



The Corporation of the Township of Huron-Kinloss

Policy

Section: 5.0 General

Policy: Prevention of Political Interference in the Administrative Monetary Penalty System

By-Law: Administrative Monetary Penalty System

Date: 4 March 2024

Revision: N/A

Coverage:

The policy applies to members of council, committees, employees, volunteers, contractors, and consultants with the Township of Huron-Kinloss. It is intended to prevent political interference in the administration of the Administrative Monetary Penalty System (AMPS).

Policy Statement:

This policy defines what constitutes political interference in relation to the AMPS program. This policy is to ensure the responsibilities of the Screening and Hearing Officers are conducted in accordance with fundamental principles of justice, which include decision making and procedural independence, fairness, impartiality, and integrity, without any political interference.

In accordance with Ontario Regulation 333/07, the Township is required to establish a Policy for the prevention of political interference in AMPS.

Legislative Authority:

- Ontario Regulation 333/07
- Code of Conduct for Council
- Municipal Act, 2001
- Township of Huron-Kinloss AMPS By-law

Contents:

Regarding members of Township of Huron-Kinloss Council, this policy should be read and interpreted within the context of prevailing provincial legislation (i.e., Municipal Conflict of Interest Act) and the Code of Conduct for Council, including its related policies, procedures, and guidelines.

Principles of Preventing Political Interference

- No person shall attempt, directly or indirectly, to communicate with employees or other persons performing duties related to the administration of AMPS for the purpose of influencing or interfering, financially, politically, or otherwise, with the administration of the AMPS program or any particular Penalty Notice;
- All individuals involved with the enforcement and administrative functions of the AMPS program shall carry out such duties in a manner which upholds the integrity of the administration of justice.

Accountability

Attention is brought to the fact that any interference with the AMPS program may result in charges under the Criminal Code of Canada, Provincial statute, or other disciplinary action.

A Screening or Hearing Officer, employee or other person performing duties related to the AMPS program under this policy shall report any attempt or perceived attempt to political influence or interference, financial, political, or otherwise, to the Township Clerk. No action shall be taken against the employee or other person(s) for making any such report in good faith.

Where any employee, Screening Officer, Hearing Officer, or other person performing duties related to the AMPS program, is contacted by a Member of Council with respect to the administration of the AMPS program, they shall immediately disclose such contact to the Township Clerk to maintain the integrity of the AMPS program.

A Screening Officer or Hearing Officer shall disclose any actual or perceived political interference as soon as possible to the Township Clerk.

This policy does not prevent a Screening Officer or Hearing Officer from seeking and receiving advice from an appropriate member of Township staff.