 70 of *The Local Government Elections Act*.)

## Receipts

When the completed nomination papers are filed with the Returning Officer or designate, a receipt shall be issued to the candidate or their agent.

**Posting**

All nomination papers filed with the Returning Officer or Nomination Officer are open to inspection by any person. Copies will be posted in the Town of Balgonie office, on [www.townofbalgonie.ca](http://www.townofbalgonie.ca) and provided to anyone requesting a copy.

(Refer to Sections 67(8) & (9) of *The Local Government Election Act, 2015*.)

**Withdrawal**

A person who has been nominated may withdraw their nomination at any time during the nomination period, up to the close of nominations. The requirement to withdraw is for the Returning Officer to receive a written request to withdraw signed by the nominee and witnessed by two people, or the Returning Officer or Nomination Officer.

***A request to withdraw a nomination must be filed with the Returning Officer by 4:00 p.m. on Thursday, September 21, 2023, Suite D - 129 Railway Street E. Balgonie SK.***

(Refer to Section 68, 75 & 76 of *The Local Government Elections Act, 2015*.)

**Name Order on Ballot**

Names of all duly nominated candidates will be arranged in alphabetical order by surnames on the ballot for the office of the Mayor. Upon candidate request, the ballot shall show in brackets:

- a name by which he is commonly known;
- affiliation with a Voters' organization or the word "independent", in respect to a Municipal Election.

Candidate information printed on ballots will be based on the information provided on the Candidate's Acceptance Form.

(Refer to Section 91 of *The Local Government Elections Act, 2015*.)

# Advertising and Promotional Activities

## Advertising

Every printed advertisement, other than those provided for under this Act, having reference to a By-Election or a vote on a bylaw or question shall bear on its face the name of the candidate and of the person who has authorized its printing, display and distribution.

No advertisement or promotional material, printed or electronic, are to have any of the following artwork/branding included on him or her:

- the Town of Balgonie branding or logo.

No person shall display, distribute or post in the polling place or within 100 metres of the building in which the poll is held, a specimen ballot marked for a person whose name is on the ballot for By-Election, or any other material purporting to explain how to vote, or leave any such material in a voting compartment, except as provided by *The Local Government Election Act, 2015*.

No person is to post a sign on any public highway, public property or any utility structure.

(Refer to Sections 182, 176 & 177 of *The Local Government Elections Act, 2015*.)

## At the Poll

No candidate, agent or any other person shall:

- canvas or solicit votes in the polling place or within 100 metres of the building where the poll is held;
- make any communication to a person intending to vote other than through the Deputy Returning Officer.

No person shall directly or indirectly induce a person to display their ballot in a manner that reveals how they have voted.

## Signs Prohibited

Election signs cannot be placed on:

- Town of Balgonie land which is used as a park and/or has upgraded landscaping including public reserves, buffer strips or portions of street right-of way;
- private lots or parcels owned and managed by the Town of Balgonie;
- any Town structure, including buildings, fences, retaining walls, utility poles and traffic signal equipment.

## Candidate Profile

Candidates have the option of submitting a candidate profile with their nomination papers. These profiles may include a statement of up to 150 words, a recent head and shoulders photograph of the candidate and contact information.

Candidate profiles will be posted on [www.townofbalgonie.ca](http://www.townofbalgonie.ca).

**Only profiles received by Nomination Day will be included on the Town of Balgonie website.**

## Profile Statement

A Candidate's Profile statement must be:

- submitted at the same time as the Nomination Form;
- submitted in printed copy and electronic format (Microsoft Word format is preferable);
- signed by the candidate.

Once submitted, the statement cannot be changed.

Statements must be confined to information about the candidate, the candidate's policies and the candidate's intentions, if elected. Statements must be a maximum of 150 words. Statements in excess of 150 words will be reduced to end at the last complete sentence or phrase within the 150-word limit.

The Returning Officer will not edit any statements, except to reduce the length to 150 words. Incorrect spelling, grammar or other obvious errors will not be corrected.

Statements must be free of defamatory or vulgar language. The Returning Officer will have final decision on whether to accept the statement.

## Photographs

By submitting a photograph, the candidate is granting permission to the Returning Officer to publish the photograph for By-Election purposes. The candidate must be the sole owner of all copyrights of the photograph or have the full authority of the copyright owner(s) to grant to the Returning Officer the rights required to publish the photograph for By-Election purposes.

