



Board Administrative Policy

October 2023

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Approval

This Board Administrative Policy was approved by Review Board Motion #032619-05 on March 26, 2019. This Policy replaces and updates the Board's previous administrative policies. This policy was updated in October 2023 to include a Chair nomination procedure and additional clarity regarding by-law 5.3. Future amendments to any of the Board's internal administrative policies will be made as part of this consolidated policy document.

Introduction

The Mackenzie Valley Environmental Impact Review Board (Review Board) is established by the *Mackenzie Valley Resource Management Act* (the Act) to conduct environmental assessments and environmental impact reviews of proposed developments in the Mackenzie Valley. The Review Board is a quasi-judicial administrative tribunal that has powers and employs procedures similar to a court of law.

Consistent with the Act and Board Bylaws, this Board Administrative Policy (Policy) guides the conduct of the Review Board's internal administrative affairs. The Board's guidelines, policies, and processes (e.g. Rules of Procedure) for carrying out its environmental impact assessment responsibilities are described elsewhere.

In the case of a discrepancy between this Policy and the Act, the Act prevails.

1 General

1.1 Definitions

In addition to the definitions listed below, the terms found in the Act and the Board's Bylaws apply to this Policy.

Act: means the *Mackenzie Valley Resource Management Act*.

Board: means the Mackenzie Valley Environmental Impact Review Board established by section 112 of the Act.

Board member: includes all members of the Review Board, including the Chairperson and alternate members.

Board business: means all activities arising as part of the Board's responsibilities under the Act and includes Board meetings, hearings, site visits, self-directed training, conferences, and formal training. It also includes analytical, special executive, or representational responsibilities of Board members.

Board meeting (includes hearings): means a meeting scheduled by the Review Board, attended by a quorum of Review Board members and conducted in accordance with the Act and Board Bylaws.

Capital asset: non-financial assets having physical substance that is acquired, constructed, or developed and that:

- i. are held for use by the Review Board,
- ii. have a useful life extending beyond a year and are intended to be used on a continuing basis, and

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- iii. have a unit cost of \$500 or more prior to taxes.

Chairperson: the person appointed as the Chairperson of the Review Board pursuant to subsection 12(1) of the Act. The Chairperson is also the Chief Executive Officer of the Review Board.

Duty travel: means travel for the purposes of Review Board business.

Economy class: means the standard class of air travel, including special discount fares. Economy class excludes first class and business class or equivalents.

Environmental assessment: means an examination of a proposal for a development undertaken by the Review Board pursuant to section 126 of the *Mackenzie Valley Resource Management Act*.

Environmental impact review: means an examination of a proposal for a development undertaken by a review panel established under section 132 of the *Mackenzie Valley Resource Management Act*.

Federal Minister: means the Minister of Indian Affairs and Northern Development (Crown-Indigenous Relations and Northern Affairs).

Gifts: means any gratuity, discount, entertainment, hospitality, training, transportation, lodging, meals, or other item that constitutes a personal benefit to the recipient.

Home community: means a Board member's primary residence.

Honoraria: means the daily remuneration to Board members for time spent on Board business, referred to as "per diem" in the Government of Canada's *Remuneration guidelines for part-time GIC appointees in agencies, boards and commissions*.

Hospitality: means expenditures for goods and services in support of conducting Board business and for courtesy, diplomacy, or protocol purposes.

Payment authority: means those persons authorized to sign cheques or make payments that have been approved by a spending authority.

Representational responsibilities: means any task where a Board member is assigned by the Review Board to officially represent the Board.

Service contracts: refers to contracts for goods and services including professional services.

Special executive responsibilities: means any task assigned by the Review Board to a Board member by way of special assignment.

Spending authority: means those persons authorized to commit funds within specified limits and in accordance with Section 4 of this Policy.

Travel directive: refers to the published Treasury Board of Canada Travel Directive (Travel Directive), excepting requirements pursuant to Federal Government legislation or agreements cited in the Travel Directive which are not applicable to Review Board members.

Travel expense: means reasonable expenses (including accommodation and transportation expenses) necessarily incurred while traveling on Board business.

1.2 Compliance

- a) Board members will conduct themselves and Board business in a manner consistent with this Policy.

