



huu ayaht

ANCIENT SPIRIT, MODERN MIND

**TRAVEL EXPENSES REGULATION**

**Official Consolidation**  
Current to April 27, 2017

Provisions of the *Financial Administration Act*, HFNA 7/2011, relevant to the enactment of this regulation: section 93 (2) (g).



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## REGISTRY OF LAWS CERTIFICATION

I certify that the *Travel Expenses Regulation* was passed by Executive Council on:

April 1, 2011



Chief Councillor Robert Dennis Sr.

I certify that the *Travel Expenses Regulation* is enacted as law on:

April 1, 2011



Ta'yii Hawilth Derek Peters

I certify that the *Travel Expenses Regulation* came into force on:

April 1, 2011




Law Clerk Connie Waddell


# REGISTRY OF LAWS CERTIFICATION

Certified True Copy

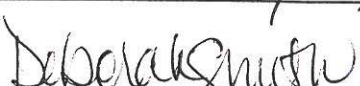
I certify that the *Travel Expenses Amendment Regulation, 2013* was passed by Executive Council on:

Mar 29/2013  
\_\_\_\_\_  
  
\_\_\_\_\_  
Chief Councillor Jeff Cook

I certify that the *Travel Expenses Amendment Regulation, 2013* is enacted as law on:

Mar 29/2013  
\_\_\_\_\_  
  
\_\_\_\_\_  
Ta'yii Hawilth Derek Peters

I certify that the *Travel Expenses Amendment Regulation, 2013* came into force on:

Mar 28/2013  
\_\_\_\_\_  
  
\_\_\_\_\_  
per Law Clerk Connie Waddell

## REGISTRY OF LAWS CERTIFICATION

I certify that the *Travel Expenses Regulation Amendment Regulation, 2017* was passed by Executive Council on April 27, 2017:

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Chief Councillor Robert Dennis Sr.

I certify that the *Travel Expenses Regulation Amendment Regulation, 2017* is enacted as law on April 27, 2017:

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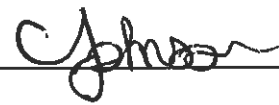


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Ta'yii Hawilth Derek Peters

I certify that the *Travel Expenses Regulation Amendment Regulation, 2017* came into force on April 27, 2017:

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Law Clerk



# TRAVEL EXPENSES REGULATION

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### Definitions

1 In this regulation:

“**authorized travel**” means travel authorized in accordance with section 4;

“**government credit card**” means a Huu-ay-aht First Nations government credit card issued in accordance with section 8;

“**government card holder**” means a person to whom a Government Credit Card has been issued in accordance with section 8;

“**Metro Vancouver**” means the Metro Vancouver Regional District;

“**ordinary place of work**” means the location at which a person usually works and if the person regularly works at 2 or more locations that location is,

- (a) for members of Executive Council, the location determined by the Chief Councillor,
- (b) for members of the Ha’wiih Council, the location determined by the Ta’yii Hawilth,
- (c) for committee members, the location determined by the committee chair,
- (d) for government employees, the location determined by the Executive Director, and
- (e) for persons providing services under contract, the location specified in the contract;

“**ordinary residence**” means a person’s residential address as shown in Huu-ay-aht records.;

“**reimbursable business trip**” means travel for the purposes of Huu-ay-aht government business to a meeting or other event at a location that is either greater than 200 km from the ordinary place of business of the person doing the travelling or is to a location where travel by ferry or air is required and the total round trip travel time from the person’s ordinary place of business exceeds four hours.

**Application**

- 2** This regulation applies to
- (a) members of Executive Council,
  - (b) members of Ha'wiih Council,
  - (c) committee members,
  - (d) employees of the HUU-ay-aht and HUU-ay-aht public bodies, and
  - (e) persons providing services under contract to the HUU-ay-aht and HUU-ay-aht public bodies.

**Purpose**

- 3** The purpose of this regulation is to set out
- (a) who is eligible for reimbursement of travel expenses,
  - (b) amounts of reimbursement, and
  - (c) the process for requesting travel advances, making claims for reimbursement of travel expenses, and using a government credit card to pay for travel expenses.

HFNR 4/2017, s. 1(b).

