

Minister of Indian Affairs
and Northern Development



Ministre des Affaires
indiennes et du Nord canadien

Ottawa, Canada K1A 0H4

CERTIFIED TRUE COPY

KENNETH PAUL BROSSEAU, a Commissioner, etc.,
Province of Ontario, for Government of Canada.
Expires August 18, 2004.

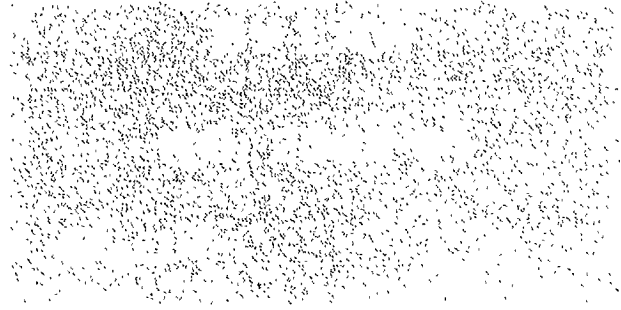
I, the Minister of Indian Affairs and Northern Development, HEREBY
APPROVE, pursuant to section 83 of the *Indian Act*, the following
by-law made by the Chippewas of Kettle and Stony Point, in the
Province of Ontario, at a meeting held on the 18th day of
November 2002.

- **Chippewas of Kettle and Stony Point
Financial Management By-law**

Dated at Ottawa, Ontario this 28th day of November 2002.

Canada

CHIPPEWAS OF KETTLE & STONY POINT
FINANCIAL MANAGEMENT BY-LAW



CHIPPEWAS OF KETTLE & STONY POINT

Financial Management By-law

53 Indian Lane,
R.R.#2, Forest, ON N0N 1J0
Telephone (519) 786-2125
Fax (519) 786-2108

Chippewas of Kettle & Stony Point First Nation

Financial Management By-Law

By-Law # 2002-01

A By-law to regulate the receipt, management, expenditure, control and recording of the Chippewas of Kettle & Stony Point First Nation funds and establish the administrative structure of the Chippewas of Kettle & Stony Point First Nation which manages the funds.

Whereas

The *Indian Act*, R.S.C. 1985, c. I-5, provides that Council may, subject to the approval of the Minister of Indian Affairs and Northern Development, make by-laws for the following purposes:

- The appropriation and expenditure of moneys of the Chippewas of Kettle & Stony Point First Nation expenses;
- The appointment of officials to conduct the business of the Council and prescribing their duties; and
- With respect to any matter arising out of or ancillary to the exercise of the aforementioned power.

And Whereas

The Council of the Chippewas of Kettle & Stony Point First Nation has determined that it is necessary and desirable to establish a Financial Management By-Law for the purposes set out in section 83(1) of the *Indian Act*, and for the efficient and effective administration of the Chippewas of Kettle & Stony Point First Nation's business;

Now Therefore

The Council of the Chippewas of Kettle & Stony Point First Nation at a duly convened meeting of the Council enacts the following by-law:

TITLE

- 1 This by-law will be called the Financial Management By-law.

DEFINITIONS

2 In this by-law:

- 2.1 **"Agencies"** means any board, tribunal, commission, or committee of the Chippewas of Kettle & Stony Point First Nation or any corporate body controlled by the Chippewas of Kettle & Stony Point First Nation including a society, non-profit corporation or a business corporation operated for a profit making purpose;
- 2.2 **"Annual budget"** means the forecast of planned revenues and expenditures for the forthcoming fiscal year by the Chippewas of Kettle & Stony Point First Nation;
- 2.3 **"Board"** shall mean the Chippewas of Kettle & Stony Point First Nation Financial Management Board established pursuant to this by-law;
- 2.4 **"Agreement"** means any written contract between the Chippewas of Kettle & Stony Point First Nation and another party or parties, including the federal government, the provincial government, or a third party, pursuant to which money is to be paid to the Chippewas of Kettle & Stony Point First Nation;
- 2.5 **"Council"** shall mean the elected Chief and Council of the Chippewas of Kettle & Stony Point First Nation;
- 2.6 **"Department"** means an administrative program area of the Chippewas of Kettle & Stony Point First Nation government as established by Council from time to time, and includes but is not limited to, service centres such as Health, Education, Social Services and Public Works, administrative units and other internal organizational areas of the Chippewas of Kettle & Stony Point First Nation administration;
- 2.7 **"Chippewas of Kettle & Stony Point First Nation funds"** means all moneys belonging to the Chippewas of Kettle & Stony Point First Nation, including but not limited to:
 - 1) All revenues of the Chippewas of Kettle & Stony Point First Nation;
 - 2) Monies borrowed by the Chippewas of Kettle & Stony Point First Nation;
 - 3) Monies received or collected on behalf of the Chippewas of Kettle & Stony Point First Nation;
 - 4) All monies received or collected by the Chippewas of Kettle & Stony Point First Nation pursuant to any agreement or funding arrangement, and which are to be disbursed for a purpose specified by Council or pursuant to the agreement or funding arrangement;

