

Policy Procedures

Effective Date: 2023-01-16
Policy Reference: Policy 9000

Signing Authority

A. Procedure

1. **Schedule of Signing Authorities** (See Appendix A)

The Vice-President, College Services, CFO maintains the “Selkirk Signing Authority Schedule” (hereafter referred to as “Schedule”) listing the full range of documents that require signature, the dollar value attached to each of those documents (where applicable) and the position or positions that are authorized to approve each of those documents through a signature.

2. **Maintenance and Revision of Schedule**

The Schedule will be maintained by the Vice-President, College Services, CFO and will be updated, as required, to reflect changes in the documents requiring signature, dollar value limits as well as changes in the position or positions that are authorized to approve and sign the documents.

3. **Informing and Training Signing Authorities**

It is the responsibility of the Vice-President, College Services, CFO to ensure that persons who have been designated as signing authorities are provided with a copy of the Signing Authority policy and procedures and to provide training so that signing authorities understand their responsibilities under this policy.

4. **Responsibilities of Signing Authorities**

The responsibilities of signing authorities are outlined below:

a) **Legal and Risk Management Review Requirements**

In order to protect the interests of the College, signing authorities must undertake appropriate due diligence assessment prior to execution of documents which may include:

i. **Legal Reviews**

Designated legal advisors should be consulted prior to signing a document. Provided that, standard form contracts that have been approved by a legal advisor and whose value is \$25,000 or less may be signed without consulting a legal advisor. Any contract other than a standard form contract approved by a legal advisor and which involves a value over \$5,000, or which is complex, has significant ramifications, or is unusual in any way must be referred to a legal advisor.

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ii. Indemnity Matters

Under the Financial Administration Act, the College cannot give a guarantee or indemnity unless it has first received approval from the Ministry of Finance to do so under the Guarantees and Indemnities Regulation. Therefore, any document which contains a guarantee or indemnity must be reviewed by the person in the administrative position directly responsible for risk management (Executive Director, Finance & Risk), or the Office of the Vice-President, College Services, CFO, prior to such a document being finalized and signed. Each new agreement, even with the same parties, must be provincially approved unless prior approval has been received by the Ministry of Finance. In the event prior approval has been received for future agreements with the same party, the indemnity clause language must be identical to the first agreement that was reviewed by the Ministry of Finance.

iii. Contractual or Agreement Matters

- (a) No person may sign any document or enter into a verbal or non-verbal agreement that creates an obligation or undertaking on behalf of the College unless the individual has been granted authority through the policy and related procedures.
- (b) All employees have an obligation to understand the extent and limits of their authority, if any, and understand and comply with the College's policies, procedures and processes.
- (c) Persons that have been granted authority shall ensure:
 - 1. That the College has the ability to meet the obligations being made;
 - 2. That any agreement is compliant with the laws of Canada and British Columbia;
 - 3. That the appropriate level of review and approval has been obtained from stakeholders, and that required levels of legal, risk management, procurement, financial and other required due diligence has been performed and risks disclosed;
 - 4. That any intellectual property matters have been properly considered, in accordance with the College's policies and procedures.
 - 5. That any agreement is consistent with the College's strategic plan, budget, collective agreements, academic planning and directives, policies and procedures;
 - 6. The overhead rate included in any contract or agreement must be consistent with the College's policies or it may be amended by the President or the Vice-President, College Services, CFO or Director, Applied Research and Innovation.

b) Insurance

The College has insurance coverage under the University, College and Institute Protection Plan (UCIPP), provided under the Ministry of Finance. Under UCIPP, the College has a variety of coverages. Any contract or agreement which contains insurance must be reviewed by the Executive Director, Finance & Risk or the Office of the Vice-President, College Services, CFO prior to such a document being finalized and signed by a signing authority.

c) Execution of Documents under Seal

Authorized positions that may affix the Seal of the College are determined by the Board. If the seal is used, then the law deems it to be executed.

d) Records Management

Once an agreement has been signed on behalf of the College and the other party of the contract, the senior signing officer who signed on behalf of the College shall send an electronic copy of the signed contract to the Executive Assistant for the Vice-President, College Services, CFO with the original to follow.

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e) Delegation

In the event of unavailability or other extraordinary circumstances, a person with signing authority may delegate their authority to predetermined delegates subject to the following restrictions:

- i. The delegated authority must be written and copied to the person's supervisor and the Executive Director, Finance & Risk;
- ii. The delegated authority must specify a time period for the delegated authority, normally coinciding with the period of time that the delegating authority is expected to be away;
- iii. The authorized dollar limits shall not exceed the normal limits for the original signing authority; and
- iv. The commitment made by the delegate must be reported to the signing authority in a timely manner.