

# Listuguj Mi'gmaq Government Order-In-Council



<b>Chronological no.:</b> 2383	<b>Subject:</b> Council Commitment - Accountability & Transparency	<b>Originated by:</b>
<b>The Council of the</b> Listuguj Mi'gmaq Government		<b>District</b> Gespe'gewa'gi
<b>Date of duly convened meeting</b>	<b>D</b> 1   <b>M</b> 5   <b>Y</b> 0   8   1   8	<b>Province</b> Gepeg

**WHEREAS** Chief and Council are vested with authority that is delegated to them by Community members and should, at all time, exercise their authority in accordance with the provisions of the LMG *Code of Conduct and Conflict of Interest Policy*, and ensure that all employees and directors abide by the rules of transparency, accountability and good governance;

**WHEREAS** Chief and Council are cognizant of and committed to uphold their fiduciary duties towards the Community and its membership and continue to maintain a good, and honest and open relationship with Community members;

**WHEREAS** Chief and Council are trustees of the members' collective rights, interests and assets and must act in the best interests of all members in an open, transparent and accountable manner, and that they are more than regularly brought to supervise and make final decisions regarding the day-to-day management of the community's financial resources as well as service and benefit programs;

**WHEREAS** the role of a Chief is to chair Council meetings, plan Council agendas, follow up and enact Council's decisions, exercise powers delegated by Council and act as a community representative;

**WHEREAS** the role of a Council member is to exercise her or his trustee role and authority as delegated by community members or by Chief and Council through a written purpose and clear limits of authority;

**WHEREAS** the LMG is currently in the process of adopting a *Financial Administration Law* setting out the roles and responsibilities of the people who manage LMG's finance practices, including Chief and Councillors, committee members, employees, and contractors, and putting in place an advisory body to assist the Council in decision-making respecting LMG's financial administration;

**Moved:** Calvin Barnaby  
**Seconded:** Scott Martin  
**Abstain:** Wendell Metallic - Marsha Vicaire  
**Opposed:** -  
**Status:**  Passed  Defeated  Tabled

**Quorum** 7

 Councillor Lloyd Alcon	 Councillor Calvin Barnaby	 Councillor Dolly Barnaby
 Councillor Chad Gedeon	 Councillor Gordon Isaac Jr.	 Councillor George Martin
 Councillor Scott Martin	 Councillor Gary Metallic Sr.	 Councillor Sky Metallic
 Councillor Wendell Metallic	 Councillor Sheila Swanson	 Councillor Marsha Vicaire

**Mi'gmaq Nation**

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**WHEREAS** the Council is committed to put in place appropriate policies and governance structures, including employment policies to monitor directorates and their staff and create committees in charge of oversight of directorates;

**AND WHEREAS** Chief and Council deem necessary to reiterate their duty, as governmental representatives, to act in a responsible and transparent manner when dealing with the membership's collective rights, interests and assets;

**THEREFORE BE IT RESOLVED THAT** any and all elected LMG officials and directors shall disclose, for review and consideration by the Council, all negotiations and discussions that they have had with representatives of Canada, Quebec and all their departments, the Assembly of First Nations (AFN), and any corporations, contractor and financial institutions with whom they are brought to engage, collaborate or exchange information in the course of their mandate. Any such disclosure of information and documents should be done in accordance with the rules of confidentiality and privacy rights;

**AND THAT** such disclosure can be made at each regular Council meeting and whenever required in order for a decision to be made by Council. As such, no agreements and contracts shall be signed until such time as Chief and Council have reviewed all disclosed documents to ensure that they are in full compliance with their fiduciary duty towards the membership regarding their collective rights, interests and assets;

**AND THAT** all revenues and other resources, including all financial information regarding the end and manner in which the community's Own Source Revenues are spent or invested, be disclosed to Chief and Council for their review at specified dates and times to be determined by Council.