

## qathet REGIONAL DISTRICT

### DELEGATION OF PURCHASING AUTHORITY BYLAW 589, 2023

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A bylaw to delegate the purchasing authority for the qathet Regional District.

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WHEREAS under the *Local Government Act* the board may, by bylaw, adopted by at least two thirds of the votes cast, delegate its powers, duties and functions, including those specifically established by an enactment, to its officers and employees;

AND WHEREAS the board of the qathet Regional District wishes to delegate to its officers and employees certain powers, duties and functions;

NOW THEREFORE the board of the qathet Regional District, in open meeting assembled, enacts as follows:

#### **Repeal**

1. Bylaw No. 454 cited as “qathet Regional District Delegation of Purchasing Authority Bylaw No. 454, 2011”, and all amendments thereto, is hereby repealed.

#### **Definitions**

2. In this bylaw:
  - (a) “Board” means the board of the qathet Regional District
  - (b) “qRD” means the qathet Regional District.

#### **Procurement Transaction Authority Delegation**

3. The board hereby delegates to the qRD’s officers and employees the powers, duties and function of the Board to enter into transactions relating to the qRD’s activities, works or services, subject to the approved financial plan and the limitations on that delegated authority set out in this bylaw and in conjunction with the *Procurement Policy* adopted by the Board and as may be amended from time to time.

## **Delegation**

4. A delegation of power, duty or function under this bylaw includes a delegation to a person who has, from time to time, been appointed to act on behalf of the delegate or is appointed by the board to act in the capacity of the delegate in the delegate's absence including, in the event of a state of emergency, the appointed Emergency Operation Centre Director.
5. In the absence of the delegate, the powers delegated under this bylaw may be exercised by a person who has been appointed to act in the capacity of the delegate, or the manager of that person's department. In the absence of a manager, the powers delegated under this bylaw may be exercised by the Chief Administrative Officer or the person designated as the acting Chief Administrative Officer.

## **Limits on Expenditures**

6. Despite the authority granted in section 3, an officer or employee of the qRD must not enter into an agreement of a capital nature under which the qRD would incur a liability payable after the end of the then current year for a term that is for more than five (5) years, including all rights of renewal and extension.
7. An expenditure made by a person to whom the Board has delegated authority under this bylaw must be within the qRD's approved or amended financial plan.

## **Land Use Agreements**


8. With respect to land use agreements, the Board hereby delegates to the qRD officers and employees the following powers, duties and functions to be exercised in accordance with the Procurement Policy adopted by the Board and as may be amended from time to time:
  - (a) The power to acquire, amend or discharge a statutory right of way or easement on behalf of the qRD in connection with the operation and maintenance of any works or service of the qRD; and
  - (b) The power to enter into a lease or license of a real property necessary or convenient for the operation and maintenance of any works or service of the qRD where the value of the rent, licence fee or other consideration for the term is included in the approved financial plan and it within the amounts listed in the authorities and responsibilities section of the Procurement Policy.

**Citation**

This Bylaw may be cited as the “qathet Regional District Delegation of Purchasing Authority Bylaw No. 589, 2023”.

READ THIS FIRST TIME	this 25 <sup>th</sup> day of October, 2023
READ A SECOND TIME	this 25 <sup>th</sup> day of October, 2023
READ A THIRD TIME	this 25 <sup>th</sup> day of October, 2023
ADOPTED	this 25 <sup>th</sup> day of October, 2023

  
Chair

  
Corporate Officer