

CODE OF ETHICS AND PROFESSIONAL CONDUCT
OF THE MEMBERS OF THE
REVIEW COMMITTEE (COMEX)
CREATED BY VIRTUE OF ARTICLE 22.6.1 OF THE
JAMES BAY AND NORTHERN QUÉBEC AGREEMENT

CHAPTER I

PURPOSE AND SCOPE

1. The purpose of this code of ethics and professional conduct is to preserve and strengthen the relationship of trust that citizens have in the integrity and impartiality of the Review Committee, to promote transparency within the Committee and to build accountability with its members.
2. This code of ethics and professional conduct applies to the members of the Committee who are appointed by the Government of Québec, including the chairperson, as well as to the members who are appointed by the Cree Nation Government.
3. As for the staff who report to the Committee and who are supplied by the Government of Québec under subsection 22.6.3 of the *James Bay and Northern Québec Agreement* they must comply with the standards of ethics and professional conduct that apply to it

CHAPTER II

PRINCIPLES OF ETHICS AND GENERAL RULES OF CONDUCT

4. The contribution of the members of the Committee to the carrying out of its mandate must be made, in keeping with the law, with honesty, loyalty, meticulousness, prudence, diligence, efficiency, regularity and fairness.
5. Committee members are required, in the performance of their duties, to respect the principles of ethics and the rules of conduct set forth in the present code of ethics and professional conduct. A Committee member who is also governed by other standards of ethics or professional conduct under is also subject to the present code of ethics and professional conduct. In the event of a discrepancy, the most demanding rules and principles shall apply.

When in doubt, Committee members must act in accordance with the spirit of these principles and rules. Moreover, they must organize their personal business in such a way as to not hinder the performance of their duties.

6. The Committee member is required to exercise discretion concerning the matters that come to his knowledge in the performance or at the time of the performance of his duties and is required, at all times, to respect the confidential nature of the information thus received. The member must also respect for a 45 day period, the character of confidentiality of the documents that are sent to the provincial administrator as well as to the local environment administrators. The concerned Administrator can, within this deadline, ask for an extension of the time limit of thirty days.

7. The Committee member must show reserve in the public expression of his political opinions.

8. The Committee member must avoid placing himself in a situation where there is a conflict between his personal interests and the obligations of his office.

He must report in writing to the Committee's executive secretary, who in turn will report to the members, any direct or indirect interest that he holds in an organization, enterprise or association that is likely to put him in a conflict of interest situation, as well as the rights he can assert against the Committee, by indicating, as the case may be, their nature and their value. An example of an indirect conflict of interest is the case where a member can obtain any indirect benefit, for example through his children or through a business in which he owns shares.

The organizations, enterprises or associations referred to in the preceding paragraph do not include the organizations or associations that represent the Cree Nation (Eeyou Istchee).

The Committee's executive secretary is responsible for collecting and keeping the statements made by all members of the Committee.

In the case of a member appointed by the Cree Nation Government, he must also submit this report to the Cree Nation Government.

9. The Committee member must inform the Committee's executive secretary in writing of the contracts and research projects which are connected to the Committee's mandate and in which he is participating and report the grants obtained from an organization, enterprise or association. The executive secretary will in turn inform the members.

The executive secretary is responsible for collecting and keeping the statements made by all members of the Committee.

In the case of a member appointed by the Cree Nation Government, he must also submit this report to the Cree Nation Government.

10. The Committee member must refrain from participating in any deliberation and any decision dealing with a matter involving an organization, enterprise or association in which he holds an interest as referred to in sections 8 and 9. Furthermore, he must withdraw from the meeting for the duration of the deliberations and voting on said matter.

11. The Committee Chairperson shall ensure that the minutes of the Committee meetings mention any abstention by one of the members on decisions dealing with the organization, enterprise or association in which he holds an interest, for the purpose of transparency.

12. The Committee member must not confuse Committee property with his own property and cannot use the former property for his benefit or for the benefit of third parties.

13. The Committee member cannot use for his benefit or for the benefit of third parties the information obtained in the performance or at the time of the performance of his duties.

14. The effect of the obligations stipulated in sections 5, 6 and 13 is not to prevent a representative of the Cree Nation Government from consulting or reporting to the Cree Nation Government, nor does it prevent to consult nor report to the members of the Cree Nation (Eeyou Istchee) or the organizations or associations which represent it, unless the information is confidential under the law and that such confidentiality is in accordance with the *James Bay and Northern Québec Agreement*.

15. A Committee member is allowed to accept and keep a gift, to accept a token of hospitality or other benefit provided that this present is customary and modest in value, and that it is offered during an event in which the person is participating.

Any other gift, token of hospitality or benefit received must be returned to the State donor.

16. The Committee member cannot, directly or indirectly, grant, request or accept an unwarranted favour or benefit for himself or for a third party.

17. The Committee member must, when making his decisions, avoid being influenced by external considerations such as the possibility of an appointment or an employment opportunity or offer.

18. The Committee member who has ceased to hold office must behave in such a manner as to not obtain unwarranted benefits from his previous duties in the Committee's employ.

19. The Committee member who has ceased to hold office must not disclose confidential information that he obtained or give anyone any advice whatsoever based on information that is not available to the public concerning the Committee or another organization or enterprise with which he had substantial direct relations during the year that preceded the end of his mandate.

The Committee member who has ceased to hold office but remains with the appointing party, in the context of his dealings with this party or associations which represent it, will have the right to inform it, in order to ensure good governance.

20. The Committee Chairperson must make sure that the Committee members abide by the principles of ethics and the rules of professional conduct.

CHAPTER III

POLITICAL ACTIVITIES

21. The Committee member intending to run for elected public office must inform the Secretary-General of the Executive Council.

22. The Committee member who runs for elected public office must leave office.

CHAPTER IV

REMUNERATION

23. In consideration of the performance of his duties, the Committee member is entitled solely to the remuneration related to said duties according to the provisions stipulated in subsection 22.6.2 of the *James Bay and Northern Québec Agreement* and, in the case of a member appointed by the Government of Québec, in accordance with the order in council in force.

The Committee member can receive other remuneration for the performance of duties other than those linked to the Committee.

CHAPTER V

ATTESTATION

24. To remain in office, the Committee member must abide by the rules and principles set out in this code. At the time of his appointment, the member must sign the enclosed certification document confirming that he has read and understood the present code and that he undertakes to comply with it. The signing of the attestation by the member who is already on duty must take place in the 60 days following the entry into force of this code.

CHAPTER VI**EFFECTIVE DATE**

25. The present code of ethics and professional conduct of the members of the Review Committee and the enclosed attestation form were adopted at the meeting of March 20th, 2015 and entered into force on March 20th, 2015.