2 Honoraria

2.1 General

- a) Board members will be remunerated for time spent on Board business.
- b) Board members are accountable for their honoraria claims and must be prepared to justify time spent on Board business.
- c) Board members are eligible to be reimbursed for time spent attending to Board business according to the provisions of this Policy.
- d) The honoraria for Board members and the Chairperson are in accordance with the terms of the Federal Minister's letters of appointment and remuneration.

2.2 Eligibility criteria

- a) Subject to the criteria in b) through i) below, Board members are eligible for honoraria for time spent attending to Board business, in accordance with the following:
 - I. One day of Board business is equal to 7.5 hours.
 - II. Honoraria shall be claimed in increments of one-half day (for example, ½ day travel + ½ day meeting = 1 day).
 - III. For exceptional circumstances, including hearings, where Board members may be required to work for more than a full regular day (7.5 hours), the Board may decide to allocate more than 1 day of honoraria.

- b) **Board meetings:** Board members are eligible for honoraria for the time they attend or participate in Board meetings.
- c) **Analytical responsibilities:** Board members are eligible for honoraria of up to two days per month based on the actual time spent on:
 - I. Board meeting preparations;
 - II. reviewing materials related to environmental assessments or impact reviews; and
 - III. reviewing Board administrative or policy materials.

These two days are the standard amount per month and are approved by this Policy. Additional time required for analytical responsibilities in any month may be designated through a motion of the Board.

- d) **Orientation:** A new Board member will be assigned a special analytical allowance of up to five days for orientation to Review Board roles and responsibilities, relevant legislation and processes, current environmental impact assessment files, and other related topics.
- e) **Self-directed training:** Board members are eligible for up to one day per month for professional development to increase their knowledge and awareness of impact assessment and resource development issues relevant to effective service as a Board member. This up to one day per month is the standard amount and is approved by this Policy.
- f) **Conferences and formal training:** Board members are eligible for honoraria for each day of Board-approved training and conferences that they attend. Board members may be required to provide an oral or written report at the next Board meeting.
 - I. When deciding whether to approve training or conferences, the Board:
 - i. will consider the relevance and benefit to the Board;
 - ii. may set the number of members or specify individual members that may attend; and
 - iii. may leave final decisions about who will attend to the Chairperson.
- g) **Special Executive or Representational Responsibilities:** Board members are eligible for honoraria for the time they spend on these responsibilities and must describe the nature of the business when claiming honoraria.
- h) **Travel for Board business:** Board members are eligible for honoraria as follows:

- I. For air travel, the travel time and the time between (before and after) Board business and the closest available flights (includes overnight or unanticipated additional days in transit, collecting baggage and travel to and from the airport to the traveler's destination).
 - II. For vehicle travel, the travel time only.
 - III. Board members on duty travel who cannot attend to planned Board business due to illness, an emergency, or other incapacity, shall be eligible for honoraria in lieu of the time that would have otherwise been spent attending to the planned Board business.
 - IV. When a Board member desires to travel by a means that is non-standard (not the normal means considered practical and most economic for the event), honoraria claimed for reimbursement may not exceed the amount of time that would normally be required for travel using standard means.
 - V. Board members on duty travel who choose to travel from a community other than their home community may claim honoraria up to the amount of time required for air travel from and returning to the Board member's home community. In exceptional circumstances (such as short notice or interruptions to Board member's personal travel), additional honoraria for travel time may be authorized by the Chairperson.
 - VI. Board members who combine duty travel with travel that is not for Board business may claim honoraria up to that which would reasonably be claimed for the duty travel only.
 - VII. Weekend duty travel should be minimized and should only be conducted as necessary for attending to Board business.
- i) Honoraria shall be paid monthly or upon completion of in-person board business (such as a meeting or hearing), or at the discretion of the Chairperson.

2.3 Communication expenses

- a) To facilitate conduct of Review Board business, Review Board members are eligible for \$200 per month for non-duty travel related expenses associated with communication including internet access, telephone, fax, and cell phone costs unless provided for directly by the Review Board.

- b) Should a Board member incur costs higher than \$200, in any given month, for non-duty travel related communications expenses, the Board member may be reimbursed for those expenses based on receipts provided.

