



**Cunningham Swan**

LAWYERS

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August 14, 2023

**SENT BY EMAIL TO:** [jclark@trentlakes.ca](mailto:jclark@trentlakes.ca)

Municipality of Trent Lakes  
c/o Jessie Clark, Director of Corporate Services/Clerk  
760 Peterborough County Road 36  
Trent Lakes, ON  
K0M 1A0

Dear Mayor and Members of Council:

**Re: Integrity Commissioner Services - Annual Report – 2023  
Municipality of Trent Lakes  
Our File No. 27261-4**

### Background

In 2022, Tony Fleming of Cunningham Swan in Kingston, Ontario, was appointed as the Integrity Commissioner for the Municipality of Trent Lakes in accordance with section 223.3(1) of the *Municipal Act*, 2001, S.O. 2001, c. 25 (the “Act”).

This report summarizes the services provided by the Integrity Commissioner to the Municipality of Trent Lakes in 2023, in accordance with section 223.6 (1) of the *Act*. The purpose of this report is to highlight the mandate of the Integrity Commissioner and to inform Council and the public about changes to the Act that affect the process of the Integrity Commissioner and subsequently, Councils and Local Boards.

### Role of the Integrity Commissioner

The Act mandates that the Integrity Commissioner is responsible for providing the following functions:

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1. The application of the code of conduct for members of council and the code of conduct for members of local boards.
2. The application of any procedures, rules and policies of the municipality and local boards governing the ethical behaviour of members of council and of local boards.
3. The application of sections 5, 5.1 and 5.2 of the *Municipal Conflict of Interest Act* (“MCIA”) to members of council and of local boards.
4. Requests from members of council and of local boards for advice respecting their obligations under the code of conduct applicable to the member.
5. Requests from members of council and of local boards for advice respecting their obligations under a procedure, rule or policy of the municipality or of the local board governing the ethical behaviour of members.
6. Requests from members of council and of local boards for advice respecting their obligations under the MCIA.
7. The provision of educational information to members of council, members of local boards, the municipality and the public about the municipality’s codes of conduct for members of council and members of local boards and about the MCIA.<sup>1</sup>

#### Integrity Commissioner Activity re: Municipality of Trent Lakes

If Council requires ongoing training under the Code of Conduct and the MCIA, Mr. Fleming is available upon request. Individual members may request advice from the Integrity Commissioner at any time. Council or members may contact Mr. Fleming in the following ways:

- 1) Council may pose a question to the Integrity Commissioner in writing regarding the broad obligations of all members (not specific to any one member);
- 2) Individual members may request advice in writing from the Integrity Commissioner in accordance with the Act.

#### Requests for Advice

There were no requests for advice submitted to the Integrity Commissioner for the Municipality of Trent Lakes in 2023.

#### Complaints/Applications for Inquiry

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<sup>1</sup> *Municipal Act*, section 223.3(1).

There were no complaints submitted to the Integrity Commissioner for the Municipality of Trent Lakes in 2023.

### Closing Remarks

We thank the Municipality of Trent Lakes for the opportunity to act as its Integrity Commissioner. We remind members that the Integrity Commissioner is available to provide advice in accordance with the Act regarding a member's obligations under the Code of Conduct and the MCIA. We note that this service provides members with the proactive ability to avoid potential complaints by requesting and acting on advice which may apply to the circumstances of the member.

Members are held to the highest standards of office in their elected positions, and we thank members for their continued attention to the ethical obligations expected of them.

Please contact us with any follow-up questions.

Sincerely,

**Cunningham, Swan, Carty, Little & Bonham LLP**



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(Local Government / Land Use Planning)  
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