



PORCUPINE CARIBOU MANAGEMENT BOARD

OPERATING PROCEDURES

OCTOBER 2012

TABLE OF CONTENTS

1. ORGANIZATION	4
1.1 AUTHORITY	4
1.1.1 BOARD COMMENCEMENT	4
1.1.2 OPERATING PROCEDURES COMMENCEMENT	4
1.1.3 NON-PROFIT STATUS	4
1.2 OBJECTIVES	4
1.3 RESPONSIBILITY	4
1.4 MEMBERSHIP	6
1.4.1 MEMBER REPRESENTATION	6
1.4.2 MEMBER APPOINTMENTS	7
1.4.3 CHAIR APPOINTMENTS	7
1.4.4 ALTERNATE MEMBER APPOINTMENTS	7
1.4.5 OFFICERS OF THE BOARD	8
1.5 PROCEEDINGS	8
1.5.1 QUORUM	8
1.5.2 VOTING	8
1.5.3 RECOMMENDATIONS	8
1.6 FUNDING	8
1.6.1 COST SHARING	8
1.6.2 CONTRIBUTION AGREEMENTS	8
1.6.3 FISCAL YEAR	8
2. BOARD MEETINGS	9
2.1 MEETING ORGANIZATION	9
2.1.1 FREQUENCY	9
2.1.2 TIME AND PLACE	9
2.1.3 MEETING ARRANGMENTS	9
2.1.4 MEETING PRIVACY	9
2.1.5 NOTICE OF MEETINGS	9
2.1.6 DURATION OF MEETINGS	9
2.1.7 MINUTES	10
2.2 MEETING EXPENSES	10
2.2.1 TRAVEL COSTS	10
2.2.2 HONORARIA FOR MEMBERS	10
2.2.3 COMPENSATION FOR STOPOVERS	10
2.2.4 OTHER MEETING EXPENSES	10
2.2.5 TRAVEL AND ACCOMODATION OF SUPPORT STAFF	11
3. OTHER BOARD EXPENSES	11
3.1 USER MEMBER TELEPHONE CHARGES	11
3.2 USER MEMBER REGIONAL TRAVEL	11
4. ADMINISTRATION AND FINANCE	11
4.1 SECRETARIAT	11
4.1.1 EXECUTIVE DIRECTOR ROLE	11
4.1.2 PERMISSIBLE EXPENDITURES	12
4.2 FINANCIAL ADMINISTRATION	12
4.2.1 BANK ACCOUNTS	12
4.2.2 SIGNING OFFICERS	12
4.2.3 PAYMENT AUTHORITY	12
4.2.4 RECEIPTS AND DEPOSITS	12
4.2.5 PURCHASES	12
4.2.6 PAYMENTS	12
4.2.7 AUDIT	12
5. CONSULTANT RELATIONS	13
5.1 CONSULTANT HIRING	13

6. PUBLIC RELATIONS	13
6.1 ANNUAL REPORT	13
6.2 COMMUNICATION PLAN.....	13
6.3 PUBLIC MEETINGS	13
6.4 MEDIA COMMUNICATION	13
7. AMENDMENTS TO OPERATING PROCEDURES	13

1. ORGANIZATION

1.1 AUTHORITY

The Porcupine Caribou Management Board was established according to the *Porcupine Caribou Management Agreement*, signed on October 26, 1985.

1.1.1 BOARD COMMENCEMENT

The Porcupine Caribou Management Board shall be effective as of June 10, 1986.

1.1.2 OPERATING PROCEDURES COMMENCEMENT

The Operating Procedures of the Porcupine Caribou Management Board shall be effective as of January 1, 1987, amended October 22, 2012.

1.1.3 NON-PROFIT STATUS

The Board shall operate without purpose of gain for its members and any profits or other gains to the Board shall be used in promoting its objectives.