2.4 Approval authority

- a) Board member remuneration is fixed by the Federal Minister's appointment letter to each member and is consistent with the Government of Canada's *Remuneration guidelines for part-time GIC appointees in agencies, boards and commissions*.
- b) The Finance and Administration Officer or other staff as delegated by the Executive Director, shall ensure that all Review Board remuneration is provided in accordance with this Policy, relevant *Financial Administration Act* provisions and Treasury Board authorities and guidelines that may be established from time to time.
- c) The Chairperson (or, in their absence, the Acting Chairperson) and Executive Director shall review and authorize processing for payment of each regular Board member honoraria claim.
- d) The Executive Director and one other Board member shall review and authorize processing for payment of each Chairperson honoraria claim.
- e) All honoraria claims shall be made using the form designated by the Executive Director (the form may include detailed instructions for calculating honoraria).
- f) Additional days claimed in excess of the provisions of Section 2.2 above are subject to Board review and approval through a motion of the Board.

3 Travel

3.1 General

- a) All travel should be arranged with due regard to economy, safety, and the comfort and convenience of travelers.
- b) Discretion in travel arrangements should be exercised with prudence and integrity, mindful that all expenditures must further Review Board objectives.
- c) Board members are accountable and must be prepared to justify their expenses.
- d) All travelers should plan travel sufficiently in advance to obtain discounted/excursion fares where possible.

- e) The standard class of air travel is economy class.
- f) When a traveler alters travel arrangements without special reason and additional cost is incurred, that individual will pay the cost difference.
- g) All travel shall be duly authorized in advance by the appropriate spending authority, using the form designated by the Executive Director.
- h) Honoraria allowances for travel time are set out in the Honoraria section above.

3.2 Standard per diem rates

- a) The Travel Directive identifies the standard per diem rates that a traveler may claim for meals, incidentals and private non-commercial accommodation by region within Canada and internationally. The standard per diem rates set out in the Travel Directive will be used by the Review Board with the following exception:
 - i. For all travel to or from the Northwest Territories, the standard meals and incidentals rates listed in the Travel Directive for travel within the Northwest Territories may be claimed for the entire trip.

3.3 Duty travel in combination with other travel

- a) When a traveler combines duty travel with other travel (e.g. personal), they may claim travel expenses up to those that would be reasonably claimed for the duty travel only.
- b) Board members on duty travel who are traveling from somewhere other than their home community, may claim travel expenses up to those that would be reasonably claimed for travel from and returning to their home community. In exceptional circumstances (such as short notice or interruptions to Board member's personal travel), additional travel expenses may be authorized by the Chairperson.

3.4 Travel by non-standard means

- a) When a traveler desires to travel by a means that is non-standard (not the normal means considered practical and most economic for the event), travel expenses claimed for reimbursement may not exceed those that would normally be incurred for travel using standard means.

3.5 Personal and rental vehicles

- a) The Travel Directive identifies the standard rates for use of personal vehicles for duty travel by region within Canada and internationally.
- b) The use of rental and personal vehicles for travel will be permitted on the basis that the related travel expense claimed for reimbursement does not exceed that which would otherwise be incurred for the travel using standard means.
- c) The use of rental or personal vehicles need not be approved in advance, however, the traveler must submit a written explanation with their travel expense claim demonstrating that the choice of a rental or personal vehicle is more economical for the Review Board.
- d) When personal vehicles are used for Board business, the owner(s) and/or driver(s) shall ensure that the vehicle is sufficiently insured, in accordance with applicable legislation and for the intended transportation use.
- e) A traveler who rents a vehicle for Board business shall ensure the vehicle is sufficiently insured, in accordance with applicable legislation and for the intended transportation use.

3.6 Accommodation

- a) Travelers should normally stay in hotels where either the Review Board has preferred customer (discounted) rates, or alternate hotels offering a similar rate.
- b) Additional accommodation charges, over and above the basic room charge and applicable taxes are the responsibility of the traveler.

3.7 Approval authority

- a) Unless otherwise provided in Section 3 of this Policy, all travel shall be conducted according to the terms and conditions of the Travel Directive.
- b) All travel must be pre-authorized by motion of the Review Board or Review Panel, except the following:
 - I. Travel to attend meetings of the Review Board or Review Panel shall be deemed to be pre-authorized.
 - II. In the event of unanticipated travel by the Chairperson, the Executive Director together with one other Board member must pre-authorize the travel. All unanticipated travel so approved

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shall be reported at the next regular meeting of the Review Board.

