



The Corporation of the District of North Vancouver

CORPORATE POLICY MANUAL

Section:	Legal Matters	6
Sub-Section:	Legal Opinions	2400
Title:	REIMBURSEMENT OF COUNCIL MEMBERS FOR SEEKING INDEPENDENT LEGAL ADVICE REGARDING POTENTIAL CONFLICT OF INTEREST	2

POLICY

1. Each council member is entitled to 75% reimbursement for expenses incurred by the member in obtaining independent legal advice as to whether the member is in a potential conflict of interest with respect to a particular matter currently under consideration by council, or known to be forthcoming for consideration by council.
2. The annual aggregate amount available for this purpose for all councillors is \$5,000, although this amount may be increased at the discretion of council.
3. All requests by council members for reimbursement pursuant to this policy shall be handled in accordance with the procedures set forth herein.

REASON FOR POLICY

To provide for the partial reimbursement of expenses incurred by a council member in obtaining independent legal advice as to whether the member is in a potential conflict of interest with respect to a particular matter currently under consideration by council, or known to be forthcoming for consideration by council.

AUTHORITY TO ACT

Retained by council.

PROCEDURE

1. As an optional preliminary step, a member of council considering a potential conflict of interest may wish to discuss the circumstances with either the Chief Administrative Officer or Municipal Clerk for an initial opinion on the matter.
2. Any council member who has a need to obtain independent legal advice as to whether the member is in a potential conflict of interest with respect to a matter currently under consideration by council, or known to be forthcoming for consideration by council, may engage a lawyer to provide such advice.
3. A copy of this policy must be provided to the lawyer engaged to ensure a clear understanding of expenses eligible for payment under this policy.
4. Any advice or opinion arising from such consultation remains the property of the council member.

5. However, in the event the District of North Vancouver becomes involved in legal action in which the independent legal advice would assist the District in its defense, then it is expected the council member will make every effort to provide the District's solicitor with the independent legal advice and any supporting information.
6. Invoices may be paid directly by the council member who will then provide a copy to the District for partial reimbursement, or may be submitted directly to the District by the legal firm. In both instances, invoices are to be sent to the Director of Corporate Services for processing.
7. Invoices must provide enough information to identify that the legal services provided pertained only to a matter of conflict of interest in respect of a defined matter currently under consideration by council, or known to be forthcoming for consideration by council.
8. Reimbursement will not be provided for legal advice provided by another lawyer or law firm in respect of the same matter.
9. To meet year-end accounting requirements, all invoices must be submitted no later than January 15 for services provided in the previous calendar year, or within fifteen days of the end of a council member's term in office. Invoices received after that date will not be eligible for payment.
10. Reimbursement in accordance with this policy is available only to council members during their term of office.
11. Any amounts paid out pursuant to this policy on behalf of a council member will be included in the Annual Report of Remuneration and Expenses as required by the *Community Charter*.

Approval Date:	March 15, 2010	Approved by:	Regular Council
1. Amendment Date:		Approved by:	
2. Amendment Date:		Approved by:	
3. Amendment Date:		Approved by:	