

**Appendix “D” to the
Township of Scugog – Code of Conduct for Members of Council
Advice Procedure**

1. Procedure – Request for Advice

- 1.1. Any Council or local board member who wishes to obtain advice from the Region’s Integrity Commissioner must request the advice in writing. The preferred method is via email.
- 1.2. Requests for Advice must specify the date, if any, by which the member requires the advice. The Integrity Commissioner will endeavour to respond to all requests for advice by the date requested.
- 1.3. The Integrity Commissioner will provide advice to members of Council and local boards as it pertains to:
 - a) Their obligations under the code of conduct;
 - b) Their obligations under a procedure, rule or policy of the municipality or of the local board as the case may be, governing the ethical behaviour of members;
 - c) Their obligations under the Municipal Conflict of Interest Act.

2. Response of Integrity Commissioner to Request for Advice Outside Jurisdiction

- 2.1. If the request for advice received by the Integrity Commissioner does not relate to the Code of Conduct, the Municipal Conflict of Interest Act sections 5, 5.1 or 5.2, or a procedure, rule or policy governing the ethical behaviour of members; it will be deemed not to be within the Integrity Commissioner’s mandate and the Integrity Commissioner shall advise of such in writing as follows:
 - a) Criminal Matter – if the request for advice is with respect to a matter that is of a criminal nature consistent with the Criminal Code, R.S.C. 1985, c. C-46, the member shall be advised that the request for advice must be made through the appropriate police service or through independent legal counsel;
 - b) Municipal Freedom of Information and Protection of Privacy – if the request for advice falls under the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, the member shall be referred to the Clerk; or
 - c) Other Matters – if the matter is covered by other policies or legislation, the member will be advised and directed to proceed in a manner as considered appropriate by the Integrity Commissioner.

3. Response in Writing

- 3.1. The Integrity Commissioner will respond to all requests for advice in writing, to the member who made the request for advice.

4. Release of Advice

- 4.1. Advice provided by the Integrity Commissioner may be released with the member’s written consent.

- 4.2. If a member releases part of the advice provided by the Integrity Commissioner, then the Integrity Commissioner may release part or all of the advice without requiring consent from the member.

5. Advice is Binding

- 5.1. Any written advice given by the Integrity Commissioner to a member binds the Integrity Commissioner in any subsequent consideration of the conduct of the member in the same matter as long as all the relevant facts known to the member were disclosed to the Integrity Commissioner. If new information regarding the same matter is provided to the Integrity Commissioner the original advice may be changed at the sole discretion of the Integrity Commissioner.