- III. In the event of unanticipated travel by a Board member other than the Chairperson, the Chairperson and the Executive Director must pre- authorize the travel. All unanticipated travel so approved shall be reported at the next regular meeting of the Review Board.
- c) Air charters shall be authorized in writing by the Executive Director or Chairperson when it is the only means, or the most economical and efficient means of travel.
 - d) When the Administrative Assistant or designate makes travel and accommodation reservations for a traveler, each traveler shall provide the Administrative Assistant with their preferences with respect to travel and accommodation options.
 - e) When travelers make their own travel and related accommodation reservations, they shall advise the Administrative Assistant of all such arrangements and itineraries prior to the travel taking place.
 - f) If a travel advance is requested, travelers must submit completed travel advance request forms no less than five working days before the travel is to take place for approval by the Chairperson.
 - g) Travelers must submit completed travel expense claim forms to the Finance and Administration Officer within 30 working days of completing travel. Failure to comply will result in the traveler not being issued further travel advances for subsequent travel until the outstanding claim has been submitted and approved.
 - h) Each travel expense claim form submitted by the Chairperson must be approved by a regular Board member and the Executive Director before travel funds are reimbursed.
 - i) Each travel expense claim form submitted by a Board member other than the Chairperson must be approved by the Executive Director and Chairperson (or, in their absence, another Board member) before travel funds are reimbursed.
 - j) Travel expense claim forms must be accompanied by receipts as required by the Travel Directive.
 - k) All claim forms submitted will be reviewed by the Finance and Administration Officer or the Executive Director for compliance with Section 3 of this Policy and

then referred to the appropriate spending authority.

- l) In no case may a Board member approve their own travel advance or expense claim.

4 Finance

4.1 Spending authority

- a) The Board authorizes the following spending authority to the Chairperson and Executive Director within the limits specified in this section.
- b) Subject to d) below, and for expenditure items provided in an approved budget, spending authority limits shall be as follows:
 - i. Executive Director up to \$50,000;
 - ii. Chairperson up to \$75,000;
 - iii. expenditures above \$75,000 require the approval of the Board.
- c) Service contracts will be authorized in accordance with the *Service Contract Policy*.
- d) For expenditures in excess of approved budget amounts, spending authority shall be delegated as follows:
 - i. Executive Director up to \$10,000;
 - ii. Chairperson up to \$25,000;
 - iii. expenditures above \$25,000 require the approval of the Board.

4.2 Payment authority

- a) For the purposes of Section 4 of this Policy, payment authority means those persons authorized to sign cheques or make payments that have been approved by a spending authority, consistent with this section and Review Board funds available.
- b) The Board shall delegate payment authority to the Chairperson and Executive Director and may delegate payment authority to any Board members and senior staff deemed necessary for efficient operations.
- c) All cheques must be signed by at least two payment authorities.

4.3 Capital assets and professional services

- a) The acquisition of capital assets of \$5,000 or more shall be based on two written price quotations from different sources, to find competitive suppliers. The lowest price quoted may not necessarily be accepted. The requirement for written price quotations may be waived by the Chairperson on a case-by-case basis.
- b) As determined by the Executive Director, where surplus assets are deemed to have a book value greater than \$500, the Chairperson shall approve the means of disposition upon recommendation by the Executive Director.
- c) Professional services contracts for the provision of legal, accounting, communications, computer and information technology services may be renewed on a “sole source” basis annually, subject to Board approval.
- d) The Executive Director shall provide the Board with quarterly variance reports and other financial information as requested by the Board.
- e) The Executive Director shall provide the Board with an annual audited statement for Board approval by the end of the first quarter of the fiscal year following.