**CHIPPEWAS OF KETTLE & STONY POINT
FINANCIAL MANAGEMENT BY-LAW**

- 5) All monies invested by and for the Chippewas of Kettle & Stony Point First Nation, including interest earned on said monies;

But does not include:

- 6) Monies received as resource revenues payable into a Chippewas of Kettle & Stony Point First Nation trust account or an account on which the Chippewas of Kettle & Stony Point First Nation has a stated interest by the Government of Canada specifically referred to as the Indian Band Revenue Monies;
- 7) Monies received by the Chippewas of Kettle & Stony Point First Nation on behalf of an individual or corporate entity, where Council has approved an alternative arrangement for the managing of the monies pursuant to Section 14.1 of this by-law;
- 2.8 **"Resolution"** means a recorded decision made at a meeting of a quorum of Council.

APPLICATION

3.0 This by-law governs the receipt, management, expenditure, control and recording of the Chippewas of Kettle & Stony Point First Nation funds, and the administrative structure of the Chippewas of Kettle & Stony Point First Nation that manages the funds.

3.1 This by-law applies to all Chippewas of Kettle & Stony Point First Nation departments and agencies in receipt of Chippewas of Kettle & Stony Point First Nation funds.

3.2 This day-to-day implementation of this by-law shall be governed by regulations (policies and procedures) developed consistent with the nature and intent of this by-law. Such regulations, when approved by Council, shall become part of this by-law and shall be enforced as such.

3.3 Any person interfering with the provisions of this by-law or not complying with the provisions of this by-law will be subject to penalty up to and including prosecution under applicable Canadian law, and/or other penalties as prescribed by Council and as amended from time to time specifically removal from office, suspension and/or dismissal, fines, and bonding.

FINANCIAL MANAGEMENT BOARD

4.0 A Financial Management Board of the Chippewas of Kettle & Stony Point First Nation is hereby established, and shall continue to remain in existence notwithstanding changes in its membership from time to time.

4.1 The Board shall consist of five (5) members appointed by Council from time to time with:

- 4.1.1 Two (2) of the members of the Board shall be appointed members of the Council.

**CHIPPEWAS OF KETTLE & STONY POINT
FINANCIAL MANAGEMENT BY-LAW**

- 4.1.2 Three (3) of the members of the Board shall be selected, on application, from the community at large.
- 4.2 The Board, at a regular convened meeting, shall elect a Chairperson who will serve for a minimum term of two (2) years.
- 4.3 The Chairperson shall preside over both regular and special meetings of the Board, and shall between meetings of the Board, exercise or perform such of the powers, duties or functions of the Board as the Board may determine.
- 4.4 The Board shall be responsible for overseeing:
- 4.4.1 The management and control of the collection of the Chippewas of Kettle & Stony Point First Nation funds;
 - 4.4.2 The management and control of the expenditures and disbursements of the Chippewas of Kettle & Stony Point First Nation funds;
 - 4.4.3 The management and control of the investments of the Chippewas of Kettle & Stony Point First Nation;
 - 4.4.4 The efficient and effective maintenance of records of the financial activities of the Chippewas of Kettle & Stony Point First Nation;
 - 4.4.5 The preparation of the annual budget in accordance with the priorities approved by Council;
 - 4.4.6 The preparation of the annual audit of the Chippewas of Kettle & Stony Point First Nation;
 - 4.4.7 The reporting and recommending to Council on financial matters; and
 - 4.4.8 All other matters relating to the financial affairs of the Chippewas of Kettle & Stony Point First Nation not assigned by another by-law or Council resolution to any department or agency.
- 4.5 The Board shall prepare, or cause to be prepared, any amendments to the annual budget for the Chippewas of Kettle & Stony Point First Nation, which shall be submitted to Council for review and approval.
- 4.6 The Board shall maintain, or cause to be maintained, the financial records of the Chippewas of Kettle & Stony Point First Nation through the Comptroller and the Managers of the departments or agencies of the Chippewas of Kettle & Stony Point First Nation;
- 4.7 The Board may prescribe the form and content of the financial records and establish the accounting system(s) of the Chippewas of Kettle & Stony Point First Nation.
- 4.8 The Board shall review and make recommendations to Council on the investments of the Chippewas of Kettle & Stony Point First Nation.

