

# Consolidation

## AUTHORITIES BYLAW, 2019

Originally passed February 28, 2019 (Board Resolution 9094/19)

Including amendments:

- Bylaw 2022-2, May 19, 2022 (Board resolution 10271/22)

**NOTE: This consolidation is not official. Amendments have been incorporated for convenience of reference and the bylaws should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original bylaws, errors that may have appeared are reproduced in this consolidation.**

BYLAW No. 2019-1

**AUTHORITIES BYLAW, 2019**

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THE BOARD OF DIRECTORS OF THE SASKATCHEWAN ASSESSMENT MANAGEMENT AGENCY ENACT AS FOLLOWS:

**Definitions**

1 In this Bylaw:

- (a) "**AMAAct**" means *The Assessment Management Agency Act*.
- (b) "**Board**" means SAMA's Board of Directors.
- (c) "**CEO**" means SAMA's Chief Executive Officer.
- (d) "**Conduct of Meetings Bylaw**" means the *Conduct of Board Meetings Bylaw, 2019*.
- (e) "**Municipal Acts**" mean *The Cities Act, The Municipalities Act and The Northern Municipalities Act, 2010*.

**CEO Authority**

2 The authorities granted to the CEO under this Bylaw are in addition to the duties and responsibilities assigned to the CEO under his or her employment contract with SAMA for managing the overall operations and affairs of SAMA.

**Signing Authority**

- 3(1) Subject to this Bylaw and the Conduct of Meetings Bylaw, the CEO is authorized to execute all agreements, documents and instruments on behalf of SAMA.
- (2) Notwithstanding subsection (1), where, after this Bylaw comes into force, the Board passes a resolution specifically authorizing another person or persons to execute a certain agreement, document or instrument, then the other person(s) will execute that agreement, document or instrument on behalf of SAMA.
- (3) Notwithstanding subsection (1), the CEO, the Board Chair and the Director of Human Resource will execute each Collective Bargaining Agreement on behalf of SAMA once the Board has approved the agreement.

**CEO Contractual Authority**

- 4(1) The CEO is authorized, on behalf of SAMA to negotiate, approve and enter into agreements:
  - (a) which have a value on an annual basis of \$100,000 or less; and
  - (b) regardless of value:

- (i) for the lease of office space for SAMA's central and regional offices for periods of 10 years or less;
  - (ii) for software licenses for software used by SAMA;
  - (iii) for the provision and/or sharing of assessment and sales information with third parties;
  - (iv) for the provision of assessment valuation services including services to First Nations;
  - (v) for the investment of SAMA's funds;
  - (vi) with a municipality using an alternate assessment service provider or with an alternate assessment service provider, for the use of the Saskatchewan Property Assessment Network (SPAN) system;
  - (vii) under which SAMA has no financial obligation except for expenditure of SAMA personnel resources; and
  - (viii) under which SAMA will receive revenue or other benefit.
- (2) Notwithstanding subsection (1), the CEO is not authorized to negotiate, approve or enter into an amending agreement respecting an agreement previously approved by:
- (a) the CEO under subsection (1)(a) where the amendment will cause the total amount of the agreement to be greater than \$100,000; or
  - (b) the Board where the amendment will increase the amount of the agreement.
- (3) Notwithstanding subparagraph (1)(b)(i), a lease negotiated, approved and entered into by the CEO may contain option to renew clauses that, if exercised, would cause the term of the original lease to be more than 10 years.

#### **Settlement of Accounts**

- 5 The CEO is authorized to negotiate settlements or write-off of accounts receivable for amounts of \$10,000 or less except outstanding municipal requisitions.

#### **Available Funds**

- 6 Notwithstanding section 4, the CEO will not approve an expenditure unless funds for the expenditure are available in SAMA's approved budget or the Four-Year Funding Plan established by SAMA under section 18 of the AMAAct.

#### **Legal Form**

- 7 Notwithstanding section 3, each agreement entered into on behalf of SAMA, except the Collective Bargaining Agreement between SAMA and the Saskatchewan Government and General Employees' Union, will be in a form approved by the CEO.