Images must be:

- a recent head and shoulders shot of the candidate alone;
- .jpg or .png format.

The technology on which the photo is submitted (i.e. USB key,) must be clearly labelled with the candidate's first and last name and phone number. If submitted by e-mail, the body of the e-mail must contain the aforementioned information.

The Returning Officer will not return photographs and cannot guarantee the quality of reproduced images.

If a candidate statement or photograph, in the sole opinion of the Returning Officer, does not reasonably comply with the criteria above or is otherwise unsuitable for publication, the Returning Officer will request that the candidate re-submit profile information. The candidate will have two business days to re-submit profile information to the satisfaction of the Returning Officer, but must re-submit no later than the nomination deadline of 4:00 p.m. on September 20, 2023.

# Campaigning

## Social Media

Candidates are prohibited from campaigning on Town of Balgonie's social media channels, such as Facebook, Twitter and YouTube.

Candidates may create their own social media channels for this purpose. If you wish to provide the Town of Balgonie with your social media URLs, links to them will be provided on your candidate profile at [www.townofbalgonie.ca](http://www.townofbalgonie.ca).

## Canvassing

Canvassing at polling places is strictly prohibited. This includes communicating with a person intending to vote.

## Voter's List

In the Town of Balgonie, a Voter's list does not exist for the Municipal Election. Eligible Voters are required to make a declaration at the polls.

## Who Can Vote?

A Voter must vote in the Municipality in which they reside; or must be the owner of assessable land situated in the Municipality.

A person can be registered as a Voter in a Municipality if she/he:

- is a Canadian citizen on the day of the By-Election,
- is the full age of 18 years on the day of the By-Election,
- on the day of the By-Election:
  - in the case of a Municipality, other than a Resort Village:
    - has resided in the Municipality or on land now in the Municipality for at least three consecutive months immediately preceding the day of the By-Election or;
    - is the owner of assessable land situated in the Municipality or of land now situated in the Municipality for at least three consecutive months immediately preceding the day of the By-Election;
    - and has resided in Saskatchewan for at least six consecutive months immediately preceding the day of the By-Election.

**Voter Identification**

Voters are required to produce identification that clearly shows their name and place of residence prior to completing a Voter's Declaration Form.

One piece of identification provided by the Government of Canada, the Government of Saskatchewan, a Municipality or a government agency that contains a photograph of the Voter and his or her name and address,

Or

Two pieces of information preserved in the regulations, each of which establishes the Voter's name and at least one of which establishes the Voter's address.

(Refer to Section 110 of *The Local Government Elections Act, 2015*.)

**Opportunities to Vote**

**Advance Polls** shall be held at the following locations to allow Voters to vote prior to By-Election Day: Wednesday, October 18, 2023 from 4:00 p.m. - 7:00 p.m.

**Balgonie Administration Building – 129 Railway Street E. Balgonie, SK**

**Regular Polls** will take place on Wednesday, October 25, 2023 from 9:00 a.m. to 8:00 p.m.

**Balgonie 50+ Club – 132 Queen Street, Balgonie, SK**

**Mail-in Ballots** may be utilized by Voters who anticipate that they will not be able to attend the Advance Poll or By-Election day in person. Applications to vote by mail must be received before October 6, 2023 at 4:00 p.m.

(Refer to Section 30 & 83 of *The Local Government Elections Act, 2015*.)

## ***By-Election Day***

### **Challenging a Voter**

During the time the polls are open, a candidate or candidate's agent may object to the entitlement of any person intending to vote. If the agent believes that the Voter is not entitled to vote and objects, the Deputy Returning Officer will re-confirm the information sworn on the registration/poll book form with the Voter. If the Voter indicates that the declaration is correct, the objection raised by the agent will be noted on the registration form, the name of the agent raising the objection will be noted and the entry will be initialed by the Deputy Returning Officer.

Should the Voter indicate that he or she made a mistake in completing the registration form and is not entitled to vote, the information will be noted on the registration/poll book form and the Voter will not be issued any ballots and will forfeit the right to vote.

