



Code of Conduct
By-law 14-2019

**The Corporation of the Municipality of West Perth
Code of Conduct for Members of Council**

Contents

1. Purpose of the Code of Conduct	3
2. Definitions	3
3. Standards of Conduct	4
4. Conduct at Meetings	4
5. Conduct Respecting Others	4
6. Staff and Council Relations	4
7. Use of Municipal Property	5
8. Confidentiality	5
9. Decisions of Council	6
10. Engaging in Incompatible Activity	6
11. Conflict of Interest	6
12. Acceptance of Gifts	7
13. Breach of Policy	8
14. Complaint Protocol	9

1. Purpose of the Code of Conduct

- 1.1. Improving the quality of municipal administration and governance can be achieved by encouraging high standards of conduct on the part of all municipal officials. In particular, the public is entitled to expect the highest standards of conduct from the members that it elects to local government. In turn, adherence to these standards will protect and maintain the municipality's reputation and integrity.
- 1.2. The Code of Conduct sets minimum standards for behavior of Council Members in the performance and discharge of official functions and duties. It has been developed to assist Council to:
 - a. Understand the standards of conduct that are expected of them and the law that applies in relation to these standards;
 - b. Fulfill their duty to act honestly and exercise reasonable care and diligence;
 - c. Act in a way that enhances public confidence in local government; and
 - d. Identify and resolve situations which might involve a potential misuse of position and authority.

2. Definitions

Child:

A child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family.

Committee:

Any board, advisory or other committee, subcommittee or similar entity, and as established from time to time by Council.

Council:

West Perth Council.

Member:

A member of Council or a member of a Committee of West Perth.

Non-pecuniary interest:

A private or personal interest that a Member may have that is non-financial in nature but that arises from a relationship with a person or entity that would be considered by a reasonable person, apprised of all the circumstances, as being likely to influence the Member's decision in any matter in which the non-pecuniary interest arises.

Parent:

A person who has demonstrated a settled intention to treat a child as a member of his or her family whether or not that person is the natural parent of the child.

Municipality:

The Corporation of the Municipality of West Perth.

Spouse:

A person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage.

3. Standards of Conduct

- 3.1. Members shall at all times seek to advance the common good of the community which they serve.
- 3.2. Members shall truly, faithfully and impartially exercise the office to the best of their knowledge and ability.
- 3.3. Members shall refrain from behavior that could constitute an act of disorder or misbehaviour. Specifically, members will refrain from behaviour that:
 - a. Is an abuse of power or otherwise amounts to discrimination, intimidation, harassment, verbal abuse, or the adverse treatment of others;
 - b. Prejudices the provision of a service or services to the community.

4. Conduct at Meetings

- 4.1. Members shall conduct and convey Council business in an open manner, except for where provided in Section 239 of the Municipal Act.
- 4.2. Members shall be review and adhere to the Procedural By-law enacted by Council.

5. Conduct Respecting Others

- 5.1. Every member of Council has the duty and responsibility to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation, and to ensure that the municipal work environment is free from discrimination and harassment.
- 5.2. A member shall not use indecent, abusive or insulting words or expressions towards any other member, any member of staff or any member of the public.
- 5.3. A member shall not speak in a manner that is discriminatory to any individual, based on that person's race, ancestry, place of origin, creed, gender, sexual orientation, age, colour, marital status or disability.

6. Staff and Council Relations

- 6.1. Council as a whole approves budget, policy and governance of the Municipality through its by-law and resolutions. Individual Members do not direct or oversee the functions of the administration or staff of the Municipality or a Committee.
- 6.2. Members shall respect the role of staff in the administration of the business affairs of the Municipality. Members shall respect that:

- 6.3. Staff provide advice and make policy recommendations in accordance with their professional ethics, expertise and obligations and that Members must not falsely or maliciously injure the reputation of staff members whether professional or ethical or otherwise.
- 6.4. Under the direction of the Chief Administrative Officer (CAO), staff serves Council as a whole, and the combined interests of all members as evidenced through the decisions of Council. Members must not make requests or statements or take actions which may be construed as an attempt to influence the independent administration of Municipal business. Members shall not attempt to intimidate, threaten, or influence any staff member from carrying out that person's duties, including any duty to disclose improper activity.
- 6.5. Staff carry out their duties based on political neutrality and without undue influence from any individual Member and, therefore, Members must not invite or pressure any member of staff to engage in partisan political activities or be subjected to discrimination or reprisal for refusing to engage in such activities

7. Use of Municipal Property

- 7.1. Council is the custodian of the assets of the Municipality. The community places its trust in Council and those it appoints to make decisions for the public good in relation to these assets.
- 7.2. By virtue of their office or appointment, a Member must not use or permit the use of the Municipality's land, facilities, equipment, supplies, services, staff or other resources for activities other than the business of the Municipality. No Member shall seek financial gain for themselves, family or friends from the use or sale of Municipal-owned intellectual property, computer programs, technological innovations, or other patent, trademarks or copyright held by the Municipality.

