



Comité conjoint de chasse,
de pêche et de piégeage
Hunting, Fishing and Trapping
Coordinating Committee

CODE OF ETHICS

Adopted by the members of the HFTCC
at their regular meeting
held in Ste. Foy
September 23-24, 2003

Code of Ethics

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Preamble

The Hunting, Fishing and Trapping Coordinating Committee was established in 1976 pursuant to the James Bay and Northern Québec Agreement (JBNQA) signed in November 1975.

The Coordinating Committee is composed of representatives of the governments of Québec and Canada, the Cree Regional Authority, Makivik Corporation (Inuit) and the Naskapi Landholding Corporation, and one non-voting member appointed by the Société de développement de la Baie James.

The hunting, fishing and trapping regime established by Section 24 of the JBNQA guarantees certain wildlife harvesting rights to the Aboriginal parties to the Agreement in the Agreement territory. Section 24 also establishes an outfitting regime applicable to the territory.

As the expert body established to review, manage, supervise and regulate the above regimes, it is of utmost importance that the Coordinating Committee ensure that all of its members comply with the regimes, in every respect, and abide by management values which they undertake to ensure are respected.

In the performance of their duties, the members of the Coordinating Committee, the parties' principal advisors and the personnel of the Committee's secretariat shall adopt ethical principles and rules of professional conduct to secure and maintain the Committee's credibility and the parties' trust in their representatives.

The purpose of this code of ethics is to maintain the Coordinating Committee's reputation as an honest and objective body by establishing the rules governing conduct, conflict of interest, confidentiality and fairness to be followed by the members (within the meaning below).

1. GENERAL PROVISIONS

1.1 Definitions

For the purposes of this code, the masculine form is used in instances to include the female gender, with the sole intent of readability. Unless the context indicates otherwise, the following terms and expressions mean:

ABORIGINAL: A Cree or Inuit who is a beneficiary of the James Bay and Northern Québec Agreement or a Naskapi who is a beneficiary of the Northeastern Quebec Agreement;

ADVISOR OR GUEST: A person who accompanies a party to a regular meeting on an ad hoc basis;

CODE OF ETHICS: The written system of standards for the ethical conduct of "members" of the Coordinating Committee (within the meaning below);

CONFLICT OF INTEREST: Any actual, perceived, potential or future situation in which a member of the Coordinating Committee may be inclined to further his personal or business interests or those of a related person to the detriment of the Committee's goals, or any situation that might affect the member's loyalty and opinion in respect of the Committee;

MEMBERS: The persons appointed by the Aboriginal signatories to the JBNQA or NEQA and by Québec and Canada, and the observer-member appointed by the Société de développement de la Baie James.

For the purposes of this code, members also include the parties' *principal advisors* and the *secretariat personnel*;

PRINCIPAL ADVISOR: A person who regularly accompanies a party to regular meetings;

RELATED PERSONS: Any person connected with a member of the Coordinating Committee by blood relationship, marriage or adoption or who has been living with a member in a de facto union for at least one year, or any partnership, corporation, organization or business wholly or substantially owned or controlled by the member;

RULES OF CONDUCT: The rules relating to the duties, obligations and responsibilities of members in the conduct of their professional services and activities;

SECRETARIAT PERSONNEL: Any person who is remunerated by the Coordinating Committee for part-time or full-time employment with the secretariat.

1.2 Application and Interpretation

- 1.2.1 This code of ethics shall apply to the members of the Coordinating Committee, the parties' principal advisors and the secretariat personnel;
- 1.2.2 Where the parties are accompanied by advisors or guests, they shall see to it that said advisors or guests adhere to this code of ethics in their dealings with the Coordinating Committee, even if they are not bound by it;
- 1.2.3 The code of ethics shall not replace legislative or regulatory provisions or rules of conduct applicable to the members of the Coordinating Committee, the parties' principal advisors or the secretariat personnel;
- 1.2.4 The code of ethics in no way precludes the establishment of additional guidelines or rules relating to specific sectors of activity or specific situations.