### **By-Election Results**

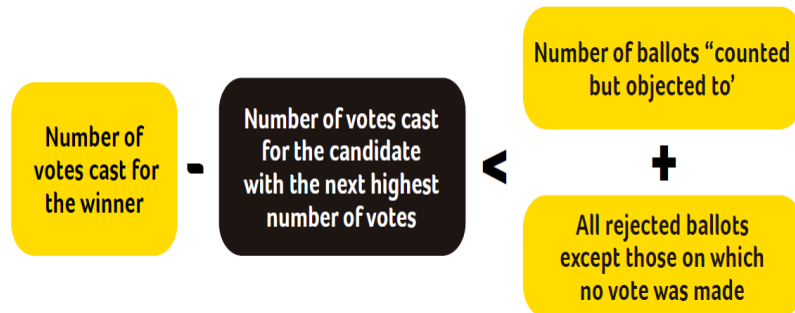
Each candidate or one of their agents may be present to observe the process of finalizing and reporting the poll By-Election results.

Official Election results are announced on October 26, 2023.



## Request for Recount

After the Returning Officer has declared the official results of a vote, any Voter or candidate in the Municipality may request a recount. A recount will only be considered where:



The person requesting the recount must deliver an official notice to the Returning Officer within four business days of the declaration of the results of the vote. Such notices may be obtained from the Town of Balgonie office.

(Refer to Sections 158, 159, 160, 161, 166 and 167 of The *Local Government Elections Act, 2015*.)

# Candidate Checklist

- ☐ Ensure you are qualified to hold office (citizenship, residency, etc.) and are not disqualified under *The Local Government Elections Act, 2015*.
- ☐ Note the requirements and deadlines for filing your nomination paper.
- ☐ Note the name and contact number of the Returning Officer and on page 5 of this guide.
- ☐ Familiarize yourself with Voter eligibility requirements.
- ☐ Know advance and mail-in ballot voting opportunities in your Municipality in case you are asked by Voters.
- ☐ Appoint persons to act as your official agent, if required, and file the appropriate form with the Returning Officer.
- ☐ Know the restrictions on allowable campaign expenses, statutory requirements for Election signage and which political activities are not permitted at voting places on Election Day or during your campaign.
- ☐ Promote and vote on Election Day: October 25, 2023.

## Important Dates

<b>NOMINATIONS:</b>	Friday, September 1, 2023 to Wednesday, September 20, 2023
<i>Final Day for Filing</i>	Wednesday, September 20, 2023 by 4:00 p.m.
<i>Final Day for Withdrawal</i>	Thursday, September 21, 2023 by 4:00 p.m.
<b>MAIL-IN BALLOTS REQUESTS:</b>	Friday, October 6, 2023 by 4:00 p.m.
<b>ADVANCE POLLS:</b>	
<i>Balgonie Administration Building</i>	Wednesday, October 18, 2023 from 4:00 p.m. – 7:00 p.m.

## Other Resources

### Included in Package

(available to be picked up from the Town of Balgonie office or printed from

[www.townofbalgonie.ca](http://www.townofbalgonie.ca))

Form I – Nomination/Candidate’s Acceptance Form – Mayor

Public Disclosure Statement

Form B.1 – Results of Criminal Record Check for Candidate for Election

Bylaw 452/2023 – A Bylaw to Require a Criminal Record Check

Form K – Receipt of Nomination and Candidates Acceptance

### Upon Candidacy

Form P – Sections 185.1, 185.11, 185.21 and 185.22 of *The Local Government Election Act*, 2015

Balgonie Map of Town Limits

Copies of Bylaws and Policies:

Bylaw 416/2020 – General Elections Bylaw

**Appendix C**

**FORM I (FRONT)**

[Clauses 67(3)(a),(b),(c),(d),(g) & (h) and subsections 67(3), (4) & (5) of the Act]  
[Subsection 37(1) of the Regulations]

**Nomination**

We the undersigned, being voters of the:

**TOWN OF BALGONIE**

Nominate \_\_\_\_\_  
(Name)

of \_\_\_\_\_, to be a candidate at the  
(Street/road address or legal description of land)

By-Election to be held on the 25<sup>th</sup> day of October, 2023 for the office of:

**Mayor: Town of Balgonie**

Signature *	Name (printed)	Street/Road Address or Legal Description of Land
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

\* require at least 5 signatures for a municipality with a population of less than 20,000

**FORM I (BACK)**

[Clauses 67(3)(a)(b)(c)(d)(g) & (h) of the Act]  
[Subsection 37(1) of the Regulations]

