
CONFLICT OF INTEREST AND PAYMENT OF LEGAL OPINIONS

Effective Date: October 24, 2014

Approved By: GVRD Board

Policy No. GV-005

PURPOSE

To establish criteria to be applied to situations where Metro Vancouver will seek and pay for legal advice regarding conflict of interest by Board Directors of the Greater Vancouver Regional District, Greater Vancouver Sewerage and Drainage District, and Greater Vancouver Water District.

POLICY

The rationale for this Policy is to protect the interests of Metro Vancouver in defined circumstances where there is likelihood that the Board's interests may be affected as a result of a vote by a Director of the Board having a pecuniary interest in the matter.

Metro Vancouver will seek and pay for legal advice regarding conflict of interest by Board Directors in the following circumstances:

1. Any Board Director who is concerned about a situation that may give rise to a conflict of interest, is to obtain a considered legal opinion in advance of the matter coming before the Board.
2. The Director seeking the opinion must first discuss the matter with the Chief Administrative Officer.
3. Senior Administrative staff shall consult with the General Manager, Legal and Legislative Services/Corporate Counsel on behalf of the Director where;
 - a) the outcome of the decision is critical to the operation of the Metro Vancouver;
 - b) the decision or matter involved is quasi-judicial in nature and where a nullification of the vote could result in quashing of the resolution or bylaw in question; or
 - c) the issue is particularly contentious and is most likely to be subject to legal challenge by a third party.
4. The General Manager, Legal and Legislative Services/Corporate Counsel will advise the Director of the outcome of the decision and will manage the process when the decision is affirmative.
5. Costs for this opinion shall be borne by Metro Vancouver.