1.2 OBJECTIVES

The objectives of the Porcupine Caribou Management Board are as stated in the *Porcupine Caribou Management Agreement* as follows:

- (a) To co-operatively manage, as a herd, the Porcupine Caribou and its habitat within Canada so as to ensure the conservation of the Herd with a view to providing for the ongoing subsistence needs of native users;
- (b) To provide for the participation of native users in Porcupine Caribou Herd management;
- (c) To recognize and protect certain priority harvesting rights in the Porcupine Caribou Herd for native users, while acknowledging that other users may also share the harvest;
- (d) To acknowledge the rights of native users as set out in this Agreement; and
- (e) To improve communications between Governments, native users and others with regard to management of the Porcupine Caribou Herd within Canada.

1.3 RESPONSIBILITY

The responsibilities of the Porcupine Caribou Management Board are set forth in the *Porcupine Caribou Management Agreement* and may be summarized as follows:

- (a) To establish and maintain communication among all groups, both government and public, that are concerned with Porcupine caribou, with an emphasis on the involvement of native users;
- (b) To utilize public meetings with native users, other users and public interests as a means of information exchange;

- (c) To review all available information (concerning the Porcupine Caribou Herd and where necessary to advise the Ministers and Parties of its adequacy;
- (d) To encourage the participation of native users and other harvesters in management studies;
- (e) To ensure lists of eligible native users are maintained by Parties;
- (f) To make recommendations to the Ministers and Parties on any matter affecting Porcupine Caribou and their habitat;
- (g) To make recommendations to other boards and agencies on any matter involving Porcupine Caribou and their habitat;
- (h) To establish criteria and guidelines for particular uses of Porcupine Caribou including but not limited to such matters as sharing of native user allocations, bartering or exchanging caribou and in general to encourage the wise use of caribou;
- (i) To prepare a report on annual allowable harvests for the Ministers to facilitate the enactment of any necessary regulations; and
- (j) To encourage the dissemination of information about Porcupine Caribou and to make its reports and recommendations available to the user communities and the public.

NOTE: The “Parties” are defined in the PCMA as:

- Government of Canada, as represented by the Minister of Indian Affairs and Northern Development and the Minister of the Environment;
- Government of Yukon;
- Government of the Northwest Territories;
- Council for Yukon Indians;
- Inuvialuit Game Council; and
- Dene Nation and the Metis Association of the Northwest Territories.

The Board went through an exercise in 2011 to detail the roles and responsibilities of the Parties to the PCMA, and Board members and staff. The Board sought to clarify understanding of the administrative arrangements necessary to carry out its mandate consistent with the provisions of the PCMA and affected final agreements, self-government agreements, and the *Harvest Management Plan for the Porcupine Caribou Herd in Canada (2010)* and accompanying Implementation Plan (2010).

The Board adopts the Roles and Responsibilities Document as part of its Operating Procedures. Accordingly, the Parties are presently considered to be:

- Government of Canada, as represented by Environment Canada, Parks Canada Agency and Aboriginal Affairs and Northern Development Canada;

- Government of Yukon;
- Government of the Northwest Territories;
- Vuntut Gwich'in First Nation;
- First Nation of NaCho Nyäk Dun;
- Tr'ondëk Hwëch'in;
- Inuvialuit Game Council; and
- Gwich'in Tribal Council.

1.4 MEMBERSHIP

1.4.1 MEMBER REPRESENTATION

Membership in the Board is established by Part C paragraph 3 of the Agreement and the understanding outlined in the "Roles and Responsibilities" document (December 2011), are as follows:

- (a) Canada shall appoint one member to represent Canada;
- (b) Yukon shall appoint two members to represent Yukon (*Note: one of these positions ensures the Yukon First Nation user communities are fairly represented*);
 - (ii) CYFN shall nominate two members to represent the native users of Old Crow, Dawson and Mayo; (*Note: two members are appointed by their respective First Nations and this is confirmed by the Council of Yukon First Nations*);
- (c) (i) GNWT shall appoint one member to represent the GNWT;
 - (ii) The Dene/Métis shall nominate one member to represent the Dene/Métis native users of Aklavik, Inuvik, Fort McPherson and Arctic Red River (*Note: "Dene/Metis" is now represented by the "Gwich'in Tribal Council"; "Arctic Red River" is now known as "Tsiigehtchic"*);
 - (iii) IGC shall nominate one member to represent the Inuvialuit native users of Aklavik, Inuvik and Tuktoyaktuk;
- (d) Upon receipt of notifications from the Parties, the Ministers shall confirm the nominations and appointments as required; (*Note: Ministers confirm the Chair appointment and the Yukon Minister appoints the two Yukon members*);
- (e) The members of the Board shall be appointed for a term of five years, subject to the right of the Parties to terminate the appointment of their respective appointees at any time and have Board members reappointed in accordance with the above terms of reference; and
- (f) If, within a reasonable time, nominations or appointments are not made as provided for in this paragraph, the Board may discharge its responsibilities with those members who have been nominated or appointed.

