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Elected officials' expenses: what does the municipality cover?

With municipal elections just around the corner, many new elected officials are preparing to take their seats on municipal councils across Québec. This transition is an excellent opportunity to revisit the *Act respecting the remuneration of elected municipal officers* (CQLR, c. T-11.001), or AREMO, to clarify the rules surrounding elected officials' pay and understand which expenses are covered by the expense allowance and which ones may be reimbursed by the municipality.

The first aspect of an elected official's pay is remuneration. The AREMO states that it is determined by municipal by-law but does not set any minimum or maximum, leaving municipal councils the freedom to exercise their discretionary powers.

However, with great freedom comes great responsibility, as the saying goes; municipal councils are accountable to the public. As such, they must be careful to make sure that the remuneration is reasonable, fair, and justifiable, both ethically and politically.

Remuneration can also be based on different metrics. It can be paid at regular intervals (such as monthly), based on attendance at council sittings, or even a combination of the two.

The second part of the pay is the expense allowance. Unlike remuneration, this is governed directly by the AREMO. It is equal to half the remuneration set in the by-law, up to an amount that is indexed annually (currently \$20,294).

This allowance is granted to every official, and no justification is needed. It is not the municipality's duty—nor even its right—to verify how the allowance is being spent, as it is intended to cover the personal expenses that come with the office, but that are not eligible for official reimbursement. These may include:

- Childcare costs for council sittings
- Travel expenses (gas, parking)
- The purchase of appropriate clothing for official events

In short, the allowance is meant to allow elected officials to do their jobs without needing to make (and therefore be reimbursed for) expenditures on the municipality's behalf.

In fact, expenditures made on the municipality's behalf are a separate component of an official's pay. The rules for this are very clear: each expenditure must be authorized in advance by the municipal council through a resolution or by-law. If there is no authorization, the municipality has the right to refuse to reimburse the official, even if the expenditure was made in its own interests.

In addition, once the expenditure is authorized, the official must provide supporting documentation so they can be reimbursed for the actual amount. The AREMO establishes specific cases where reimbursement is permitted, such as:

- The cost of attending a convention, seminar, or other event relevant to the performance of the official's duties
- Meal expenses for official meetings or council sittings, provided all council members are invited

Note that the mayor, by virtue of their role, is permitted to act on the municipality's behalf in certain situations. However, this does not exempt them from the rules on reimbursement.

It can be difficult to determine which expenses are covered by the allowance and which should be submitted for reimbursement. If there are doubts, it is best to check with the municipality's legal advisors. After all, elected officials need to remember that they have a duty to manage public funds carefully, transparently, and diligently.

A poorly managed or misunderstood expense can quickly become a political or legal issue. Given that trust in public institutions is critical, elected officials need to make sure they are acting with integrity and good judgment.