**CHIPPEWAS OF KETTLE & STONY POINT
FINANCIAL MANAGEMENT BY-LAW**

4.9 A member of the Financial Management Board may be removed from office:

4.9.1 By the Chairperson if the member has missed three (3) consecutive scheduled meetings of the Board without just cause on recommendation to Council for final approval within 30 days; or

4.9.2 By a majority vote of Council on the recommendation of the Chairperson for the member's removal due to conduct unbecoming a Board member, breach of confidentiality, or for other reasons where it is deemed appropriate to remove the member in the best interest of the functioning of the Board.

4.10 The First Nation Manager shall act as the Senior Administrative Officer of the Financial Management Board, and shall assist the Board in carrying out its duties. Band Council will articulate the specific nature of the duties of the First Nation Manager, which will include but will not be limited to, the planning, organizing, implementation and evaluation functions of the directives/recommendations made by the Board.

4.11 To facilitate the role and responsibilities of the First Nation Manager, the First Nation Comptroller/Financial Officer shall be appointed to the Board by Council, and is responsible to the First Nation Manager for the following:

4.11.1 The conduct of the administration necessary to discharge the administrative responsibilities of the Board, including staff supervision;

4.11.2 The administrative supervision of the compilation and preparation of the overall annual budget;

4.11.3 The preparation of annual financial statements and long-term financial projections including but not limited to cash flow projections as required from time to time by the Board;

4.11.4 Monitoring adherence to any agreement and/or funding arrangements entered into by the Chippewas of Kettle & Stony Point First Nation or any of its departments or agencies;

4.11.5 Administration and supervision of the financial records and reporting systems;

4.11.6 Maintenance of records of all receipts and expenditures in such a manner as to facilitate the annual audit; and

4.11.7 Any other task assigned or required by the Board.

4.12 The Board shall be responsible for the annual performance appraisal for the Comptroller for approval of Council. In the event of a vacancy for the position of Comptroller, the Board shall be responsible for the hiring of a suitable candidate for the position, subject to the ratification of Council, and dismissal/discipline of the Comptroller shall be in accordance with the personnel policies of the Chippewas of Kettle & Stony Point First Nation as approved by resolution of Council.

COUNCIL'S ROLE

- 5.0 Council shall appoint two (2) Councilors and three (3) persons from the general First Nation membership to serve as members of the Board for a period consistent with the term of office of the Band Council.
- 5.1 Council shall oversee the preparation of the annual budget, and shall approve the annual budget of the Chippewas of Kettle & Stony Point First Nation departments and agencies, and any amendments thereto.
- 5.2 Council shall review and approve the annual audit of the Chippewas of Kettle & Stony Point First Nation.
- 5.3 Council may, upon the recommendation of the Board, or upon its own motion, approve of an exception to this by-law by an amending by-law in accordance with Section 83 of the *Indian Act*.

DELEGATION OF AUTHORITY

- 6.0 On the recommendation of the Board, Council may approve the delegation of authority to approve expenditures on behalf of the Chippewas of Kettle & Stony Point First Nation within the annual budget and consistent with the financial organization of the Chippewas of Kettle & Stony Point First Nation.