NOTE: Canada is represented by Minister of Aboriginal Affairs and Northern Development, and Minister of the Environment; Yukon is represented by Minister of Environment; Government of the Northwest Territories is represented by Minister of Environment and Natural Resources.

1.4.2 MEMBER APPOINTMENTS

Members and alternates are appointed by their respective Parties. Parties advise the Board and territorial and federal ministers, who acknowledge in writing the said appointments. The territorial and federal members and alternates are appointed by their respective governments. The Board then advises all Parties in writing of current appointments that have been made.

To ensure equal representation, Government of Yukon has provided one of its member seats to one of the Yukon First Nations not directly represented on the Board (either Tr'ondëk Hwëch'in or the First Nation of NaCho Nyäk Dun). The First Nation nominates its member and alternate to Government of Yukon, who then confirms the appointments.

1.4.3 CHAIR APPOINTMENTS

The procedure for appointments of the Chair to the Board is set forth in Part C, paragraph 4 of the agreement, and is summarized as follows:

- (a) The Board determines the criteria for the nomination of subsequent Chairs;
- (b) The majority of the members of the Board shall confirm the acceptability of the Chair as nominated and shall notify the Ministers of its confirmation;
- (c) The Chair shall have tenure for a term of five years and may, with the approval of the Board, serve additional terms;
- (d) Upon receipt of notification from the Board, the Ministers shall confirm the appointment or dismissal of Chairmen as required; and
- (e) The Board has developed a policy outlining the process for nominating and appointing Chairs.

1.4.4 ALTERNATE MEMBER APPOINTMENTS

Alternate members are appointed for a five-year term, subject to the same considerations as regular members. Alternates represent members when they are unable to attend Board meetings. It is the responsibility of each of the members to ensure their alternates are kept apprised, as appropriate, of work before the Board so they can adequately represent their respective organizations.

1.4.5 OFFICERS OF THE BOARD

The following officers of the Board have been appointed:

(a) Chair; and

(b) Executive Director.

1.5 PROCEEDINGS

1.5.1 QUORUM

Five out of eight voting members (excluding the Chair) is a quorum. No voting by proxy is allowed.

1.5.2 VOTING

Decisions by the Board shall be by consensus wherever possible, and shall always require a majority vote in favour, with each member having one vote. The Chair shall, in the event of a deadlock or tie vote, be responsible for resolving the disagreement of the Board and shall, where necessary, cast the deciding vote on any issue that cannot otherwise be resolved.

1.5.3 RECOMMENDATIONS

In accordance with Section E of the *Porcupine Caribou Management Agreement* the Board may make recommendations to the Ministers and other Parties on any matter affecting the Porcupine Caribou and its habitat, including recommendations relating to the making of policy, legislation and regulations regarding.

Recommendations to the Ministers and other Parties must receive majority approval by the Board. Recommendations shall be submitted in writing.

1.6 FUNDING

1.6.1 COST SHARING

Basic Board operations are funded equally by three government jurisdictions through core operational funding provided by the Yukon, the Northwest Territories and Canada. The Board will prepare and approve a budget each year before the start of the next fiscal year, and make that budget available to the Parties.

1.6.2 CONTRIBUTION AGREEMENTS

Funding arrangements by the federal and territorial governments are authorized by contribution agreements signed by the Chair and/or Executive Director. For efficiency, multi-year funding agreements are recommended, where possible.