**Candidate's Acceptance**

I, \_\_\_\_\_,  
(Name as it will appear on the ballot)

a(n) \_\_\_\_\_,  
(Occupation)\*

a candidate nominated for the office of:

**Mayor: Town of Balgonie**

declare that:

- 1 I am the full age of 18 years or will attain the full age of 18 years on or before election day;
- 2 I am a Canadian citizen;
- 3 If elected, I will accept the office for which I was nominated; and
- 4 I am not disqualified by The Local Government Election Act, 2015 or any other Act from holding the office for which I am a candidate;

For municipalities – excluding rural municipalities and resort villages

- 5 I have resided in Saskatchewan for at least six consecutive months immediately preceding the date on which this nomination paper is submitted; and
- 6 I have resided in the municipality, or on land now in the municipality, for at least three consecutive months immediately preceding the date on which this nomination paper is submitted.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
(Signature of Candidate)

\_\_\_\_\_  
(Witness)

\_\_\_\_\_  
(Witness)

**TOWN OF BALGONIE**

**PUBLIC DISCLOSURE STATEMENT – Candidate for Municipal Office**

**Form 1**

Name: \_\_\_\_\_

**Disclosure of Employer, etc.:**

Pursuant to subclause 142(2)(a)(i) of *The Municipalities Act*, I hereby disclose the name of every employer, person, corporation, organization, association, or other body from which I or someone in my family receives remuneration for services performed as an employee, director, manager, operator, contractor, or agent:

My Name or Name of Family Member	Payer	Nature of Relationship

**Disclosure of Corporate Interests:**

Pursuant to subclause 142(2)(a)(ii) of *The Municipalities Act*, I hereby disclose the name of each corporation in which I or someone in my family has a controlling interest, or of which I or someone in my family is a director or a senior officer:

My Name or Name of Family Member	Name of Corporation

**Disclosure of Partnerships:**

Pursuant to subclause 142(2)(a)(iii) of *The Municipalities Act*, I hereby disclose the name of each partnership or firm of which I or someone in my family is a member:

My Name or Name of Family Member	Name of Partnership or Firm

**Disclosure of Other Involvements:**

Pursuant to subclause 142(2)(a)(iv) of *The Municipalities Act*, I hereby disclose the name of any corporation, enterprise, firm, partnership, organization, association, or body that I or someone in my family directs, manages, operates or is otherwise involved in that:

- (a) transacts business with the municipality;
- (b) the council considers appropriate or necessary to disclose; or
- (c) is prescribed:

My Name or Name of Family Member	Name of Corporation, Enterprise, Firm, Partnership, Organization, Association, or Body

**Disclosure of Property Holdings:**

Pursuant to clause 142(2)(b) of *The Municipalities Act*, I hereby disclose the municipal address or legal description of any property located in the municipality or an adjoining municipality that is owned by:

- (a) me or someone in my family; or
- (b) a corporation, incorporated or continued pursuant to *The Business Corporations Act* or the *Canada Corporations Act*, of which I or someone in my family is a director or senior officer or in which I or someone in my family has a controlling interest:

Owner(s)	Municipal Address or Legal Description	Municipality

**Disclosure of Contracts and Agreements:**

Pursuant to clause 142(2)(c) of *The Municipalities Act*, I hereby disclose the general nature and any material details of any contract or agreement involving me or someone in my family that could reasonably be perceived to be affected by a decision, recommendation or action of the council and to affect my impartiality in the exercise of my office:

My Name or Name of Family Member	General Nature and Any Material Details of Any Contract or Agreement



### Declaration

I, \_\_\_\_\_, of the Town of Balgonie, in the Province of Saskatchewan, do hereby declare that to the best of my knowledge, information and belief, the statements and allegations contained and made in this form are true and complete, and I make this declaration for the purpose of official registration, in the full knowledge that it will be available for public examination.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signature of Declarant

Date Received: \_\_\_\_\_

Returning Officer/Nomination Officer: \_\_\_\_\_

# Public Disclosure Guide For Saskatchewan Municipalities

November 2020

## Introduction

The mandatory public disclosure forms help to assure the public that, when you are elected to office, council's decisions are made in the best interests of the municipality. They also:

- Have a direct impact when dealing with a conflict of interest;
- Assist with transparency and accountability as pillars of good governance; and
- Assist the public's understanding of any dealings that may compromise the council member's ability to make decisions.

