

SCHEDULE

Title

1 These regulations may be cited as *The Municipalities (Code of Ethics and Oath of Office) Amendment Regulations, 2016*.

R.R.S. c.M-36.1 Reg 1 amended

2 *The Municipalities Regulations* are amended in the manner set forth in these regulations.

New sections 3.1 and 3.2

3 The following sections are added after section 3:

“Model code of ethics

3.1(1) Schedule 1 as set out in Part III of the Appendix is prescribed as the model code of ethics for the purposes of section 93.1 of the Act.

(2) Pursuant to clause 93.1(7)(b) of the Act, a council shall adopt a code of ethics within 120 days after the coming into force of this section.

(3) A council may make alterations to the wording of the prescribed code of ethics that do not conflict with the substance of the code and are not designed to mislead.

“Public disclosure statements

3.2(1) For the purposes of clause 142(6)(a) of the Act, a member of council is required to provide a written amendment to the public disclosure statement if the conflict of interest declared by the member of council involves information that:

(a) has not been previously disclosed on his or her public disclosure statement; and

(b) is required to be disclosed pursuant to section 142 of the Act.

(2) Subsection (1) only applies to information or a matter that is required to be disclosed on the municipality’s public disclosure statement”.

Appendix amended

4 Form A of Part I of the Appendix is repealed and the following substituted:

“FORM A
[Section 3]

Oath or Affirmation - Member of Council

I, _____, having been elected to the office of _____ in the
_____ of _____,

DO SOLEMNLY PROMISE AND DECLARE THAT:

- 1 I will truly, faithfully and impartially, to the best of my knowledge and ability, perform the duties of this office;
- 2 I am qualified to hold the office to which I have been elected;
- 3 I have not received and will not receive any payment or reward, or promise of payment or reward, for the exercise of any corrupt practice or other undue execution or influence of this office;
- 4 I have read, understand and agree to abide by the code of ethics, rules of conduct and procedures applicable to my position as a member of council required of me by *The Municipalities Act* and any other Act and by the council;
- 5 I will:
 - (a) perform the duties of office imposed by *The Municipalities Act* and any other Act or law and by the council;
 - (b) disclose any conflict of interest within the meaning of Part VII of *The Municipalities Act*; and
 - (c) comply with the code of ethics, rules of conduct and procedures applicable to the office I now hold that are imposed by *The Municipalities Act* and any other Act and by the council.

DECLARED before me at

_____, Saskatchewan

this ____ day of _____, 20 ____



Signature of Declarant

*A Commissioner for Oaths for Saskatchewan,
a Notary Public, municipal administrator, etc.
(as the case may be)*

My commission expires _____

New Part III of Appendix

5 The following Part is added after Part II of the Appendix:

“PART III

Schedule 1

[*Section 3.1*]

Code of Ethics for Members of Council

Preamble

As members of council, we recognize that our actions have an impact on the lives of all residents and property owners in the community. Fulfilling our obligations and discharging our duties responsibly requires a commitment to the highest ethical standards.

The quality of the public administration and governance of the municipality of _____, as well as its reputation and integrity, depends on our conduct as elected officials.

Purpose and Interpretation

The purpose of this code is to outline basic ethical standards and values for members of council. It is to be used to guide members of council respecting what their obligations are when fulfilling their duties and responsibilities as elected officials.

This code is to be interpreted in accordance with the legislation applicable to the municipality, the common law and the policies and bylaws of the municipality.

Neither the law nor this code is to be interpreted as exhaustive, and there will be occasions on which a council will find it necessary to adopt additional rules of conduct in order to protect the public interest and to enhance the public confidence and trust in local government.

It is the responsibility of each member of council to uphold the standards and values set out in this code.

Standards and Values

a. Honesty

Members of council shall be truthful and open in their roles as council members and as members of the communities they serve.

b. Objectivity

Members of council shall make decisions carefully, fairly and impartially.

c. Respect

Members of council shall treat every person, including other members of council, municipal employees and the public, with dignity, understanding and respect.

Members of council shall not engage in discrimination, bullying or harassment in their roles as members of council. They shall not use derogatory language towards others, shall respect the rights of other people and groups, shall treat people with courtesy and shall recognize the importance of the different roles others play in local government decision making.

d. Transparency and Accountability

Members of council shall endeavour to conduct and convey council business and all their duties in an open and transparent manner, other than those discussions that are authorized to be dealt with in a confidential manner in closed session, so that stakeholders can view the process and rationale used to reach decisions and the reasons for taking certain actions.

Members of council are responsible for the decisions that they make. This responsibility includes acts of commission and acts of omission.

e. Confidentiality

Members of council shall refrain from disclosing or releasing any confidential information acquired by virtue of their office except when required by law or authorized by council to do so. Members shall not take advantage of or obtain private benefit from information that is obtained in the course of or as a result of their official duties or position and that is not in the public domain. This includes complying with *The Local Authority Freedom of Information and Protection of Privacy Act* in their capacity as members of council of a local authority.

f. Leadership and the Public Interest

Members of council shall serve their constituents in a conscientious and diligent manner and act in the best interests of the municipality. A member shall strive, by focussing on issues important to the community and demonstrating leadership, to build and inspire the public's trust and confidence in local government.

Members of council are expected to perform their duties in a manner that will bear close public scrutiny and shall not provide the potential or opportunity for personal benefit, wrongdoing or unethical conduct.

g. Responsibility

Members of council shall act responsibly and in accordance with the Acts of the Parliament of Canada and the Legislature of Saskatchewan, including *The Municipalities Act*.

This duty includes disclosing actual or potential conflicts of interest, either financial or otherwise relating to their responsibilities as members of council, following policies and procedures of the municipality, and exercising all conferred powers strictly for the purpose for which the powers have been conferred. Every member of council is individually responsible for preventing potential and actual conflicts of interest”.

Coming into force

6(1) Subject to subsection (2), these regulations come into force on the day on which sections 3-5 and 3-6 of *The Municipal Conflict of Interest Amendment Act, 2015* come into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which sections 3-5 and 3-6 of *The Municipal Conflict of Interest Amendment Act, 2015* come into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.