

We are rejecting the appeal of the CRO decision.

The facts are not in dispute, so the DIE Board only had to answer one question: “was the fine reasonable?” The DIE Board believes that the answer to that question is yes.

We found that the CRO acted within his authority to levy the fine, and the fine was of a reasonable amount and levied against the appropriate party.

The CRO was clear in his instructions concerning how a fine would be calculated, and under which exceptional circumstances could a fine be avoided.

While we sympathize with the Gateway’s position that the fine seems high considering the actual infraction was fairly minor, the fine amount was consistent with the guidelines stated in the regulations and bylaws. The CRO was exercising his powers in a manner consistent with those same regulations and bylaws.

Comments *in obiter*: We are concerned with the fact that the Gateway is not indemnifying (reimbursing) their volunteers who incurred the fine. While we are not ruling on the internal workings of the Gateway as a private organization, we find it odd that the Gateway is interpreting their obligation of neutrality in such a way that forces volunteers to bear the cost of fines levied against the organization. Generally, there should be a campaign budget set by the organization, and if that is overbudget, then the Gateway is responsible for relaying why it was overbudget to their Board of Directors. It is not fair to offload that responsibility onto campaign volunteers.