4.4 Hospitality and gifts

- a) Hospitality expenses associated with Board business for food and beverages are authorized to a maximum cost per person as set out in the *Directive on Travel, Hospitality, Conference and Event Expenditures*. The Review Board may authorize expenditures greater than those set out in the Directive.
- b) Alcoholic beverages shall not be charged as a hospitality expense.
- c) Catering expenses related to the conduct of Board business, including meetings, workshops, and public hearings are not hospitality expenses for the purposes of this section.
- d) Gifts may be purchased in support of relationships with individuals and organizations important to Board business; for example, gifts can be appropriate expressions of appreciation, sympathy, and respect for cross-cultural traditions. Examples of gift purchases are flowers, plaques, books, wreaths, blankets, and tobacco for “feed the fire” ceremonies.
- e) Gift purchases may be approved by the Chairperson or the Executive Director to a maximum \$200 per occasion. The Board may authorize expenditures greater than \$200.

- f) Gifts to Board members and staff in appreciation for service upon leaving the Board or for long-term service shall be limited to the following amounts, unless authorized by the Board:
 - i. \$150 for service less than five years; and
 - ii. \$250 for service greater than five years.

4.5 Credit cards

- a) Credit cards may be issued to the Chairperson and to the Executive Director to make purchases for Board business. Each credit card holder shall sign an agreement to acknowledge and agree that they are bound by the provisions of this section.
- b) Expenditures of a personal nature shall not be charged to a Review Board credit card.
- c) Individual credit card expenditures must be accompanied by detailed receipts identifying goods and services received and must be submitted in a timely manner.
- d) Credit card invoices shall be signed by the cardholder to certify that the expenditures identified on the invoice were made on Board business.
- e) The Executive Director or Chairperson may authorize the use of the credit card by the Administrative Assistant or other delegated staff for the payment of goods and services through a signed authorization form.

4.6 Insurance

- a) Additional liability insurance coverage may be purchased for Board members.
- b) Disability insurance coverage may be purchased for Board members.

4.7 Accountability

- a) The Chairperson and Executive Director are accountable to the Board for the implementation of Section 4 of this Policy and all Review Board expenditures.
- b) The Board is accountable to the Federal Minister for its expenditures.

5 Staffing

5.1 Executive Director

- a) When hiring the Executive Director, the Board will form a Hiring Committee responsible for the recruitment process. The committee will consist of, at minimum, three Board Members and will normally include the Chairperson. The final decision on hiring the Executive Director is the responsibility of the Board based on the recommendation of the Hiring Committee.
- b) The Executive Director Hiring Committee shall make a recommendation to the Board on relocation expenses for the Executive Director.
- c) Prior to beginning their employment, the Executive Director may be required to undergo a security screening.
- d) The Board shall complete a performance evaluation of the Executive Director annually. The Board may delegate the performance evaluation to, at minimum, three Board Members, including the Chairperson. The Executive Director shall be given the opportunity to discuss the evaluation with the Board, may make written comments on the evaluation, and shall sign the evaluation to indicate that the contents have been read and understood.
- e) The Board may terminate the employment of the Executive Director at any time, subject to the employment contract between the Board and the Executive Director.
- f) The Executive Director may appeal results of performance evaluations or disciplinary actions to the Board in writing within 10 working days of the evaluation or disciplinary matter. The Board shall review the appeal and provide a written response to the Executive Director no later than 15 working days after receiving the written appeal.

5.2 Other persons employed by the Review Board

- a) The Executive Director is responsible for hiring all other persons employed by the Review Board in accordance with the *Staff Administrative Policy* and *Service Contracts Policy*.

6 Communications

6.1 General

- a) All Board communication will be made through the Chairperson or Executive Director or designate.
- b) The Chairperson is the official spokesperson of the Review Board, except in response to enquiries related to matters before the Review Board for decision. For such matters, the spokesperson will be the Executive Director.
- c) Board members shall refer all media enquiries to the Chairperson or Executive Director. Only the Chairperson or Executive Director will communicate with the media, unless authorized by the Chairperson.

7 Other administrative matters

7.1 Chair nomination procedure

- d) The Executive Director will provide at least 12 months' notice to Board members prior to the expiration of a Chairperson's term.
- e) Board members may put their own name or the name of any other Board member or current Chair for consideration as a candidate for the nomination of Chairperson.
- f) The Board can seek a nomination from a non-Board member. In such cases, the Board may give public notice seeking candidates.
- g) Candidate names must be submitted in writing to the Executive Director at least 6 months before the end of the Chairperson's term.
- h) Board members will vote on chair nominees during a Board meeting, as previously scheduled by the Executive Director.
- i) The Executive Director will inform Board members in writing about all candidates put forward at least 30 days before the scheduled vote.
- j) Discussions on the nomination of the chairperson should be conducted in camera. Counsel may be present if requested.