**Eligibility**

- 4** (1) A person listed in section 2 is eligible for reimbursement of travel expenses if
- (a) travel is authorized as set out in subsection (2),
  - (b) [Provision repealed by HFNR 11/2013, s. 1(1)]
  - (c) the person is required to travel to fulfill their duties,
  - (d) the person completes the travel, and
  - (e) sufficient spending authority is available within the appropriate budget line item or budget of the HUU-ay-aht public body to cover the reimbursement.
- (2) Travel described in the first column of the following table may be authorized as set out in the corresponding row of the second column:

<b>Type of Travel</b>	<b>Authorization Required</b>
Executive Council member travel on Vancouver Island and in Metro Vancouver	<p>Authorization by Tyee Ha'wiih or Executive Director for Chief Councillor required for all reimbursable travel</p> <p>Authorization by Chief Councillor or Executive Director for all other members of Executive Council required for all reimbursable travel</p>
Ha'wiih Council member travel on Vancouver Island and in Metro Vancouver	Authorization by Ta'yii Halwiltl or Executive Director or designate required for all reimbursable travel



<b>Type of Travel</b>	<b>Authorization Required</b>
Committee member travel on Vancouver Island and in Metro Vancouver	Authorization by committee chair or Executive Director or designate required for all reimbursable travel
Employee travel on Vancouver Island and in Metro Vancouver	Authorization by employee's supervisor or the Executive Director or designate required for all reimbursable travel
Executive Director travel on Vancouver Island and in Metro Vancouver	Authorization by Executive Director required for all his or her own reimbursable travel, including a declaration on a travel reimbursement claim that the travel was required to fulfill his or her duties
Contractor travel on Vancouver Island and in Metro Vancouver	Authorization by person indicated on contract as primary contact or by Executive Director or designate required for all reimbursable travel
Executive Council member, Ha'wiih Council member, committee member, employee or contractor travel outside of Vancouver Island and Metro Vancouver	Authorization by Chief Councillor or designate
Personal vehicle use by employee	Authorization by director supervisor

- (3) A meeting invitation sent by a person who has the authority to authorize travel on Vancouver Island and in Metro Vancouver is deemed to be authorization by that person for travel by the person to whom the invitation is addressed.
- (4) In determining whether to authorize travel, the person with the authority to authorize travel must consider whether more cost efficient alternatives, such as attending by video conference, teleconference or via another remote meeting solution, are possible, appropriate and available.

HFNR 11/2013, s. 1(1), (2), HFNR 4/2017, s. 1(c), (d).

#### **Amount to be reimbursed**

- 5** (1) Reimbursement of travel expenses described in the first column of the following table must not exceed the amount set out in the corresponding row of the second column:

Category of Travel Expense	Amount of Reimbursement
Meals	<p>Meals bought while on a reimbursable business trip are reimbursable for the actual amount paid, including taxes and tip, up to the maximum amount as follows:</p> <p>Breakfast – <b>\$25.00</b></p> <p>Lunch – <b>\$25.00</b></p> <p>Dinner – <b>\$50.00</b></p> <p>No amount is reimbursable if the meal is provided or paid for by another person.</p> <p>All amounts claimed for meals must be supported by a receipt. Any amounts above the maximum cannot be authorized.</p> <p>Alcoholic beverages are not reimbursable.</p>
Incidentals	<b>\$17.50</b> per night of a reimbursable business trip, no receipt required
Hotel	<p>Accommodations required on a reimbursable business trip are reimbursable up to the maximum amount as follows, not including taxes:</p> <p>–Metro Vancouver and Capital Regional District or major urban centres outside of British Columbia - <b>\$225</b> per night</p> <p>Other - up to <b>\$175</b> per night</p> <p>Any additional fees for additional guests, including spouse or children, personal phone calls, movies or other additional room charges not related to the reimbursable business trip are not reimbursable.</p>
Private accommodation	<p><b>\$30</b> per night for overnight travel when private accommodation used on a reimbursable business trip</p> <p>No receipt required</p>
Use of personal vehicle for authorized travel	<b>\$0.475</b> per kilometre paved road

Category of Travel Expense	Amount of Reimbursement
	\$0.506 per kilometre gravel road
Use of rental vehicle	<p>Rental vehicle may be used when cost is less than or equal to use of private vehicle for authorized travel</p> <p>Minimal cost vehicle consistent with roads being traveled on must be used</p>
Parking costs	Fully reimbursable for authorized travel
Other mode of travel	<p>Travel costs resulting from another mode of travel for authorized travel including public transit, taxis, airfare, ferry costs and road use tolls may be claimed in full</p> <p>Mode of transportation chosen must be least expensive consistent with travel circumstances. If a more expensive mode of transportation is chosen reimbursement must not exceed the cost for least expensive option</p> <p>Receipt required</p>

- (2) The most cost effective means of travel is to be selected giving consideration to specific expenses associated with available forms of travel and accommodation and the rate of pay of the individual travelling.
- (3) For greater certainty, the following expenses are not reimbursable under this regulation:
- (a) expenses for travel between the person's ordinary residence and ordinary place of work,
  - (b) tips,
  - (c) beverages containing alcohol,
  - (d) traffic and parking tickets,
  - (e) any unauthorized expenditures over the maximum amounts set out in section 5(1), unless exceptional circumstances exist and advance authorization has been given in accordance with subsection (4),
  - (f) expenses for which no receipt is submitted,
  - (g) expenses in excess of the most cost-effective means of travel, and
  - (h) meals which are not bought in the course of a reimbursable business trip.