1.6.3 FISCAL YEAR

The operational and fiscal year of the Board is from April 1 to March 31.

2. BOARD MEETINGS

2.1 MEETING ORGANIZATION

2.1.1 FREQUENCY

The Board will plan to meet four times per year, but can decide on more or less meetings as necessary.

According to the Harvest Management Plan, the Board holds an Annual Harvest Meeting the second week of February.

2.2.2 TIME AND PLACE

The time and place of meeting should be determined at the previous meeting or earlier if possible. Meetings should take place in user communities on a loosely rotational basis to facilitate community involvement and Board exposure, where possible.

Board meetings may be held by teleconference, as appropriate.

2.1.3 MEETING ARRANGMENTS

The Executive Director is responsible for making all meeting and accommodation arrangements for the Chair and Board members. Territorial and federal members are responsible for their own travel and/or accommodation arrangements. The member whose community is hosting the meeting is tasked with encouraging community involvement in the meeting and assisting with general coordination in their community.

2.1.4 MEETING PRIVACY

All Board meetings are normally open to the public but special in-camera sessions may be authorized by the Board if the need arises. The Board sometimes limits participation (not attendance) of non-Board members attending regular Board meetings in order to make progress on its agenda when time is limited. Public meetings or open houses held in conjunction with regular Board meetings are encouraged, especially when the Board meets in the communities.

2.1.5 NOTICE OF MEETINGS

Notice of the following meeting will be given at the preceding meeting. Any subsequent changes will be communicated to the members by the Executive Director as soon as possible but at least 30 days in advance. Special meetings may be called by the Chair with less than 30 days' notice if approval is given by the majority of members.

2.1.6 DURATION OF MEETINGS

Meetings are usually of two to three days in duration and should try to allow for travel time within the workweek.

2.1.7 MINUTES

Minutes prepared by the Executive Director are provided to the members within four weeks following the next meeting, for review and comment. A list of action items will be sent out within one week of the meeting.

2.2 MEETING EXPENSES

2.2.1 TRAVEL COSTS

The Board is responsible for travel costs for Board members, with the exception of federal and territorial government Parties, who shall be responsible for all travel, accommodation and related expenses of their Board members and alternates.

Per diem rates are consistent with current Government of Canada rates. Per diems are not paid when actual meals are provided to the members.

A separate Travel Policy document approved by the Board shall outline the appropriate process for submitting travel claims and identifying eligible travel costs.

2.2.2 HONORARIA FOR MEMBERS

The Parties also contribute sufficient funds to cover daily honoraria for members when engaged in authorized Board business. Honoraria are not paid to government employees. An honorarium is not paid to those members holding full-time positions with represented organizations, unless they are on leave status. Payments are made to eligible members in accordance with the following guidelines:

- (a) Members are paid \$250 for each day in travel status and attending Board meetings. Members who do not have a residence in the location of the meeting/Board business are considered to be on travel status;
- (b) A day of travel status consists of more than 4 hours devoted to travel for which the standard \$250 daily rate is paid. A half-day of travel status consists of four hours or less for which the standard half-day rate of \$125 is paid; and
- (c) Members may receive one day's honorarium in total to pay for work before and after each meeting. This time is to be used in communicating with the communities and their respective Party. Members must advise the Executive Director of the status of the communications to receive the additional compensation.

2.2.3 COMPENSATION FOR STOPOVERS

Where stopovers occur due to bad weather or schedule problems, members may claim regular travel expenses and an honorarium of \$250/day.

2.2.4 OTHER MEETING EXPENSES

All other expenses associated with Board meetings will be paid from the Board's core operational funds, which may include but not be limited to Executive Director costs, rental facilities and supplies and materials for meetings.

2.2.5 TRAVEL AND ACCOMODATION OF SUPPORT STAFF

Parties' support staff attending Board meetings are the responsibility of their representative member or agency.

Members should notify the Executive Director well in advance if they intend to bring advisors so that arrangements such as the size of meeting rooms and number of copies of reports can be adjusted accordingly.