ANNUAL BUDGET

- 7.0 The Board shall prepare estimates of the revenues and expenditures of the Chippewas of Kettle & Stony Point First Nation for the purpose of preparing the annual budget.
- 7.1 Each department Manager or agency Manager shall prepare the department or agency's annual budget for the operation of the department or agency and shall submit the budget prepared to the Board, which shall prepare a consolidated annual budget for the Chippewas of Kettle & Stony Point First Nation.
- 7.2 The consolidated annual budget for the Chippewas of Kettle & Stony Point First Nation and its agencies shall be submitted by the Board to Council for consideration and approval on or before January 31st each year.
- 7.3 Council shall be solely responsible for the approval of the consolidated annual budget for the Chippewas of Kettle & Stony Point First Nation and its agencies for each fiscal year.
- 7.4 Council may increase allocations of funds in the budget, reduce allocations of funds in the budget, or reallocate funds to different sectors in the annual budget based on priorities and policies established by Council.
- 7.5 The annual budget becomes official upon approval by Council by resolution, and must be observed by departments/agencies as approved.

**CHIPPEWAS OF KETTLE & STONY POINT
FINANCIAL MANAGEMENT BY-LAW**

- 7.6 Council may amend the annual budget at any time before or after its implementation based on changes in priorities, funding allocations, new or reduced programs or other such events that may occur during the course of conducting the business of the First Nation and on recommendation to the Board, who shall be responsible for implementing such changes.
- 7.7 The consolidated annual budget shall be made available at the Administration Office during regular working hours for inspection by any member of the Chippewas of Kettle & Stony Point First Nation, and copies will be provided to Chippewas of Kettle & Stony Point First Nation members on written request to the Comptroller and upon payment of a twenty-five (\$25.00) dollar fee.

FINANCIAL MANAGEMENT: DEPOSITS

- 8.0 There shall be one Consolidated Account established by the Comptroller at the direction of the Financial Management Board, into which all Chippewas of Kettle & Stony Point First Nation funds shall be deposited.
 - 8.1 The Comptroller shall ensure the safekeeping of the Chippewas of Kettle & Stony Point First Nation funds received and shall forthwith deposit all Chippewas of Kettle & Stony Point First Nation funds to the credit of the Chippewas of Kettle & Stony Point First Nation Consolidated Account.
 - 8.2 The Board may authorize the Comptroller to reallocate funds from the Chippewas of Kettle & Stony Point First Nation Consolidated Account to other accounts for investment purposes or for program or service delivery.
 - 8.3 The Comptroller shall administer funds in the Consolidated Account.
 - 8.4 The interest earned on the Chippewas of Kettle & Stony Point First Nation funds shall be paid to the Consolidated Account.
 - 8.5 Operating surpluses as of the end of the fiscal year shall be paid into the Consolidated Account and allocated or expended in accordance with the direction of Council on recommendation by the Board.

FINANCIAL MANAGEMENT: EXPENDITURES

- 9.0 All payments and financial commitments shall be in accordance with the annual budget, the purchasing and/or financial policies and procedures established for the First Nation as amended from time to time, or in accordance with Council resolution.
 - 9.1 In most cases, departments/agencies operate out of the Consolidated Account through the Finance Department, however:
 - 9.1.1 The Board may make accountable advances from the Consolidated Account to an approved established account administered by a department or agency Manager on a monthly basis according to the approved annual budget.

**CHIPPEWAS OF KETTLE & STONY POINT
FINANCIAL MANAGEMENT BY-LAW**

- 9.1.2 At the beginning of each fiscal year, each department and agency Manager may receive a one (1) month advance or in such amount as determined by the approved annual budget and cash flow projection.
- 9.1.3 Where funds have been advanced to a department or agency, the department or agency Manager shall report to the Board on or before the last day of the following month:
- 9.1.3.1 An invoice listing the funds expended in the previous month; and
 - 9.1.3.2 A trial balance of the receipts and disbursements for the previous month.
 - 9.1.3.3 The invoice listing submitted to the Board shall be reviewed and approved by the Board if reasonably within the approved budget, and upon such approval a further advance shall be made to the department or agency.
 - 9.1.3.4 The Board shall deduct from the current month's advance any amounts advanced in prior months that exceed the amount of the expenditures as recorded on the trial balance.
 - 9.1.3.5 The Board may make such adjustments as are required in the last month of the fiscal year to close out the final payment for the year.