- k) Voting will follow the standard voting procedures of the Board.
- l) Any person who receives a majority of the votes will be put forward to the federal Minister as the Board's nominee for Chairperson.
- m) If no person advanced under part b) receives a majority of the votes, then part c) may be applied.
- n) In the event of absence or incapacitation of the Chairperson, the Board will designate through a motion an Acting Chairperson to exercise the powers and perform the duties of the Chairperson until the Chairperson is available or a new Chairperson is appointed. In such cases the Board must preserve quorum.
- o) The Executive Director will provide advice on the implementation of this policy prior to any nomination proceeding.

7.2 Board member term extension procedure

- a) In reference to by-law 5.3, a Board member acting in their role with respect to the Proceeding after the end of their term will not take on any role with respect to other Proceedings before the Board. For greater certainty, for the purpose of appointing a replacement by the appointing party, the office of the member is deemed to be vacant as soon as their term expires.

Appendix A: Code of Conduct for Board Members

Code of Conduct for Board Members

1 Introduction

The Mackenzie Valley Environmental Impact Review Board (Review Board) is established by the *Mackenzie Valley Resource Management Act* (the Act) to conduct environmental assessments and environmental impact reviews of proposed developments in the Mackenzie Valley. The Review Board is a quasi-judicial administrative tribunal that has powers and employs procedures similar to a court of law.

2 Purpose of this Code of Conduct

Given the quasi-judicial nature of the Board's proceedings, it is essential that a Code of Conduct for Review Board Members be established to ensure that Review Board proceedings are conducted in accordance with the principles of natural justice and the relevant provisions of Administrative Law.

It is also in the Review Board's interest that appropriate referral and appeal provisions are established to ensure the Code of Conduct is implemented in a fair and consistent manner.

3 Definitions

Any word used in this Code of Conduct has the same meaning as those defined in the Act, the Review Board Bylaws, and the Board Administrative Policy.

4 Values

4.1 The following values form the foundation of this Code of Conduct and govern the conduct expected of each Board member:

- relationships based on mutual respect, trust and honesty
- acting with integrity, objectivity and fairness
- accountability, quality and efficiency in our work
- consensus decision-making and team work
- transparency, accessibility and openness in our processes
- the diversity of the Mackenzie Valley
- learning as an organization
- continual improvement through innovation and adaption

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- 4.2 Board members must undertake all Board activities with complete integrity, which includes an adherence to moral principle and character, uprightness, and honesty.
- 4.3 The success of the Board requires Board members to have a high level of individual initiative, commitment, and a desire to work together.
- 4.4 The Board acts in the public interest when undertaking its obligations and duties under the Act.
- 4.5 The deliberations of the Board are strictly confidential.
- 4.6 A Board member shall perform their duties in an objective manner and without prejudice or favour to any party.
- 4.7 A Board member must, in all Board work, be guided by the principles of natural justice and procedural fairness.
- 4.8 A Board member shall behave in a professional, respectful, and courteous manner to other Board members, Board staff, and parties with whom they have dealings.
- 4.9 A Board member must act in a manner that helps achieve the purpose, values, and vision of the Board, ensuring that their behavior will withstand the closest public scrutiny.
- 4.10 A Board member must always act to support the Board's ability to make fair, balanced, and objective decisions.
- 4.11 A Board member shall carry out their responsibilities with due care and diligence to produce innovative and high-quality environmental assessments and environmental impact reviews in a timely manner.
- 4.12 A Board member must not express personal views on matters before the Board in a public forum.
- 4.13 Board members must act in a manner so as not to put themselves, other Board members, or the Board itself at legal risk.
- 4.14 A Board member must perform all Board business in a manner that maintains or

enhances the credibility of the Board and that upholds the Board's values.

- 4.15 A Board member must ensure that the resources of the Board are used appropriately in performing Board duties.
- 4.16 A Board member must work with Board staff and other Board members in a supportive, courteous, and responsive manner.

