

AIRD BERLIS

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## 2025 ANNUAL REPORT OF THE INTEGRITY COMMISSIONER

### THE CORPORATION OF THE TOWN OF SOUTH BRUCE PENINSULA

**John Mascarin**  
**Aird & Berlis LLP**

January 14, 2026

## INTRODUCTION

Aird & Berlis LLP is the appointed Integrity Commissioner for the Town of South Bruce Peninsula (the “Town”) pursuant to subsection 223.3(1) of the *Municipal Act, 2001*. Our firm was appointed as Integrity Commissioner by Council on May 6, 2025 by By-law No. 16-2025 for an approximate four (4) year term to conclude on May 31, 2029. Council had previously been well-served by Integrity Commissioner Robert Swayze who provided a notice of resignation on April 3, 2025. Commissioner Swayze had been the Town’s Integrity Commissioner since June 1, 2019.

This is the first annual report that we have prepared, encompassing the period from our appointment on May 6, 2025 to December 31, 2025.

This annual report provides a brief executive summary of activities undertaken in carrying out our responsibilities as the Integrity Commissioner of the Town.

## ROLE OF INTEGRITY COMMISSIONER

The functions of an Integrity Commissioner are set out in subsection 223.3(1) of the *Municipal Act, 2001*:

### Integrity Commissioner

**223.3 (1)** Without limiting sections 9, 10 and 11, those sections authorize the municipality to appoint an Integrity Commissioner who reports to council and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to any or all of the following:

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, 5.2 and 5.3 of the *Municipal Conflict of Interest Act* 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, as the case may be, governing the ethical behaviour of members.
6. Requests from members of council and of local boards for advice respecting their obligations under the *Municipal Conflict of Interest Act*.
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 *Municipal Conflict of Interest Act*.

Our firm has been assigned all of the foregoing functions by Council. Our functions include responsibilities relating to inquiry, investigation, advice and education.

## **COMPLAINTS / APPLICATIONS**

Integrity Commissioners are empowered to investigate allegations of contravention respecting a municipality's code of conduct and any other procedures, rules and policies relating to the ethical behaviour of members of a municipal council or its local boards. There were no formal or informal complaints against any members of Council or of the Town's local boards in 2025.

An Integrity Commissioner may also conduct inquiries under the *Municipal Conflict of Interest Act* to determine whether a member has acted in the contravention of the statute. There were also no applications filed in 2025 under section 223.4.1 of the *Municipal Act, 2001* that required investigation by our office.

In his notice of resignation, former Commissioner Swayze indicated that he had no complaints or applications to report for 2025

## **ADVICE**

Integrity Commissioner are expressly authorized to provide specific and particularized written advice to members with respect to their obligations under the code of conduct, other ethical policies, rules or procedures and/or the *Municipal Conflict of Interest Act*. Such advice is provided confidentially but may be disclosed by the member and, in limited circumstances by the Integrity Commissioner.

In 2025, we did not receive any requests for written advice from any member of Council or from any member of a local board relating to the Town's code of conduct, other ethical policies, rules or procedures or the *Municipal Conflict of Interest Act*. We understand this to be the case for former Commissioner Swayze as well.

## **EDUCATION & TRAINING**

We did not present any education sessions to Council in 2025 but we will recommend a comprehensive training session for all members following the municipal election, ideally in the first quarter of 2027.

## **UPDATES TO MUNICIPAL ACCOUNTABILITY FRAMEWORK**

On May 1, 2025, the provincial government announced Bill 9, re-introducing the legislation originally proposed under Bill 241, which would impose new requirements for provincial-wide uniform codes of conduct; mandatory education and training for Integrity Commissioners and for members of council and local boards; for the involvement of the Integrity Commissioner of Ontario; and for the removal from office and disqualification of members of council for egregious contraventions of a code of conduct, which result in harm to the health, safety or well-being of any person.

Bill 9 was referred to the Standing Committee on Heritage, Infrastructure and Cultural Policy which held a number of public hearings on the proposed legislation from May 28 to August 25, 2025. Only minor and rather inconsequential amendments have been made to the bill despite the majority of the evidence before the Standing Committee indicating that the proposed legislation was flawed and represented a lost opportunity to actually strengthen the local government accountability framework. Bill 9 was ordered for Third Reading on October 20, 2025. The provincial government has indicated that the statute and the accountability framework will be in place prior to the municipal elections on October 26, 2026 and the commencement of the new term for municipal councils.

## CLOSING REMARKS

We are privileged to have been appointed Integrity Commissioner for the Town look forward to being of service to Council and to Town staff throughout 2026.

We note that 2026 is a regular election year and that municipal elections commonly bring along an extra degree of scrutiny of the activities and conduct of elected representatives. It is not uncommon for our office to receive a greater influx of public inquiries and complaints/applications. If members have any questions or concerns regarding their ethical obligations, please do not hesitate to contact us for assistance and to receive particularized written advice.

Finally, we will continue to closely monitor Bill 9 and will report on any material and substantive changes that may impact our role as Integrity Commissioner.

Our best wishes to all members and administrative staff as you enter the home stretch of the Council term.

Respectfully submitted,

AIRD & BERLIS LLP



John Mascarin

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