FINANCIAL REPORTING: INVOICING

- 10.0 No payment shall be made for the performance of work, supply of goods or rendering of services unless the charge in respect of such work, goods or services has been authorized:
- 10.1.1 Pursuant to a Council resolution;
 - 10.1.2 By a person delegated to authorize such payment; or
 - 10.1.3 Pursuant to an agreement entered into between the Chippewas of Kettle & Stony Point First Nation and the person providing such work, goods or services which establishes the amount, or a method of calculating the amount to be charged for such work, goods or services.
- 10.2 For all work, goods or services that are provided by or through the Chippewas of Kettle & Stony Point First Nation or by or through any other person authorized on behalf of the Chippewas of Kettle & Stony Point First Nation for a fee or other charge, an invoice shall be rendered for payment for the work, goods or services.
- 10.3 The First Nation Manager, Comptroller and department or agency Manager each has a role and responsibilities in ensuring invoices are rendered pursuant to this by-law.

AWARDING CONTRACTS

- 11.0 The Council may appoint by resolution, the department or agency Managers and other persons as authorized to approve the purchase of goods and services based on budget control and accountability, and the purchasing policies and procedures of the First Nation.
- 11.1 Any expenditure in the awarding of contracts must receive the prior approval of the Band Council.
- 11.2 All orders for work, goods or services provided to the Chippewas of Kettle & Stony Point First Nation must be recommended to Council by the department or agency Manager authorized to approve the purchase of goods or services.
- 11.3 All orders for work, goods or services over \$15,000 or such greater amount as approved by Council, unless approved in the annual budget, shall, in addition to the signature of the department or agency Manager, require attestation by the Comptroller as to availability of funds.

TENDERS

- 12.0 Capital purchase up to \$15,000 or such greater amounts as approved by Council may be made by a department or agency Manager if approved in the annual budget without going to tender, based on budget control and accountability, and the purchasing policies and procedures of the First Nation.
- 12.1 Capital purchases over \$15,000 and under \$500,000 or in such amounts as approved by Council may be made by invitations to tender.
- 12.2 Capital purchases in excess of \$500,000 or such greater amounts as approved by Council must be made by public tender.
- 12.3 Invitations to tender shall include as a minimum:
- 12.3.1 The time and date of closing;
 - 12.3.2 Sufficient details from which comparable bids can be made;
 - 12.3.3 The time, date, and place tenders are to be opened; and
 - 12.3.4 The amount of security deposit if required.
- 12.4 The tendering period is not to be less than five (5) working days, unless in an emergency situation.
- 12.5 All tenders are to be returned sealed and addressed to the Chippewas of Kettle & Stony Point First Nation, clearly marked "Tendered for.....", with the time and date of receipt recorded on the unopened envelope of the tender when received.

**CHIPPEWAS OF KETTLE & STONY POINT
FINANCIAL MANAGEMENT BY-LAW**

- 12.6 All tenders received shall be opened in public in the presence of the department or agency Manager or other person responsible for the tender process.
- 12.7 The name of the tender, project, date of bid and amount shown must be recorded at the time of opening.
- 12.8 The lowest tender received shall normally be accepted unless the authorized person deems it in the best interest of the Chippewas of Kettle & Stony Point First Nation to do otherwise.
- 12.9 Where the lowest tender is not accepted, the reasons are to be clearly recorded in the document by the authorized person accepting the contract.
- 12.10 Upon acceptance of a tender for the performance of work, goods, or services, a contract is to be signed by both parties and a signed copy shall be kept as a portion of the records of the Chippewas of Kettle & Stony Point First Nation.
- 12.11 In the event that an official or employee of the Chippewas of Kettle & Stony Point First Nation has a personal interest in the contract, he or she shall signify the interest and thereafter refrain from taking part in the discussion or participating in the awarding of the contract.
- 12.12 No disbursements or payment on any contract shall be made without supporting documentation as determined by the policies of the Financial Management Board.
- 12.13 A fifteen percent (15%) holdback of final payment or in such amount as may be determined by Board policy shall not be released to a contractor until all work is certified as complete and satisfactory to the Council.
- 12.14 The Financial Management Board may establish policies and procedures for the tendering process, and the purchasing process in general.