## **Personnel and Administration**

- 8 The CEO is authorized to determine:
- (a) the levels of compensation and/or the performance bonuses to be paid to out-of-scope employees;
  - (b) the fees, rates or costs to be charged for SAMA services, so long as the fees, rates or costs are within the parameters of the Board Policy;
  - (c) the interest rate to be charged on overdue accounts with SAMA;
  - (d) what are allowable business expenses on behalf of SAMA;
  - (e) what may be paid using SAMA's credit cards;
  - (f) who may acquire or have access to SAMA credit cards and the spending limits;
  - (g) whether to allow reimbursement for tuition fees, professional fees or similar fees;
  - (h) whether to allow for payment of registration fees for seminars, conferences or education courses;
  - (i) all matters related to payroll;
  - (j) all personnel issues not already listed in this section; and
  - (k) all administrative issues not already listed in this section.

## **Emergency Funding**

9(1) Notwithstanding sections 6 and 8, in the event an emergency occurs such that:

- (a) SAMA is required to activate its Business Continuation Plan; and
- (b) it is not reasonably possible to convene a Board meeting within time to obtain the approvals needed to carry on business in light of the emergency;

then, with the concurrence of the Board Chair, the CEO is authorized, on behalf of SAMA, to enter into agreements and/or make expenditures of a value of \$500,000 or less.

- (2) For the purposes of subsection (1), an emergency is an event that results or could reasonably be expected to result in:
- (a) unreasonable harm to SAMA employees or property; or
  - (b) substantial economic loss to SAMA.
- (3) The authority in subsection (1) will continue until a Board meeting can be convened.

### **Delegation of CEO Authority**

- 10(1) The CEO is authorized to delegate to any SAMA employee any authority, power, duty or function assigned to the CEO under this Bylaw, by resolution of the Board or under the CEO's employment contract with SAMA.
- (2) Notwithstanding subsection (1), the CEO is not authorized to delegate the authorities under subparagraph 4(1)(b)(v), clause 8(a) and clause 9(1).

### **Designation of CEO Authority**

- 11(1) The CEO is authorized to designate in writing a person to be the acting Chief Executive Officer when the CEO is away from the office.
- (2) Where the CEO does not designate in writing a person to be the acting Chief Executive Officer when the CEO is away from the office, the Board Chair is authorized to designate in writing a person to be the acting Chief Executive Officer during the absence of the CEO.
- (3) A person designated by the CEO or the Board Chair to be the acting Chief Executive Officer when the CEO is away from the office is authorized to carry out the same duties and conduct the business of SAMA with the same level of authority as the CEO during the period when that person is the acting Chief Executive Officer.

### **Banking Authority**

- 12(1) Subject to the authorities respecting financial related transactions under this Bylaw, all banking business of SAMA will be transacted on such terms with such banks, credit unions, trust companies or from any person or corporation as may from time to time be designated by resolution of the Board.
- (2) The CEO or the Managing Director of Finance are authorized to approve the reconciliation of SAMA's bank accounts.
- (3) The persons who may sign cheques on behalf of SAMA and their level of authority will be determined from time to time by resolution of the Board.

### **Board Expense Statements**

- 13 The Board Chair, Vice Chair, Managing Director of Finance or the CEO are authorized to sign Board member statement of expense forms for payment where the Board member confirms to the Chair, Vice Chair, Managing Director of Finance or CEO that the expenses are claimed in accordance with the Board's resolution respecting Board member remuneration for services and reimbursement for expenses.

### **Conflict of Authority**

- 14(1) Where there is conflict between an authority granted under this Bylaw and an authority granted to SAMA or a SAMA employee under the AMAAct or the Municipal Acts that cannot be delegated by the Board under this Bylaw, then the authority granted under the AMAAct or the Municipal Acts will prevail.
- (2) Subject to section 3, where there is a conflict between an authority granted under this Bylaw and an authority granted by resolution of the Board, the authority granted under this Bylaw will prevail, unless the resolution of the Board specifically provides otherwise.

### **Board Authority**

- 15(1) Unless a person has been authorized by the Board under this Bylaw, under a separate resolution of the Board or under the AMAAct or the Municipal Acts to perform any action on behalf of SAMA, the Board must authorize the actions of SAMA.
- (2) Notwithstanding this Bylaw, the Board shall authorize any charitable donations to be made by SAMA.

### **Repeal and Coming into Force**

- 16 The *Authorities Bylaw* dated July 6, 2007 and the amendments thereto are repealed.
- 17 This Bylaw comes into force on the day the *Conduct of Board Meetings Bylaw, 2019* comes into force.

Passed on February 28, 2019.

[Myron Knafelc]  
Chairperson

[Irwin Blank]  
Secretary to the Board