

Disclosure of Financial Information Policy

Policy

It is Council's policy to ensure that Nipissing First Nation is accountable to Membership by giving them a general right to access financial records of the First Nation in the custody or control of Nipissing First Nation. The policy also sets out specific limited exceptions to the Memberships' right to access to certain financial records.

Procedure

Request for Disclosure

To obtain access to a financial record, a Member of the Nipissing First Nation must make a written request to the Nipissing First Nation for a copy of the financial record or make a verbal request to examine the financial record.

The Chief Operating Officer must make every effort to assist Members who make a request for the disclosure of financial records.

First Nation Response

The Chief Operating Officer must respond openly, accurately and completely within thirty (30) days from the date a request is received unless more time is required. If more time is required, the Chief Operating Officer must inform the Member when the response can be reasonably responded to.

In a response to the request for information, the Chief Operating Officer must advise the Member in writing whether or not the Member is entitled to have the financial record or part of the record disclosed to him or her.

If access to the financial record or to part of the record is refused, the reasons for the refusal must be given to the member and the Member may request a review of the Chief Operating Officer's decision by Nipissing First Nation Council in accordance with the Dispute Resolution provisions.

If the Member is entitled to have the financial record disclosed to him/her and it can be reasonably reproduced, a copy of the financial record must be provided with the Chief Operating Officer's response. (i.e. covering memo for documentation purposes).

Nipissing First Nation may charge the applicant reasonable photocopy charges for administrative time and supplies costs. Rates shall be published for public awareness.

If the Member is entitled to have the financial record disclosed to him or her and it cannot be reasonably reproduced, the Member must be permitted to examine the financial record at the Nipissing First Nation office during regular business hours of any business day in the presence of an employee who shall be responsible for the protection and safe keeping of Nipissing First Nation records.

Records shall not be removed from the office or from any records library of Nipissing First Nation, except where an employee of the Nipissing First Nation requires the file or work purposes and in accordance with established rules of access.

Exceptions to Disclosure

The Chief Operating Officer shall refuse to disclose to a Member, financial information that would reveal the deliberations of the Nipissing First Nation Council and any of its committees, including any advice, recommendations, or policy considerations submitted or prepared for submission to the Council or any of its committees unless those deliberations concerned the applicant's legal opinions which are subject to solicitor-client privilege:

- other privileged documents which could reasonably expect to reveal information received in confidence from a government, First Nation, Society, Corporation or harm the conduct of negotiations relating to Aboriginal self-government or treaties;
- could reasonably be expected to harm the financial or economic interests of Nipissing First Nation;
- would be an unreasonable invasion of a third-party's personal privacy, including personal financial information relating to eligibility for or receipt of employment benefits, income assistance, education benefits or social service benefits,
- unless the financial information pertains to the payment of money, honoraria, contract fees, and travel expenses of an elected official received from Nipissing First Nation for which the Chief Operating Officer must fully disclose upon request by a Member.

Third Party Disclosure

Nipissing First Nation may disclose a Nipissing First Nation Members' financial information to another government body only if that financial information is required to ensure that the Member is complying with all eligibility requirement for Financial Benefits of programs administered by Nipissing First Nation.

*Approved by C&C this 5th day of October, 2014,
Amended and approved by C&C this 18th day of December, 2018.*