The public disclosure forms do not include specific financial details such as salary, the value of holdings or number of shares. Legislative provisions about public disclosure statements can be found in:

- Section 116 of *The Cities Act*;
- Section 142 of *The Municipalities Act*; or
- Section 160 of *The Northern Municipalities Act, 2010*.

There are three separate forms relating to public disclosure statements:

- Public Disclosure Statements - Form 1 of 3;
- Public Disclosure Annual Declaration - Form 2 of 3; and
- Public Disclosure Statement Amendment - Form 3 of 3.

This document explains each form, with particular focus on the Public Disclosure Statement (PDS).

Council members should keep a copy of all their public disclosure forms so they can be reminded of items that could cause a conflict of interest.

The filing of the original PDS and annual update, by using the Public Disclosure Annual Declaration (PDAD), is an eligibility requirement for all municipalities' Municipal Revenue Sharing (MRS) Grants (*The Municipal Grants Regulations*, section 26.1). Eligibility requirements will be implemented in November 2020 with potential impacts on municipalities' 2021 grants. This means that if council members do not complete the required documents, the municipality's MRS Grant may be withheld.

## Key Definitions

**"Closely connected person"** means the agent, business partner, family or employer of a member of council.

**"Controlling interest"** means an interest that a person has in a corporation if the person beneficially owns, directly or indirectly, or exercises control or direction over shares of the corporation carrying more than 25 per cent of the voting rights attached to all issued shares.

**"Council, council committee, controlled corporation, or other body"** includes any committee or subcommittee of a committee, as well as any board, agency or commission, appeal board or other body that a council member serves in his or her capacity as a member of council.

**"Family"** means the spouse and dependent children of a council member.

**“Meeting”** includes any regular, special, emergency or other meeting of a council, council committee, controlled corporation or other body, whether formal or informal.

**“Private interest”** does not include an interest in a decision:

- That is of general public application (taxation or water utility); or
- That affects a person as one of the broad class of persons.

**“Senior officer”** means the chairperson or vice chairperson of the board of directors, the president, any vice president, the secretary, the treasurer or the general manager of a corporation or any other person who performs functions for the corporation similar to those normally performed by a person occupying any of those offices.

## 1. Public Disclosure Statement - Form 1 of 3

Public Disclosure Statements (PDSs) – Form 1 of 3 are required throughout a council member’s term of office. PDSs, once completed and filed with the administrator, are public documents and accessible to anyone wishing to inspect or view them. The first two PDSs include:

- A PDS to be completed and attached to nomination papers [*Local Government Election Act, 2015*, clause 67(6)(d)].
- A PDS within 30 days of being elected (*The Cities Act*, section 116; *The Municipalities Act*, section 142; and *The Northern Municipalities Act, 2010*, section 160).

Council members, after completing their PDSs as stated above, also need to be aware of the following:

- Annually, by November 30<sup>th</sup>, all council members are required to complete and file with the administrator a Public Disclosure Annual Declaration (PDAD) - Form 2 of 3.
- When changes occur to a council member’s information, a council member would reflect those changes by completing the Public Disclosure Statement Amendment (PDSA) - Form 3 of 3 and filing it with the administrator.
- The administrator must then attach all PDSAs and PDADs to the original PDS to keep each council member’s file up-to-date.

### i. Disclosure of Employer, etc.

Quote from the ministry’s sample form:

*“I hereby disclose **the name** of every employer, person, corporation, organization, association, or other body from which I or someone in my family receives **remuneration for services** performed as an employee, director, manager, operator, contractor or agent.”*

- Only the ‘name’ of the employer is required to be disclosed, not the actual amount of any money paid for work or a service. The disclosure could include:
  - o appointments to boards as the employee, director, manager, operator, contractor or agent where money is received (e.g. per diems, honourariums, expenses, or other compensation); or
  - o contracts with the municipality to provide certain services, such as electrician, excavating or other trades.

- Examples may also include a regional park board, public utility board or housing authority.

## ii. Disclosure of Corporate Interests

Quote from the ministry's sample disclosure form:

*"I hereby disclose the name of each corporation in which I or someone in my family has a controlling interest, or of which I or someone in my family is a director or a senior officer."*

- Disclosure of corporate interests include those interests that the elected official or family member has a controlling interest in a corporation or is a director or senior officer in a corporation.
- Corporations outside of Saskatchewan are included if a controlling interest is held.
- A council member may consider consulting with an accountant or lawyer to verify that 25 per cent or greater of voting shares are held.

