

# OTIPEMISIWAK MÉTIS GOVERNMENT

## BILL 2023-01

### An Act to amend the *Financial Management Act*

---

AS PASSED BY CITIZENS' COUNCIL  
NOVEMBER 20, 2023

---

#### SUMMARY

This amendment provides Citizens' Council with the option, but does not require Citizens' Council, to appoint an existing contractor of the Otipemisiwak Métis Government as the Auditor General.

Unamended, the *Financial Management Act* sets out three required qualifications for an individual to be eligible to be appointed to the role of Auditor General of the Otipemisiwak Métis Government by Citizens' Council. A candidate for the role of Auditor General:

- (a) must be a Citizen;
- (b) cannot hold an elected position with the Otipemisiwak Métis Government; and
- (c) must have experience in accounting or public governance.

However, the *Code of Ethics Act* defines all Officers, including the Auditor General, as "Public Officials", and restricts Public Officials from doing "work for the Otipemisiwak Métis Government, either as an employee or by contract".

The *Otipemisiwak Métis Government Constitution* requires that the Auditor General, in the fulfillment of their duties, operates at "arm's length" from the Otipemisiwak Métis Government; *Financial Management Act* similarly requires that the Auditor General operate at arm's length. Contractors of the Otipemisiwak Métis Government appointed to conduct financial audits are already required to be independent, "arm's length" third parties from the Otipemisiwak Métis Government, and are additionally bound by professional obligations as accounting professionals.

Further, giving Citizens' Council the option to consider appointment of an existing Otipemisiwak Métis Government contractor to the role of Auditor General could allow for increased efficiencies in the operation of government and reduce overall costs of delivering on the commitments of the *Otipemisiwak Métis Government Constitution* through a synergistic appointment.

**OTIPEMISIWAK MÉTIS GOVERNMENT**

**BILL 2023-01**

**An Act to amend the *Financial Management Act***

*Assented to November 20, 2023*

---

The President of the Otipemisiwak Métis Government, by and with the advice and consent of the Citizens' Council of the Otipemisiwak Métis Government, enacts as follows:

**Financial Management Act**

**AMENDMENTS TO THE ACT**

1. Section 13(1) of the Act is amended by:
  - a. removing the word “and” at the end of subsection (a);
  - b. replacing the period at the end of subsection (b) with a semicolon and the word “and”;  
and
  - c. adding the following as subsection (c): “notwithstanding any provision of any other Otipemisiwak Métis Government law(s), may be an existing independent, arm’s length, contractor of the Otipemisiwak Métis Government where such appointment is deemed appropriate and advisable by the Citizens’ Council.”

**DATED** this 20<sup>th</sup> day of November, 2023.

Signed as if under Seal.

Per: \_\_\_\_\_

  
**Andrea Sandmaier**  
**President, Otipemisiwak Métis Government**

**SCHEDULE I:  
EXCERPT OF AMENDED PROVISIONS**

---

***Financial Management Act (as amended)***

**Qualifications of the Auditor General**

**13 (1)** The Auditor General must be:

(a) a Citizen;

(b) have experience in accounting or public governance; and

(c) notwithstanding any provision of any other Otipemisiwak Métis Government law(s), may be an existing independent, arm's length, contractor of the Otipemisiwak Métis Government where such appointment is deemed appropriate and advisable by the Citizens' Council.