CONFLICT OF INTEREST

13.0 ANY PERSON WHO HOLDS OFFICE, INCLUDING THAT OF CHIEF OR COUNCILLOR, & THE FINANCIAL MANAGEMENT BOARD, OR IS AN EMPLOYEE OR AGENT OF THE CHIPPEWAS OF KETTLE & STONY POINT FIRST NATION, ITS DEPARTMENTS OR AGENCIES SHALL NOT USE THAT OFFICE, EMPLOYMENT OR RELATIONSHIP FOR PERSONAL GAIN TO THE DETRIMENT OF THE INTERESTS OF THE CHIPPEWAS OF KETTLE & STONY POINT FIRST NATION.

13.1 CONFLICT OF INTEREST FOR THE CHIPPEWAS OF KETTLE & STONY POINT FIRST NATION IS DEFINED IN THE EMPLOYMENT MANUAL (see Appendix A) FOR THE FIRST NATION AS APPROVED BY CHIEF AND COUNCIL, AND WILL APPLY TO THIS BY-LAW IN ADDITION TO ANY TERMS OR CONDITIONS SPECIFIED IN THIS BY-LAW AS AMENDED FROM TIME TO TIME BY CHIEF AND COUNCIL, AND/OR AS RECOMMENDED BY THE FINANCIAL MANAGEMENT BOARD.

AGREEMENTS

14.0 The Council may approve on behalf of the CHIPPEWAS OF KETTLE & STONY POINT FIRST NATION such agreements of funding arrangements with the federal and provincial governments or with any other party for the provision of funding for the Chippewas of Kettle & Stony Point First Nation, its agencies and other bodies.

14.1 Where an agreement or arrangement has been approved under Section 14.0 and on the recommendation of the Financial Management Board, the Council may approve an alternative arrangement for the management of money received.

FISCAL YEAR

15.0 THE FISCAL YEAR OF THE CHIPPEWAS OF KETTLE & STONY POINT FIRST NATION GOVERNMENT SHALL BE FROM APRIL 1ST OF EACH YEAR TO MARCH 31ST IN THE FOLLOWING YEAR.

AUDIT

16.0 Council shall appoint by resolution an auditor or auditors annually to audit the books and records of the Chippewas of Kettle & Stony Point First Nation, its departments and agencies.

16.1 The auditor or auditors shall be a member of a recognized professional accounting association.

16.2 The auditor or auditors shall report to the Financial Management Board and/or Chief and Council on completion of the audit annually.

16.3 The audit shall include all transactions involving the Chippewas of Kettle & Stony Point First Nation funds.

16.4 The auditor or auditors are entitled to access:

16.4.1 All books, records, accounts and vouchers;

16.4.2 Information from any department or agency Manager necessary for the completion of the audit;

16.4.3 Council resolutions and by-laws;

16.4.4 Administration and financial regulations;

16.4.5 Agreements, contracts, and any other related documents.

16.5 The audit shall be in accordance with generally accepted accounting principles (GAAP), and shall include a general review of the adequacy of the accounting procedures and systems

**CHIPPEWAS OF KETTLE & STONY POINT
FINANCIAL MANAGEMENT BY-LAW**

of control employed to preserve and protect the assets of the Chippewas of Kettle & Stony Point First Nation.

- 16.6 The Financial Management Board shall provide the auditors with instructions concerning the annual audit, and through the Comptroller, shall assist the auditor or auditors in the completion of the audit.
- 16.7 After the review of the annual audit by the Financial Management Board, the auditor or auditors shall present the completed annual audit to the Council.
- 16.8 The audited financial statement(s) shall be accepted by Chief and Council by resolution at a meeting and signed by the Chief and such other person as designated by the Council.