8. Confidentiality

- 8.1. Every member must hold in strict confidence all information of a confidential nature acquired in the course of his or her term in the municipality.
- 8.2. Without restricting the scope of this rule, the following shall be considered breaches of the Code of Conduct:
 - a. To use confidential information, which is not available to the general public and to which Members have access by virtue of his/her position with the municipality, to further his/her personal interests or the interest of others.
 - b. To disclose, either directly or indirectly, release, make public or in any way divulge any information (verbal or written) or any aspect of the Closed

Session deliberations to anyone, unless expressly authorized by Council or required by law to do so.

- c. To disclose to unauthorized persons confidential information to which the Member has access by virtue of his/her position with the municipality.
- d. Council shall comply with the Municipal Freedom of Information and Protection of Privacy Act at all times. Public comments, discussions and disclosures to the media regarding employees or individuals that breach a person's privacy is deemed to be a contravention of this Code of Conduct.

9. Decisions of Council

9.1. All Members of Council shall accurately and adequately communicate the attitudes and decisions of Council, even if they disagree with Council's decision, such that respect for the decision making processes of Council is fostered. Members of Council must also encourage public respect for the Municipality and its by-laws.

10. Engaging in Incompatible Activity

10.1. Members of Council shall not engage in any activity, financial or otherwise, which is incompatible or inconsistent with the ethical discharge of the official duties in the public interest.

10.2. Without limiting the generality of the foregoing, Members of Council shall not:

- a. Use their position, privileges, or confidential information for private gain or to improperly benefit another person;
- b. Act as an agent before Council or any committee or board;
- c. Give preferential treatment to any person or organization in which a Member or Members have a financial interest;
- d. Solicit, demand or accept the services of any corporation, employee or individual providing services to the municipally at a time in which said person or corporation is being paid by the municipality;
- e. Place themselves in a position of obligation to any person or organization which might benefit from special consideration or may seek preferential treatment;
- f. Use corporate materials, equipment, facilities or employees for personal gain or for any private purpose.

11. Conflict of Interest

11.1. It is the responsibility of individual Members to ensure that they are aware and trained in the application of the Municipal Conflict of Interest Act. The onus is on

the Member to identify a conflict of interest, and shall take the appropriate action to identify the existence of a conflict in favour of his or her public duty.

11.2. A conflict exists when an individual is, or could be, influenced, or appear to be influenced by a personal interest, financial (pecuniary) or otherwise, when carrying out their public duty. Personal interest can include direct or indirect pecuniary interest, bias, pre-judgment, close mindedness or undue influence.

11.3. Members must appropriately resolve any conflict or incompatibility between their personal interests and the impartial performance of their public or professional duties in accordance with statutory requirements.

12. Acceptance of Gifts

12.1. Any gift to a Member risks the appearance of improper influence. Gifts may improperly induce influence or create an incentive for a Member to make decisions on the basis of relationships rather than in the best interests of the Municipality. A Member shall not accept a fee, advance, gift, gift certificate, cash, hospitality or any form of personal benefit connected directly or indirectly with the performance of his or her duties except as provided in Section 11.2. A gift, benefit or hospitality provided with the Member's knowledge to a Member's spouse, child, or parent, or to a Member's staff that is connected directly or indirectly to the performance of the Member's duties is deemed to be a gift to that Member. Any doubt concerning the propriety of the gift should be resolved by the Member not accepting or keeping it.