## iii. Disclosure of Partnerships

Quote from the ministry's sample disclosure form:

*"I hereby disclose the name of each partnership or firm of which I or someone in my family is a member."*

- This section would include partnerships or firms, where a council member has direct decision making authority, established for business purposes that may, or may not, be incorporated, such as:
  - o a law firm where a group of lawyers share the same office space but operate independently;
  - o a medical clinic where a group of doctors share the same clinic space but operate independently; or
  - o a farmer or rancher partnership where individuals work together as partners in the operation but have not incorporated as a corporation.
- This section does not include a local Co-op or Credit Union.

## iv. Disclosure of Other Involvements

Quote from the ministry's sample disclosure form:

*"I hereby disclose the name of any corporation, enterprise, firm, partnership, organization, association or body that I or someone in my family directs, manages, operates or is otherwise involved in that:*

- a) transacts business with the municipality;*
- b) the council considers appropriate or necessary to disclose; or*
- c) is prescribed."*

- Item "a" is meant to include any other involvements that are not already covered under the other sections of the disclosure statement that do business with the municipality.
  - o This could include:
    - retailers who routinely provide certain goods to a municipality, such as fuel,

- stationery, gravel, road work; or
  - boards, clubs, organizations or associations, such as skating club, volunteer firefighter, pickleball club.
- Item “b” is dependent on if a council has developed a policy regarding the types of arrangements that a council member must disclose.
- Item “c” is if there is currently nothing prescribed in legislation or regulations but may be required at a later date.

## v. Disclosure of Property Holdings

Quote from the ministry’s sample disclosure form:

*“I hereby disclose the municipal address or legal description of any property located in the municipality or an adjoining municipality that is owned by:*

- a) *me or someone in my family; or*
- b) *a corporation, incorporated or continued pursuant to The Business Corporations Act or the Canada Corporations Act, of which I or someone in my family is a director or senior officer or in which I or someone in my family has a controlling interest.”*
- Property generally means real property having an address and location, principally land and improvements.
- Property does not include material holdings. Some examples would include:
  - o vehicles; or
  - o farm equipment.
- “Improvement” includes buildings, resource production equipment of any mine, petroleum oil or gas well and any pipeline on or under land.
- An adjoining municipality includes:
  - o urban municipalities within a rural municipality (RM);
  - o RMs that share a common border, including the corner (i.e. a square shaped RM could have eight adjoining RMs); and
  - o a RM surrounding an urban municipality.
- Property located in an adjoining municipality would not include property within:
  - o municipalities located outside of Saskatchewan; or
  - o provincial or regional parks.

## vi. Disclosure of Contracts and Agreements

Quote from the ministry’s sample disclosure form:

*“I hereby disclose the general nature and any material details of any contract or agreement involving me or someone in my family that could reasonably be perceived to be affected by a decision, recommendation or action of the council and to affect my impartiality in the exercise of my office.”*

- Some examples could include:
  - o lease agreements for any land or improvements located in the municipality;
  - o agreements for sale of property; or
  - o a contract or agreement with a developer or a consultant in the area.

## 2. Public Disclosure Annual Declaration - Form 2 of 3

All council members are required to submit to the administrator a PDAD - Form 2 of 3 by November 30<sup>th</sup> each year. **By filing the PDAD, a council member is declaring that:**

- **No material change has occurred since the last PDS was filed; or**
- **Changes have occurred since the last PDS, which will be noted in the section provided.**

Once the PDAD is completed and filed, it is attached to the original PDS on file. This becomes a public document and is accessible to anyone wishing to inspect it.

## 3. Public Disclosure Statement Amendment - Form 3 of 3

All council members are required to submit to the administrator a Public Disclosure Statement Amendment (PDSA) - Form 3 of 3. The PDSA would be filed at any time a council member feels that his/her PDS needs to be updated due to a new circumstance. Each council member has an ongoing duty of disclosure and is required as soon as possible to:

- Declare a conflict of interest at a meeting of council;
- Report any material change to the information detailed in the PDS (within 30 days); or
- Correct an error or omission when recognized by himself/herself or by another person.