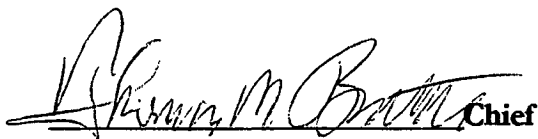
PUBLIC

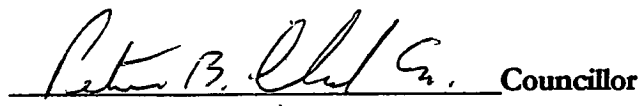
- 17.0 Upon receipt of the auditor's report by Council, copies of the report shall be posted in such public places as determined by Council.
- 17.1 The Comptroller shall retain the written report of the auditor, together with the related financial statements and any member of the Chippewas of Kettle & Stony Point First Nation may inspect them during regular office hours, and may by himself or through his agent, at his own expense, make a copy of the report or any part thereof.

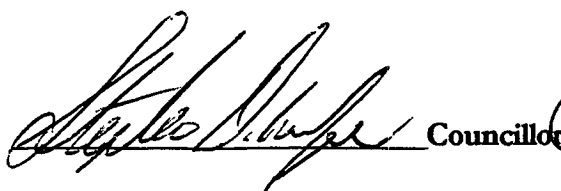
AMENDMENTS AND REPEAL

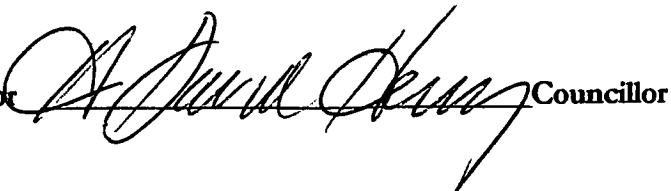
- 18.0 A decision made in contravention of this by-law is voidable by vote of a majority of Council.
- 18.1 Amendment or repeal of this by-law shall be in the manner stipulated by the *Indian Act*.
- 18.2 Repeal of this by-law shall require a community consultation process and a ratification vote by the membership of the First Nation to enact.
- 18.3 If any provision of this bylaw is found invalid, such provision is severable.

Council hereby enacts this by-law at a duly convened meeting held on the 18TH day of NOVEMBER in the year 2002.

 Chief

 Councillor

 Councillor

 Councillor

APPENDIX A

SECTION 2 -

POLICIES AND PROCEDURES

CONDITIONS OF EMPLOYMENT

POLICY # 2.1:018

CREATED: MARCH 2000

CONFLICT OF INTEREST

REVISED: NOV. 2000

POLICY: NO EMPLOYEE, BOARD OR COMMITTEE MEMBER, OR VOLUNTEER SHALL ENGAGE IN CONDUCT WHICH INVOLVES A CONFLICT OF INTEREST BETWEEN THE EMPLOYEE, BOARD OR COMMITTEE MEMBER, OR VOLUNTEER AND THE EMPLOYER, INCLUDING BUT NOT LIMITED TO CONDUCT INVOLVING ACCEPTANCE OF FAVOURS OR FINANCIAL BENEFITS, ENGAGING IN OUTSIDE ACTIVITIES, OR PUBLIC ACTIVITIES.

PROCEDURES:

- 1) A CONFLICT OF INTEREST EXISTS WHEN THERE IS A CONFLICT OR COMPETING INTEREST BETWEEN AN EMPLOYEE'S PERSONAL INTEREST AND HIS/HER RESPONSIBILITIES AS A KETTLE AND STONY POINT FIRST NATION EMPLOYEE.
- 2) THE ABOVE CONFLICT INCLUDES ANY ACTUAL CONFLICT, AND THOSE SITUATIONS THAT HAVE THE POTENTIAL TO LEAD TO A CONFLICT OF INTEREST.
- 3) A CONFLICT OF INTEREST MAY EXIST WHETHER OR NOT A FINANCIAL OR OTHER ADVANTAGE HAS BEEN OR MAY BE CONFERRED ON THE EMPLOYEE. (SEE 4) BELOW)
- 4) A CONFLICT OF INTEREST MAY ARISE BECAUSE AN EMPLOYEE IS IN A POSITION TO BENEFIT DIRECTLY OR INDIRECTLY FROM INFORMATION OBTAINED DURING THE COURSE OF THEIR EMPLOYMENT OR AS A RESULT OF THEIR ABILITY TO INFLUENCE THE DECISION-MAKING PROCESS.
- 5) IF AN EMPLOYEE IS IN DOUBT REGARDING A POTENTIAL CONFLICT OF INTEREST, HE/SHE SHOULD

**CHIPPEWAS OF KETTLE & STONY POINT
FINANCIAL MANAGEMENT BY-LAW**

CONSULT HIS/HER IMMEDIATE SUPERVISOR FOR DIRECTION.