12.2. For greater clarity, despite Section 11.1, a Member is entitled to accept any compensation, remuneration or benefits authorized by law but shall not accept any gift or benefit other than in the following circumstances:

- a. such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
- b. a political contribution otherwise reported by law, in the case of a Member running for office;
- c. services provided without compensation by persons volunteering their time;
- d. nominal tokens, mementos or souvenirs received as an incident of protocol or social obligation that normally accompanies the responsibilities of elected office or at a function honouring the Member;
- e. food, lodging, transportation and entertainment provided by provincial, regional and local governments or any agencies or subdivisions of them or by the federal government or by a foreign government within a foreign country, or by a conference, seminar or event organizer where the Member is either speaking or attending in an official capacity;

- f. entrance fees or food and beverages consumed at banquets, receptions or similar events, if:
- g. attendance serves a legitimate municipal business purpose related to the normal business of the Municipality,
- h. the person extending the invitation or a representative of the organization is in attendance, and
- i. the value is reasonable and the invitations are infrequent;
- j. gifts of nominal value (for example, a baseball cap, t-shirt, flash drive, book, etc.)
- k. any gift or benefit, if the Integrity Commissioner is of the opinion, before the gift or personal benefit has been accepted, that it is unlikely that receipt of the gift or benefit gives rise to a reasonable presumption that the gift or benefit was given in order to influence the Member in the performance of his or her duties.

12.3.A Member shall not seek or obtain by reason of his or her office any personal privilege or advantage with respect to municipal services not otherwise available to the general public and not connected directly or indirectly to the performance of the Member's duties.

13. Breach of Policy

13.1. Where Council receives a report from the Integrity Commissioner that there has been a violation of the Code of Conduct by a Member, Council may impose the following penalties on the Member:

- a. a reprimand; or
- b. a suspension of the remuneration paid to the Member in respect of his or her services as a Member for a period up to 90 days.

13.2. Council may, on the basis of a recommendation from the Integrity Commissioner, also take any or all of the following actions in furtherance of a reprimand, and require that the Member:

- a. provide a written or verbal apology;
- b. return property or make reimbursement of its value or of money spent;
- c. be removed from or not be appointed to the membership on a committee of Council;
- d. be removed from or not be appointed as chair of a committee of Council;

- e. comply with any other remedial or corrective action or measure deemed appropriate by the Integrity Commissioner.

14. Complaint Protocol

The Complaint Protocol – Code of Conduct is Appendix “A” to the Code of Conduct.

Appendix “B”
Complaint Protocol
Code of Conduct

COMPLAINT PROTOCOL

Council and Committee Code of Conduct - Appendix "A"

PART A - INFORMAL COMPLAINT PROCEDURE

1. Any individual who identifies or witnesses behaviour or activity by a Member that they believe contravenes the Code of Conduct may seek to address the prohibited behaviour or activity themselves in the following manner by following the Informal Complaint Procedure:
 - (a) document the incident(s) where the Member may have contravened the Code of Conduct including dates, times, locations, other persons present, and any other relevant information;
 - (b) advise a third party about the concerns regarding the Member's actions;
 - (c) advise the Member that the behaviour or activity appears to contravene the Code of Conduct;
 - (d) identify to the Member the specific provision(s) of the Code of Conduct that may have been contravened;
 - (e) encourage the Member to acknowledge and agree to stop the prohibited behaviour or activity and to undertake to refrain from future occurrences of the prohibited behaviour or activity;
 - (f) request the Integrity Commissioner to assist in informal discussion of the alleged complaint with the Member in an attempt to settle or resolve the issue;
 - (g) if applicable:
 - (i) confirm to the Member that his or her response is satisfactory, or
 - (ii) advise the Member that his or her response is unsatisfactory;
 - (h) consider the need to pursue the matter in accordance with the Formal Complaint Procedure set out in Part B, or in accordance with any other applicable judicial or quasi-judicial process or complaint procedure.
2. Individuals are strongly encouraged to pursue the Informal Complaint Procedure as the first means of remedying behaviour or activity of a Member that they believe violates the Code of Conduct.
3. With the consent of both the complaining individual and the Member, the Integrity Commissioner may participate in any informal process. The parties involved are encouraged to take advantage of the Integrity Commissioner's potential role as a mediator/conciliator of issues relating to a complaint.
4. The Informal Complaint Procedure is not a precondition or a prerequisite to pursuing the Formal Complaint Procedure set out in Part B.

PART B - FORMAL COMPLAINT PROCEDURE

Formal Complaints

- 1.(1) Any individual who identifies or witnesses behaviour or activity by a Member that they reasonably believe contravenes the Code of Conduct may file a formal complaint to request an inquiry by the Integrity Commissioner as to whether a Member has contravened the Code of Conduct in accordance with the following requirements:
 - (a) all complaints shall be in writing on the prescribed form and shall be dated and signed by an identifiable individual;
 - (b) the complaint must set out reasonable and probable grounds for the allegation that the Member has contravened the Code of Conduct and must be accompanied by a supporting sworn affidavit setting out the evidence in full in support of the allegation; and
 - (c) Council may also file a complaint against any of its Members by passing a resolution requesting the Integrity Commissioner to undertake an inquiry.
- (2) Individuals filing a formal complaint must provide a full and complete record of evidence to the Integrity Commissioner who is under no obligation whatsoever to, but may, seek additional information to supplement or complete the evidentiary record to substantiate or support the allegation set out in the complaint.

