



Hamilton

Office of the City Clerk  
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April 17, 2023

To Whom It May Concern,

Re: Per Diem for Members of Council Appointed to Other Bodies

I am writing in response to an enquiry from a Local Board regarding whether Members of Council, for the City of Hamilton, who are appointed to sit as members of other bodies may collect a per diem for such membership.

I requested Principles Integrity, the City of Hamilton's Integrity Commissioners, to do a review of the Council Code of Conduct and the Municipal Act regarding this matter. They concluded that receiving a per diem for membership and attendance on another body, such as a conservation authority or an energy board, where one is provided, does not contravene the gifts policy contained in the Code of Conduct.

On April 12, 2023 the attached letter was received by Council for the City of Hamilton and is included for your information and records. I hope that this information is helpful and please do not hesitate to contact me if you have any questions or concerns. Thank you for your attention to this matter.

Sincerely,

Andrea Holland  
City Clerk,

Attached: Principles Integrity Opinion - Per Diem for Members of Council Appointed to Other Bodies

Andrea Holland  
Clerk, City of Hamilton

March 7, 2023

Re: Per Diem for Members of Council Appointed to Other Bodies

You have asked whether members of Council appointed to sit as members of other bodies may collect a per diem for such membership. It has been suggested that receiving a per diem for such activity may constitute a contravention of the Council Code of Conduct which provides as follows:

SECTION 4: GIFTS AND BENEFITS

4. (1) No Member shall accept a fee, advance, gift or benefit, that is connected, directly or indirectly, with the performance of the Members duties or responsibilities of or in office, except as permitted by one or more of the exceptions listed in subsection 4(3).

In our view, receiving a per diem for membership and attendance on another body, such as a conservation authority, an energy board or a police service board, where one is provided, does not contravene the gifts policy contained in the Code of Conduct.

There is also nothing in the *Municipal Act* which would preclude a member of Council from receiving such per diem. In fact, across the province of Ontario, there are quite a number of boards which compensate appointees, including members of Council, for attendance at meetings, and that practice is quite acceptable under the legislation. The amount involved ought to be included and reflected in the Council Remuneration Report.

We trust this provides the clarification you require on this issue.

Principles *Integrity*,  
Integrity Commissioner for the City of Hamilton