




Leq'á:mel First Nation
Finance & Audit Committee
Terms of Reference

Approved by Council on March 28th, 2018

Effective April 1st, 2018



Chief Councillor Alice Thompson



Councillor Shawn Gabriel



Councillor Dan Kelly



Councillor Justin Laslo



Councillor Barb Leggat



Councillor Sandy McDonald



Councillor Darrel McKamey

Leq'á:mel Finance and Audit Committee Terms of Reference

Leq'á:mel Finance and Audit Committee Terms of Reference

Composition:	The committee shall consist of all of Chief and Council. Council will appoint Committee members, including a chairperson and a vice-chairperson from Council each term of office. Each Committee member will perform their role in an objective, fair, and impartial manner. The majority of the Committee members must have Financial Competency and all of the members must have Independence.
Quorum:	Quorum necessary for the transaction of business at Committee meetings will be majority of the voting members of the Committee.
Voting Rules:	Unless a Committee member is not permitted to participate in and vote on a motion because of a conflict of interest, every member has one vote in all Committee decisions. In the event of a tie vote, the chairperson may cast a second tie-breaking vote.
Committee Term:	The Finance and Audit Committee is a standing committee established by the <i>Financial Administration Law</i> .
Member Term:	The members of the Finance and Audit Committee must serve staggered terms, as follows: <ul style="list-style-type: none">a) Councillor members will be appointed to the Finance and Audit Committee as soon as practicable following their election to the Council, and shall serve on the Finance Committee to the end of their term on Council.
Chairperson:	Appointed by Council.
Vice-chairperson	Appointed by Council.
Mandate:	The Finance and Audit Committee is responsible to review and make recommendations to Council on the financial administration matters of the Nation. The Finance and Audit Committee will assist Council in fulfilling its oversight responsibilities for the financial reporting process, the system of Internal Control, the audit process, and the process for monitoring compliance with laws and regulations and the code of conduct.
Meetings:	<p>The Committee will meet quarterly and immediately following completion of the annual audit, with the chairperson having authority to convene additional meetings as circumstances require.</p> <p>All Committee members are expected to attend each meeting, in person or via tele/video-conference. The Committee will invite members of the management, auditors, or others to attend meetings as necessary.</p>

The Senior Manager and Senior Financial Officer must be notified of all meetings and must attend those meetings, subject to reasonable exceptions.

The auditor of the First Nation must receive notices of all meetings and may attend and be heard at such meetings.

Meeting agendas will be prepared and provided in advance to members, along with appropriate briefing materials. Minutes will be prepared. The Chairperson will report key decisions and areas of discussion or concern to Council at the next Council meeting immediately following each Finance and Audit Committee meeting or in writing if the information needs attention in a timely manner.

The Council will appoint the Executive Assistant as their record keeper of all finance meetings. In the event of special meetings, Council may bring in an independent recorder outside of Leq'a:mel operations.

The Senior Manager or Senior Financial Officer may be excluded from all or any part of a Committee meeting at the discretion of the Committee - decided by a recorded vote.

Responsibilities:

Financial Accounting and Reporting Oversight

- a) Review monthly financial information of the First Nation;
- b) Subject to the First Nation's Financial Administration Law, review draft annual budgets and multi-year financial plans and recommend them to Council for approval;
- c) Monitor the financial performance of the First Nation against the budget and report any significant variations and their reasons to Council;
- d) Review the quarterly and annual financial statements of the First Nation and recommend them to Council for approval;
- e) [Review the annual financial statements of the First Nation's Local Revenue Account and recommend them to Council for approval;]
- f) Review the annual Special Purpose Reports of the First Nation and recommend them to Council for approval;
- g) Review the annual report of the First Nation and recommend it to Council for approval;
- h) Make any other recommendations to Council on any matter respecting the financial administration of the First Nation;
- i) Review managements approach for safeguarding the First Nation's assets and information systems, the adequacy of staffing of key financial functions and their plan for improvements;
- j) Review with management and the external auditors emerging accounting issues and their potential impact on the First Nation's financial reporting;
- k) Review with management the First Nation's financial policies and compliance with such policies.

Auditor Oversight

- a) Make recommendations to Council on the selection, engagement and performance of the First Nation's independent auditor;
- b) Receive assurances on the Independence of a proposed or appointed auditor;
- c) Review and make recommendations to Council to approve the annual audit plan of the external auditor, including the scope of the audit to be performed and the estimated audit fees;
- d) Review and make recommendations to Council respecting the audited annual financial statements, including [the audited local revenue account financial statements and] any Special Purpose Reports;
- e) Review any management letters containing recommendations of the external auditor and management's response;
- f) Recommend to Council pre-approval of all audit, audit-related and non-audit services to be provided to the First Nation by the external auditor;
- g) Periodically review, and make recommendations to Council respecting policies, procedures and directions on reimbursable expenses and perquisites of Councillors, officers and employees;
- h) Monitor Financial Reporting Risks and Fraud Risks and the effectiveness of Internal Control designed to mitigate those risks taking into consideration the cost of implementing any change to Internal Control;
- i) Review the First Nation's *Financial Administration Law* and recommend amendments to Council;
- j) Review, and make recommendations to Council on, the Terms of Reference of the Finance and Audit Committee.

Risk Management

- a) Review the annual Risk Management Plan and Fraud Risk Assessment completed by the Senior Manager and provide input to the identification, monitoring and reviewing of the annual risk assessment process.
- b) Provide recommendations to Council regarding the annual Risk Management Plan and Fraud Risk Assessment.
- c) Provide updates to the Council of any significant changes to the assessment and adequacy of monitoring activities.
- d) Review requests for non-budgeted funding requests to the First Nation's business enterprises and make recommendations to Council.

Other

- a) Review expenses of Councillors and Senior Management and assess the First Nation's policies with respect to expense reimbursement or allowances;
- b) Evaluate at least annually, the adequacy of these Terms of Reference.

Authority

- a) The Committee is empowered to make such inquiry and investigation and require such information and explanation from management as it considers reasonably necessary and to require management to promptly inform the Committee of any material misstatement in the financial statements following discovery of such situation;
- b) After consultation with the Senior Manager, the Committee may retain a consultant to assist in the performance of any of its responsibilities.