Filing of Complaint and Classification by Integrity Commissioner

- 2.(1) The complaint may be filed with the Clerk by hard copy or directly with Integrity Commissioner by a sealed hard copy or by e-mail to the email address(es) set out on the Municipality's website.
- (2) The Integrity Commissioner shall initially classify the complaint to determine if the matter is, on its face, a complaint with respect to non-compliance with the Code of Conduct and not covered by other legislation or other Council procedures, policies or rules as set out in Section 3.

Complaints Outside Integrity Commissioner's Jurisdiction

3. If the complaint, including the supporting affidavit, is not, on its face, a complaint with respect to non-compliance with the Code of Conduct or the complaint relates to matters addressed by other legislation or complaint procedure under another Municipal procedure, policy or rule, the Integrity Commissioner shall advise the complainant in writing as follows:

Criminal Matter

- (a) if the complaint is, on its face, an allegation of a criminal nature consistent with the *Criminal Code*, the complainant shall be advised that:
 - (i) the Integrity Commissioner will refer it to the appropriate police service, or

- (ii) the complainant may pursue it with the appropriate police service if the complainant wishes to pursue any such allegation;

Municipal Freedom of Information and Protection of Privacy Act

- (b) if the complaint is more appropriately addressed under the *Municipal Freedom of Information and Protection of Privacy Act*, the complainant shall be advised that the matter must be referred to the Clerk to deal with under its access and privacy policies under the statute;

Other Procedure, Policy or Rule Applies

- (c) if the complaint appears to fall within the scope of another procedure, policy or rule of the Municipality, the complainant shall be advised to pursue the matter under such procedure, policy or rule with the appropriate Municipality official;

Lack of Jurisdiction

- (d) if the complaint is, for any other reason not within the jurisdiction of the Integrity Commissioner (for example, it relates to a decision of Council or a local board as a whole and not one or more individual Members), the complainant shall be so advised and provided with any additional reasons and referrals as the Integrity Commissioner considers appropriate;

Matter Already Pending

- (e) if the complaint is in relation to a matter which is subject to an outstanding complaint under another process such as a court proceeding, a human rights or workplace harassment complaint or similar process, or to a civil matter that is pending before the courts, the Integrity Commissioner may, in his/her sole discretion and in accordance with legislation, suspend any investigation, in whole or in part, pending the result of the other process;

Similar Matter Already Pending

- (f) if the complaint is in relation to a similar matter which is subject to an outstanding complaint before the Integrity Commissioner, the Integrity Commissioner may, in his/her sole discretion, consider the matter in conjunction with the similar matter or deal with it separately, including not undertaking an inquiry if the matter can be adequately addressed in any report and/or recommendations made with respect to the complaint in the similar matter; and

Other Ethical Code Applies

- (g) if the complaint is in relation to a matter which is governed by a code of conduct, ethical code or similar procedure or policy of another body or entity which also governs the Members (for example, another board to which the Member has been appointed or the lower-tier municipality to which the Member is elected), the Integrity Commissioner shall consider the most appropriate forum for the complaint and may, in his/her sole discretion, defer consideration of the matter pending any determination made by the other body or entity and shall so advise the complainant and, if necessary, the Member.

Limitation Period

4. The Integrity Commissioner shall not accept a complaint for which the event giving rise to the complaint occurred or came to the attention of the complainant more than six (6) months prior to the date of the filing of the complaint. The complainant must establish that the event giving rise to the complaint occurred and/or came to the complainant's attention within six (6) months of the complaint being filed in accordance with Section 2.

Refusal to Conduct Investigation

5. The Integrity Commissioner has a discretion as to whether to carry out an investigation. If the Integrity Commissioner is satisfied, after considering the information contained in the complaint, that a complaint:
 - (a) is frivolous or vexatious,
 - (b) is not made in good faith,
 - (c) constitutes an abuse of process,
 - (d) discloses no grounds or insufficient grounds for an investigation, or
 - (e) does not warrant a full investigation,

the Integrity Commissioner shall not be required to conduct an investigation and, where this becomes apparent during the course of an investigation, the Integrity Commissioner shall terminate the inquiry and provide notice to the complainant and, if necessary, to the Member.

