



POLICY

POLICY NAME: Independent Legal Advice – Conflict of Interest

CATEGORY: Council
APPROVED BY COUNCIL: YYYY/MM/DD
DEPARTMENT RESPONSIBLE: Office of the City Manager

PURPOSE:

The City of Prince George Council wishes to establish funding for council members to seek out independent legal advice in cases where they may need advice regarding a potential conflict of interest.

POLICY OBJECTIVES:

To provide council members with funding to pursue independent legal advice with regard to conflict of interest. This supports the City's effective governance goal.

POLICY:

Each council member is entitled to claim expenditures of up to \$5,000 per calendar year to retain independent legal counsel for advice in relation to section 100 to 104 of the *Community Charter*.

The total amount of expense payments made to each council member under this policy will be made available to the public annually in accordance with section 168 of the *Community Charter*.

Expenditures under this policy do not include any expenses incurred in defending a proceeding for which a council member may be indemnified under City of Prince George Indemnification Bylaw No. 8522, 2013.

Council members may only claim expenditures in relation to the following situations:

- A council member becomes aware of an issue after an agenda has been published, and wishes to receive advice on whether they are in conflict; or
- When a council member has declared a conflict of interest in a council meeting and wishes to seek legal advice regarding their own potential conflict.

For clarity, this policy does not authorize reimbursement for any legal expenses incurred by council members regarding any matter other than their own potential conflict of interest.

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This policy can be amended by council resolution.

This policy does not restrict council from making a resolution to provide additional funding for independent legal advice to a council member that requests it from council as it relates to conflict of interest. This policy does not restrict council from making a resolution approving expenditures in relation to independent legal advice in other situations.

PROCEDURE:

Council members do not need prior approval to incur costs to consult with an independent legal advisor in accordance with this policy.

Council members are not required to share legal advice with administration nor with other council members. This does not relieve council members from the requirements under s.100 to s.104.

Council members are required to submit an invoice from the independent legal service provider to be reimbursed for the expenditure. The invoice must include enough information to clearly indicate that the legal advice was in response to a conflict of interest issue that meets the requirements of this policy. Details of the potential conflict are not necessary.

Council members must provide each invoice to the city manager within one week of receipt from their legal service provider and must request that their legal service provider prepare an invoice for them on a monthly basis for each month in which they have sought advice in accordance with this policy.

The city manager will review invoices to ensure they meet the requirements of the policy and approve reimbursement.

This policy is to be interpreted in a manner that is consistent with all requirements under any applicable enactment including without limitation;

- *Financial Information Act*
- *Community Charter*
- *Local Government Act*
- *Freedom of Information and Protection of Privacy Act*
- *City of Prince George Code of Conduct Bylaw No. 9439, 2023*