5 Conflict of interest and bias

- 5.1 A Board member shall not exercise official power or perform official duties in a way that might reasonably be expected to further their private interest or the private interest of their immediate family.
- 5.2 A Board member shall not engage in employment, business, or activity that may result in a reasonable apprehension of bias or conflict of interest in relation to a matter before the Board or in relation to other Board business. For example, a Board member should avoid contact with members of organizations, businesses, or individuals involved in a matter before the Board.
- 5.3 A Board member must not engage in political activity that could jeopardize the impartiality or neutrality, real or perceived, of the Board. A Board member should consult with the Board prior to becoming involved in election activities. Board members must not use the Review Board offices, equipment, or resources in support of these activities. Political activity must not be introduced into the Review Board workplace in any way.
- 5.4 A Board member who wishes to engage in political activity at the municipal level should consult with the Board prior to becoming involved, and may be recused from performing Board duties, as appropriate. A Board member who wishes to engage in political activity at the federal, provincial, or territorial level must apply for and be granted a leave of absence from the Board.
- 5.5 A Board member must declare any conflict of interest that arises, including in relation to investments or ownership interests in any business entity which will be appearing before the Board, by reporting it to the Chairperson or Board.

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- 5.6 Board members must not accept any gift, hospitality, or benefit that could create a conflict of interest or a reasonable apprehension of bias.
- 5.7 When speaking with external groups, including parties to Board proceedings, Board members shall avoid:
 - a. expressing personal opinions or speculation;
 - b. making statements that may give rise to an apprehension of bias regarding proposed developments that are before the Review Board; and
 - c. making statements regarding the substance of an assessment or review under active consideration by the Review Board or a Review Panel.

6 Confidentiality

- 6.1 Information which a Board member acquires in the course of their service with the Board, and which is not generally available to the public, or which for reason of law or Board policy may be deemed confidential, must be treated as confidential and may not be shared outside the Board. This includes the content of internal Board discussions. Such information may not be used to advance the personal or private interests of a Board member, even after their term of service ends.
- 6.2 At the end of their term of service, a Board member must return to the Board any and all physical documents. Electronic records and other property of the Board in that member's possession must be destroyed.

7 Dealings with parties

- 7.1 A Board member shall exercise good judgment in interactions with parties, having primary regard for the importance of maintaining the Board's neutrality and the fairness of Board proceedings.
- 7.2 The Board's Reasons for Decision speak for themselves and a Board member shall not attempt to justify or elaborate on the Board's Reasons for Decision. If a party persists in asking for an explanation about the Reasons for Decision, the matter should be referred to the Chairperson or Executive Director.
- 7.3 The Board will determine whether a meeting will be held with a party over a

matter that is under consideration by the Board.

8 Use of intoxicants and illegal drugs

- 8.1 Members must not be under the influence of intoxicants or illegal drugs while attending Board meetings or representing the Board.

9 Compliance with bylaws, policies, and guidelines

- 9.1 Board members shall conduct themselves and Board business in a manner consistent with all Board bylaws, policies, and guidelines.
- 9.2 Board members must be familiar with all Board bylaws, policies, and guidelines.

10 Administration of the Code of Conduct

- 11.1 Board members are required to complete a Code of Conduct Certificate (Appendix A) for their term of appointment or reappointment.
- 11.2 A Board member must make all reasonable effort to comply with the Code of Conduct and must inform the Chairperson and/or Executive Director of any circumstance that may result in the Board member's real or potential non-compliance.
- 11.3 Upon reviewing matters of non-compliance, the Chairperson together with the Executive Director may ask a Board member to curtail, modify, or cease involvement in an offending activity.
- 11.4 Where a Board member disagrees with the decision of the Chairperson over any recommendation relating to their non-compliance with the Code of Conduct, the member may ask the Board to consider the matter.
- 11.5 Any matter of real or potential non-compliance by a member may be referred to the Board for review and recommended action.

Appendix – Code of Conduct Certificate



Code of Conduct for Board Members Certificate

Confidential When Complete

I hereby certify that I have read and understood the Code of Conduct for Board Members (approved by Motion _____ of the Mackenzie Valley Environmental Impact Review Board on this ___ day of _____ 20__).

Print Name: _____

Signature: _____

Date: _____

Signature of
Witness: _____

Date: _____

Privacy Act Statement

Personal information that you provide is protected under the provisions of the *Privacy Act*.