- 6) WHERE AN EMPLOYEE HAS A PERSONAL INTEREST IN THE OUTCOME OF A DECISION TO BE MADE BY COUNCIL, AND THAT INTEREST MAY GIVE RISE TO A CONFLICT OF INTEREST, THAT CONFLICT AND THE EXTENT OF THE INTEREST WILL BE DISCLOSED TO HIS/HER IMMEDIATE SUPERVISOR AND COUNCIL, AND COUNCIL WILL DETERMINE WHETHER THAT INDIVIDUAL WILL TAKE PART IN THE DECISION AND/OR DISCUSSION.
- 7) DEFINITIONS FOR THE PURPOSES OF THIS POLICY, WHICH ARE FOR REFERENCE ONLY AND NOT INTENDED TO BE EXHAUSTIVE:
 - **THE ACCEPTANCE OF FAVOURS:** ACCEPTANCE, OR AGREEMENT TO ACCEPT, DIRECTLY OR INDIRECTLY, GIFTS, DISCOUNTS, LOANS, SERVICES OR BENEFITS FROM A PERSON, ORGANIZATION, OR FIRST NATION HAVING DEALINGS WITH THE KETTLE AND STONY POINT FIRST NATION RESULTS IN A POSITION OF CONFLICT (SEE ITEM S) CODE OF CONDUCT 1.1.4);
 - **FINANCIAL INTERESTS:** IF AN EMPLOYEE (AND/OR SPOUSE OR IMMEDIATE FAMILY) DIRECTLY OR INDIRECTLY OWNS, IS BENEFICALLY ENTITLED TO, OR HAS AN INTEREST IN ANY LAND, BUILDING, LEASE, MORTGAGE, GOODS, SERVICES, OR CONTRACT WHICH IS OFFERED FOR OPTION, SALE, LEASE, OR ASSIGNMENT TO THE KETTLE AND STONY POINT FIRST NATION AND/OR PERSONS RECEIVING DIRECT SERVICE FROM THE KETTLE AND STONY POINT FIRST NATION;
 - **OUTSIDE ACTIVITIES:** ANY OUTSIDE EMPLOYMENT, OBLIGATION, INTEREST, DISTRACTION OR PARTICIPATION WHICH WOULD INTERFERE WITH THE INDEPENDENT EXERCISE OF JUDGEMENT AND EFFORTS IN THE BEST INTEREST OF THE KETTLE AND STONY POINT FIRST NATION;
 - **PUBLIC APPEARANCE:** ACCEPTING ANY FEE FOR TAKING PART IN A PUBLIC SPEAKING ENGAGEMENT OR A PUBLIC PERFORMANCE TO

**CHIPPEWAS OF KETTLE & STONY POINT
FINANCIAL MANAGEMENT BY-LAW**

WHICH HE/SHE WAS INVITED AS A DIRECT RESULT
OF:

- a. HIS/HER POSITION AS AN EMPLOYEE;
 - b. HIS/HER FIELD OF KNOWLEDGE
DERIVED FROM HIS/HER EMPLOYMENT
WITH THE KETTLE AND STONY POINT
FIRST NATION;
- **KNOWLEDGE:** ANY KNOWLEDGE OR INFORMATION
AN EMPLOYEE MAY OBTAIN THROUGH FILFILLING
HIS/HER NORMAL EMPLOYMENT.
- 8) ADVISORY BOARD MEMBERS, COMMITTEE MEMBERS
AND VOLUNTEERS ARE ALSO SUBJECT TO THIS
CONFLICT OF INTEREST POLICY AS NOTED ABOVE.
 - 9) FAILURE TO OBSERVE AND ABIDE BY THE CONFLICT
OF INTEREST POLICY MAY RESULT IN A REQUEST FOR
RESIGNATION OR DISCIPLINARY ACTION AS DEEMED
APPROPRIATE, INCLUDING DISMISSAL FOR CAUSE.