2. FUNDAMENTAL PRINCIPLES

2.1 Duties of the Members¹ of the Administrative Committee

In the performance of their duties, members of the Administrative Committee shall show caution, reserve, thoroughness, independence and responsibility, and shall work in the interest of the Committee.

2.2 Duties of the Members¹ of the Coordinating Committee

2.2.1 Members of the Coordinating Committee shall remain objective at all times. (The foregoing does not prevent members from discharging their responsibilities towards the party they represent on the Committee.)

2.2.2 Members shall act within the confines of their mandate.

2.2.3 Members shall make decisions independent of any partisan political considerations.

2.2.4 Members shall act with integrity and ethics:

- a) They shall perform their duties without promoting or exercising their professional or business activities;
- b) They shall refrain from offering or committing to offer any gifts, hospitality or other advantage or benefit that might compromise the integrity or impartiality of the people they encounter in the performance of their duties.

2.2.5 Members shall act with loyalty, frankness and courtesy:

- a) They shall participate actively in the establishment and implementation of the general directions of the Coordinating Committee. The foregoing in no way constitutes a denial of the members' right to dissent;
- b) They shall act loyally towards other members and be frank and courteous in their relations with other members, advisors and guests at meetings of the Coordinating Committee;
- c) Generally speaking, they shall maintain sincere relations so as to retain the trust and consideration required by their duties.

2.2.6 Members shall adhere to the rules of confidentiality:

- a) Members shall respect the confidential nature of all information acquired during the performance of their duties by not participating in indiscreet conversations and not

¹ Within the meaning of section 1.1.

disclosing confidential information to any person who normally would not have access to that information;

- b) Members shall take the appropriate precautions to protect the confidentiality of information acquired in the performance of their duties.

2.2.7 Members shall refrain from involving the Coordinating Committee in outside activities that do not fall within the Committee's mandate and are not agreed to by the majority of members.

2.3 Conflicts of Interest

Members shall avoid conflicts of interest or any appearance of conflicts of interest. They shall avoid any situation that may ultimately prevent them from discharging their duties.

2.3.1 Members shall maintain maximum independence at all times;

- a) They shall avoid any situation in which they may derive personal benefit, direct or indirect, real or potential, and which might compromise their independence, involvement or impartiality. (Without limiting the foregoing, a member cannot act independently if he stands to derive personal benefit, direct or indirect, real or potential, or derive a benefit for a related person.)
- b) Members shall refrain from committing to third parties or related persons or making them any guarantees in respect of a vote they may have to exercise or any decision whatsoever that the Committee may have to make.

2.3.2 Members shall not perform their duties in a way that furthers their personal interest or the interest of a related person or third party. They shall not use information acquired in the performance of their duties nor services billed to the Committee for personal advantage, direct or indirect, real or potential, or for the advantage of a related person or third party.

2.3.3 Members shall act within the law:

- a) Non-Aboriginal members shall comply, at all times, with the existing laws and regulations respecting wildlife. More specifically, they shall refrain from accepting fish or game that has been caught or obtained through the exercise of the right to harvest guaranteed to Aboriginal people under the JBNQA or the NEQA;
- b) Aboriginal members shall comply, at all times, with the conditions governing the exercise of the right to harvest guaranteed to Aboriginal people under the JBNQA or the NEQA. More specifically, they shall refrain from offering fish or game that has been caught or obtained through the exercise of said right.

2.4 Prevention of Conflicts of Interest

Any member who has a direct or indirect interest in a matter, corporation or other entity putting his personal interest in conflict with the Coordinating Committee's goals shall:

- a) divulge such interest to the Committee before the commencement of discussions relating to the matter, corporation or entity concerned;
- b) leave the meeting for the duration of the discussions and voting and thereby abstain from participating in the discussions and decision pertaining to the matter, corporation or entity in which the member has an interest.

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