- (4) Where exceptional circumstances exist, the Executive Director may authorize reimbursement of expenses in excess of the maximum amounts set out in subsection (2), provided that the authorization is sought in advance and the reason for the extra expense is reasonable and the travel is reasonably necessary.

HFNR 11/2013, s. 2(1), (2), HFNR 4/2017, s. 1(e).

#### **Travel advances**

- 6** (1) An Executive Council member, Ha'wiih Council member, committee member or employee authorized to travel may apply to the Executive Director for a travel advance if the expected travel claim is
- (a) at least **\$500** for Executive Council members, the Executive Director and director-level employees, or
  - (b) at least **\$200** for Ha'wiih Council members, committee members and employees not covered by paragraph (a).
- (2) An application under subsection (1) must be in the form approved by the Executive Director.
- (3) The Executive Director may authorize a travel advance to be issued if
- (a) the requirements of subsection (1) and (2) have been met, and
  - (b) the applicant is not prohibited from receiving a travel advance under subsection (6).
- (4) A travel advance is an amount owing to the Huu-ay-aht government or a Huu-ay-aht public body by the recipient of the advance until
- (a) the debt has been discharged by submitting a travel claim offsetting some or all of the advance, and
  - (b) any remaining debt has been repaid.
- (5) A person receiving a travel advance must submit a travel claim in accordance with section 7 within 30 days, accompanied by payment of any balance owing to the Huu-ay-aht government or a Huu-ay-aht public body from the travel advance.
- (6) A person may not receive a travel advance if
- (a) an outstanding travel advance exists for which a travel claim has not been submitted, or
  - (b) the balance owing to the Huu-ay-aht government or a Huu-ay-aht public body from a travel advance remains unpaid for more than 30 days after the date on which the travel advance was issued.

HFNR 4/2017, s. 1(f).

#### **Travel claim**

- 7** (1) A person authorized to travel must submit a travel claim to
- (a) be reimbursed for travel, and
  - (b) offset a travel advance debt, if applicable.
- (2) A travel claim must include
- (a) the dates of travel,

- (b) the purpose of travel,
  - (c) the travel destination,
  - (d) itemized travel costs, with applicable taxes separately identified,
  - (e) receipts as required under section 5,
  - (f) a statement that travel was authorized and by whom, and
  - (g) the applicant's signature and the date of the claim.
- (3) A travel claim must be paid if
- (a) the amounts claimed are in accordance with this regulation,
  - (b) travel is authorized,
  - (c) sufficient spending authority is available within the appropriate budget line item to cover the reimbursement,
  - (d) the claim is submitted within 30 days of travel, and
  - (e) the claim is honest and accurate.
- (4) The Executive Director may
- (a) pay an amount different from the amount claimed, or
  - (b) deny the claim
- if the claim does not comply with subsection (3).
- (5) The Executive Director's decision under subsection (4) may be appealed to the tribunal.

#### **Government Credit Card**

- 8**
- (1) The Executive Director may authorize the issuance of a government credit card to a member of Executive Council or to the Executive Director.
  - (2) A government card holder must not:
    - (a) use a government credit card to make purchases other than those related to reimbursable travel expenses as set out in section 5;
    - (b) use the government credit card to obtain cash advances,
    - (c) use the government credit card after the government card holder ceases to be a member of government, or
    - (d) allow anyone other than the government card holder to use the government credit card.
  - (3) A government card holder must submit a travel claim in accordance with section 7 promptly upon returning from any travel where an expense was incurred on the government credit card and must include with the travel claim copies of credit card receipts for all charges incurred.
  - (4) An amount charged to a government credit card is an amount owing to the Huu-ay-aht government by the person who made the charge until
    - (a) the amount has been discharged by submitting a travel claim offsetting the amount charged on the government credit card, and
    - (b) any remaining amount owing has been repaid.

**Annual review**

- 9** The Finance Committee must
- (a) review this regulation by March 31 of each year,
  - (b) compare the provisions of this regulation with the travel expense policy of the Nuu-chah-nulth Tribal Council, and
  - (c) make recommendations to Executive Council.

HFNR 4/2017, s. 1(g).