Opportunities for Resolution

6. Following receipt and review of a formal complaint or at any time during the investigation where the Integrity Commissioner, in his or her discretion, believes that an opportunity to resolve the matter may be successfully pursued without a formal investigation, and both the complainant and the Member agree, efforts may be pursued to achieve an informal resolution.

Investigation

7. (1) The Integrity Commissioner may proceed as follows, except where the Integrity Commissioner has a full factual record and believes, in his or her discretion, that no additional information is required, or where otherwise required by the *Public Inquiries Act, 2009*, or where the Integrity Commissioner has not otherwise terminated the inquiry:
 - (a) provide the Member with an outline of the complaint with sufficient particularity to allow the Member to understand the complaint against him or her but shall not have any obligation to disclose:
 - (i) the identity of the complainant, or

- (ii) the identity of any witnesses set out in the complaint or that are questioned/interviewed by the Integrity Commissioner,

unless it is essential for the Member to adequately respond to the complaint, which determination shall be made in the Integrity Commissioner's sole and absolute discretion;
 - (b) request that the Member provide a written response to the allegations in the complaint to the Integrity Commissioner within ten (10) business days; and
 - (c) provide a copy of the Member's response to the complainant with a request that any written reply be provided by the complainant to the Integrity Commissioner within ten (10) business days.
- (2) If necessary, after reviewing the submitted materials, the Integrity Commissioner may contact and speak to or correspond with any other persons, access and examine any other documents or electronic materials, including any materials on the Municipality's computers and servers, and may enter any Municipal work location relevant to the complaint for the purpose of investigation and potential resolution.
 - (3) The Integrity Commissioner may, but is under no obligation, to provide the Member with a draft of the proposed draft report on the complaint.
 - (4) The Integrity Commissioner shall not issue a report finding a violation of the Code of Conduct on the part of any Member unless the Member has had an opportunity either in person or in writing to comment to the Integrity Commissioner on the proposed finding(s).
 - (5) The Integrity Commissioner may, but is under no obligation, to advise either the Member or the complainant of any proposed sanction or recommendation the Integrity Commissioner may include in the report to Council.
 - (6) The Integrity Commissioner may make interim reports to Council where necessary and as required to address any instances of interference, obstruction, intimidation, delay, reprisal or retaliation by the Member or by any other person encountered during the formal complaint investigation.
 - (7) The Integrity Commissioner shall retain all records related to the complaint and investigation but may provide copies of certain records, in confidence, to Municipal administrative staff who are required to ensure that any such records are securely and confidentially retained.

No Complaint Prior to Municipal Election

- 8. (1) Notwithstanding any other provision of this Complaint Protocol, no complaint may be filed with the Integrity Commissioner, no report shall be made by the Integrity Commissioner to Council and Council cannot consider the imposition of penalties pursuant to subsection 223.4(5) of the *Municipal Act, 2001* during the period of time starting on nomination day for a regular municipal election year, as set out in section 31 of the *Municipal Elections Act, 1996* and ending on the voting day in a regular election as set out in section 5 of the *Municipal Elections Act, 1996*.

- (2) If the Integrity Commissioner has received a complaint and has commenced an inquiry but has not completed the inquiry before nomination day in a regular municipal election year, the Integrity Commissioner shall terminate the inquiry on nomination day but may commence an inquiry in respect of the same complaint if within six (6) weeks after the voting day in a regular municipal election the individual who made the request makes a written request to the Integrity Commissioner in accordance with subsection 223.4(8) of the *Municipal Act, 2001*.

Advice Provided to Member by Integrity Commissioner

9. (1) Subject to Section 9(2), a Member is entitled to rely upon any written advice given by the Integrity Commissioner to the Member respecting the Code of Conduct in any subsequent consideration of the conduct of the Member in the same matter provided that the Member fully disclosed in writing all relevant facts known to him or her to the Integrity Commissioner and acted in accordance with the written advice provided by the Integrity Commissioner.
- (2) A Member under investigation by the Integrity Commissioner shall not request advice from the Integrity Commissioner as to the Member's rights under the Code of Conduct or generally at law, nor is the Member entitled to rely upon any statement(s) made by the Integrity Commissioner during the course of the investigation that may impact the Member's rights under the Code of Conduct or at law.