3. OTHER BOARD EXPENSES

3.1 USER MEMBER TELEPHONE CHARGES

In order to permit user members to discuss Board business by telephone, they may expend up to \$350 per year on telephone calls and submit a statement of account to the Executive Director for reimbursement. The Chair may spend up to \$1,000 per year.

3.2 USER MEMBER REGIONAL TRAVEL

User members representing more than one community may incur expenses for travel and accommodation while representing the Board in other user communities within their region. An estimate of such costs must be submitted to the Chair in advance for approval.

4. ADMINISTRATION AND FINANCE

4.1 SECRETARIAT

In accordance with Section H of the *Porcupine Caribou Management Agreement*, the Secretariat is responsible to administer the operations of the Board and shall be responsible to the Board under the direction of the Chair. The Secretariat shall receive and distribute information, prepare and circulate minutes of the Board meetings and perform such other functions the Board requires.

The Board hires an Executive Director to undertake the responsibilities of the Secretariat, under the direction of the Chair.

4.1.1 EXECUTIVE DIRECTOR ROLE

The Secretariat functions are provided by an Executive Director hired by the Board on a contractual basis. The Executive Director is paid expenses when travelling on Board business. No office space is provided, nor is any allowance paid for office space, although the Executive Director may purchase office supplies necessary to run the office. All major purchases must be approved by a majority of the Board.

The Executive Director functions in a supporting administrative role to the Chair and the Board and receives direction from the Chair with the general consensus of the Board.

4.1.2 PERMISSIBLE EXPENDITURES

The expenditures of the Executive Director are paid for out of the Board's operating budget. Permissible charges are for:

- (a) Professional fees;
- (b) Travel and accommodation for Board meetings, and
- (c) Other expenditures related to the ongoing operations of the Board, in accordance with the annual budget.

4.2 FINANCIAL ADMINISTRATION

4.2.1 BANK ACCOUNTS

The Board maintains its own operating account with a recognized bank.

4.2.2 SIGNING OFFICERS

The Chair and Executive Director are authorized as signing officers for the Board. Other members may be designated with signing authority. Cheques and other banking documents must display two authorized signatures.

4.2.3 PAYMENT AUTHORITY

All major expenditures must be reviewed and authorized by the Board. Expenditures that are included in the approved budget allocation do not require prior authorization.

4.2.4 RECEIPTS AND DEPOSITS

Income and expenditure items are recorded as they occur.

4.2.5 PURCHASES

Where companies refuse to invoice for minor purchases, the purchaser will be reimbursed by the Executive Director on production of appropriate receipts.

4.2.6 PAYMENTS

All payments will be made by the Board within 30 days from receipt of invoices, which should be submitted at each month's end.

4.2.7 AUDIT

The Board is required by specific funding agreements to provide an annual detailed financial statement audited by authorized public accountants by no later than July 31 of the following year.

5. CONSULTANT RELATIONS

5.1 CONSULTANT HIRING

The Board may arrange to obtain the services of outside consultants. Such contracts must be approved by a majority of the Board. If a consultant is hired, a written contract will be agreed to.

6. PUBLIC RELATIONS

6.1 ANNUAL REPORT

An annual report of the Board's activities in a fiscal year shall be prepared by the Executive Director and submitted to the members for review. The annual report will contain the approved financial audit.

6.2 COMMUNICATION PLAN

The Board prepares a Communication Plan that is reviewed annually.

6.3 PUBLIC MEETINGS

Public meetings may be convened by the Board in conjunction with its regular meetings in user communities. In addition, the Board may convene special meetings of user representatives to facilitate the exchange of information and opinions between the Board and the user groups.

6.4 MEDIA COMMUNICATION

Press releases, if required, are prepared by the Chair and Executive Director and approved by the Board

The Chair communicates with the media on behalf of the Board and is the spokesperson for the Board.

When speaking to the media, Board members should distinguish between Board positions and other opinions on particular matters.

7. AMENDMENTS TO OPERATING PROCEDURES

These Operating Procedures may be amended, as required, by agreement of the Board.