## Further information

If you require more information regarding Public Disclosure Statements, please contact a municipal advisor by calling 306-787-2680.

FORM B.1  
[Clause 6.1(1)(a)]

RESULTS OF CRIMINAL RECORD CHECK FOR CANDIDATE FOR ELECTION			
<b>NAME OF CANDIDATE:</b> _____ <div style="display: flex; justify-content: space-between; width: 100%;"> <span>Last Name</span> <span>Given Name</span> <span>Middle Name</span> </div>			
<b>PREVIOUS NAME and/or ANY OTHER NAMES USED:</b> _____			
<b>ADDRESS:</b> _____ <div style="display: flex; justify-content: space-between; width: 100%;"> <span>Apt.#</span> <span>Street/Avenue</span> </div> <div style="display: flex; justify-content: space-between; width: 100%; margin-top: 5px;"> <span>City/Town</span> <span>Province/Postal Code</span> <span>Telephone Number</span> </div>			
<b>DATE OF BIRTH:</b> _____ <div style="text-align: center;">Year/Month/Day</div>		<b>PLACE OF BIRTH:</b> _____	
<b>GENDER:</b> Male / Female			
<b>MUNICIPALITY:</b> _____ of _____ <div style="display: flex; justify-content: space-between; width: 100%; font-size: small;"> <span>(town, northern village, northern hamlet)</span> <span>(name of municipality)</span> </div>			
<b>NAME OF LOCAL POLICE SERVICE THAT CONDUCTED CHECK:</b> _____			
<b>CRIMINAL RECORD CHECK ATTACHED:</b> Yes / No			
<i>Note: The criminal record check from the local police service must be attached to this form to be acceptable for submission with the nomination paper and must have been completed not more than 30 days before the date of submission.</i>			
<b>STATEMENT OF CONSENT:</b> <i>I consented to a search of all records available at the time the search was conducted, including charges before the courts (including active alternative measures, stays of proceedings entered within one year of this request and findings of unfit to stand trial), findings of guilt or convictions (including youth records accessible under subsection 119(2) of the Youth Criminal Justice Act) and court orders (including peace bonds, restraining orders and recognizances under sections 810.01, 810.1 or 810.2 of the Criminal Code) registered in my name in the National Repository and local records available to the police service. I understand that if a possible record existed, it would not be disclosed until identification was confirmed by either myself or by fingerprints. I also understand that apprehensions, orders or other records relating to The Mental Health Services Act or The Youth Drug Detoxification and Stabilization Act were not disclosed.</i>  <i>I understand criminal record checks submitted pursuant to section 89.1 of The Municipalities Act:</i> <ul style="list-style-type: none"> <li>are not considered to be for a volunteer position;</li> <li>are not considered to be for a position with the vulnerable sector;</li> <li>do not require fingerprint verification for the sake of submission with the nomination paper and it was my option to submit a fingerprint verification to confirm my identity and record or lack of a record;</li> <li>do not require a release of information to a third party because I received the results personally; and</li> <li>are not required to include copies of the records themselves.</li> </ul>			
Dated this ____ day of _____ 20 ____ . <b>Signature:</b> _____			



**TOWN OF BALGONIE  
BYLAW NO. 452/2023**

**A BYLAW TO REQUIRE CRIMINAL RECORD CHECKS WITH  
NOMINATION FORMS.**

The Council of the Town of Balgonie, in the Province of Saskatchewan, enacts as follows:


1. Every candidate for municipal office shall obtain a current criminal record check at their own expense.
2. The criminal record check includes:
  - a) Form B.1 prescribed in *The Municipalities Regulations*; and
  - b) The document provided by the police service.
3. The criminal record check shall be included with, and form part of the nomination papers submitted by the candidate for municipal office.
4. This bylaw shall come into effect on July 24<sup>th</sup>, 2023.
5. This bylaw repeals Bylaw No. 390/2016.


Introduced and read a first time this 24<sup>th</sup> day of July, 2023.

Read a second time this 24<sup>th</sup> day of July, 2023.

Read a third time and passed this 24<sup>th</sup> day of July, 2023.



  
Mayor

  
Administrator

Certified a true copy of Bylaw No. 452/2023 passed  
by resolution of Council of the Town of Balgonie  
on the 24<sup>th</sup> day of July, 2023.

  
Administrator