Investigation Report

10. (1) The Integrity Commissioner shall report to the complainant and the Member no later than ninety (90) days after the official receipt of any complaints. If the investigation process is anticipated to or takes more than ninety (90) days, the Integrity Commissioner shall provide an interim report to Council and must advise the parties of the approximate date the report will be available. The Integrity Commissioner may also, at his or her discretion, advise any witnesses or other persons of the approximate date the report will be available.
- (2) Where the complaint is sustained in whole or in part, the Integrity Commissioner shall report to Council outlining the findings, the terms of any settlement and/or any recommended remedial or corrective action.
- (3) The Integrity Commissioner may provide a copy of the report to the complainant and the Member whose conduct has been investigated in advance of the public release of the report, in strict confidence until the report is publicly released. The Member shall have the right to address the report when it is considered by Council but cannot vote on the matter.
- (4) Where the complaint is not sustained, the Integrity Commissioner is not obligated to report to Council on the result of the investigation or any findings but may do so at his or she discretion and may also include such information as he or she deems necessary in a report or as part of an annual or other periodic report by the Integrity Commissioner.

Findings

11. If the Integrity Commissioner determines that:
 - (a) there has been no contravention of the Code of Conduct, or

- (b) a contravention occurred but:
 - (i) the Member took all reasonable measures to prevent it,
 - (ii) it was trivial,
 - (iii) it was committed through inadvertence, or
 - (iv) it resulted from an error of judgment made in good faith,

the Integrity Commissioner may so state in the report and may make appropriate recommendations pursuant to the *Municipal Act, 2001*, including but not limited to, a recommendation of no penalty.

Report to Council

- 12. Upon receipt of a report from the Integrity Commissioner, the Clerk shall place the report on the next regular agenda of Council for consideration by Council and Council must consider the report at that meeting and may accept or refuse the recommendations set out in the report and accept, refuse or vary any penalties or sanctions contained in the report. A report from the Integrity Commissioner may also be considered by Council in advance of its next regular meeting should Council agree to hold a special or other meeting before its next regular meeting to consider the report.

Duty of Council

- 13. Council shall consider and make a determination on the Integrity Commissioner's report at the same meeting at which the report is tabled.

Public Disclosure

- 14.(1) The Integrity Commissioner and every person acting under his or her jurisdiction shall preserve confidentiality where appropriate and where it does not interfere with the course of any investigation, except as required by law and as required by this Complaint Protocol.
- (2) The Integrity Commissioner shall retain all records related to the complaint and investigation although copies may be provided to the Municipality's administrative staff, subject to the duty of confidentiality under subsection 223.5 of the *Municipal Act, 2001*.
- (3) The identity of the Member who is the subject of the complaint shall not be treated as confidential information in the Integrity Commissioner's report to Council. The identity of the complainant may be disclosed if deemed appropriate and necessary by the Integrity Commissioner or if consented to by the complainant.
- (4) All reports from the Integrity Commissioner to Council shall be made available to the public by the Clerk.

Periodic Reports to Council

- 15.(1) The Integrity Commissioner shall provide an annual report to Council summarizing his or her activities, including a report on all complaints received and on their disposition (including complaints deemed and ruled not to be within the jurisdiction of the Integrity Commissioner and complaints not investigated and/or terminated).
- (2) Notwithstanding Section 15(1), Council may by resolution request that the Integrity Commissioner provide a periodic report more frequently than once a year.

Delegation

16. The Integrity Commissioner may delegate in writing to any person, other than a Member of Council, any of the Integrity Commissioner's powers and duties under Part V.1 of the *Municipal Act, 2001*.

Code of Conduct — Formal Complaint Form
AFFIDAVIT

I, _____ (first and last name), of the
municipality of _____ in the Province of Ontario.

MAKE OATH AND SAY (or AFFIRM):

1. I have reasonable and probable grounds to believe that:

_____ (specify name of Member),

a member of the Council of The Corporation of the Municipality of West Perth, has contravened section(s) _____ of the Code of Conduct of the Municipality of West Perth. The particulars of which are attached hereto.

2. Facts constituting the alleged contravention (use separate page if required)

This affidavit is made for the purpose of requesting that this matter be reviewed and/or investigated by the Municipality of West Perth's Integrity Commissioner and for no other improper purpose.

SWORN (or AFFIRMED) before me at the)
the _____ of _____ on)
_____ (date))
_____)

(Signature)

A Commissioner for taking affidavits etc.

Please note that signing a false affidavit may expose you to prosecution under ss. 131 and 132 or 134 of the *Criminal Code*, R.S.C. 1985, c. C-46 and also to civil liability for defamation.