



Newfoundland & Labrador
Public Libraries

**Local and Regional Library Board Member
Orientation Manual**

April 1, 2018

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Provincial Information and Library Resources Board

The Provincial Information and Library Resources Board is an independent crown agency established by the provincial government under authority of the **Public Libraries Act** to run the public library system in Newfoundland and Labrador. It reports directly to the Minister of Education through the provincial board chair. The first board was established in 1935.

Since the Act was revised in 1988, both the board and the organization have been referred to as the Provincial Information and Library Resources Board. Over the years this has created some confusion. In an attempt to reduce the confusion, in 2008 the provincial board voted to rename the organization, for operational purposes only, as the Newfoundland and Labrador Public Libraries (NLPL). The Provincial Information and Library Resources Board (PILRB) is still the official name of the organization and the name of the board which runs the organization but for operational clarity the PILRB now runs the NLPL.

Provincial Board

The *Public Libraries Act*, section 3, indicates that the provincial board is to be composed of representatives of the regional boards and appointees of the Lieutenant-Governor in Council. The provincial board is composed of not less than 10 and not more than 15 members which include:

- (a) a representative from each regional library board appointed by that board;
- (b) the chairperson of the St. John's Library Board appointed by that board; and
- (c) up to 6 other members appointed by the Lieutenant-Governor in Council.

The names of the members on the provincial board are available from provincial headquarters, following the provincial board's AGM which is usually held in early June each year.

Regional Library Boards

There are three regional library boards in the province: West Newfoundland/ Labrador; Central; and Eastern (the St. John's Board operates similar to a regional board but is considered a local board). The regional boards have between 29 and 33 members. These boards advise and assist the provincial board.

Section 17 of the *Public Libraries Act* states:

- (1) *The provincial board shall prescribe the boundaries of each regional library board created by it.*
- (2) *On being established, the regional library board shall be known by the name of the region.*
- (3) *Each regional library board shall act as an advisory body to the provincial board.*

Duties of Regional Boards

Regional boards are advisors to the provincial board. They represent the collective voice of the local library boards for a specific region of the province and facilitate the transfer of information and ideas from local boards to the provincial board. They also provide a forum by which local library boards can share information, ideas and help identify programming needs for their specific areas. The specific responsibilities of the regional boards include:

1. ensuring local and regional issues are referred to the provincial board;
2. sharing information from the provincial board to local boards relating to promotion, fund- raising, facilities, staffing and program initiatives;
3. providing a forum where local boards can network, share ideas and information with other local boards;
4. advocating for the equitable distribution of resources and funding;
5. encouraging and coordinating regional activities to help improve library services while reducing costs;
6. monitoring regional services;
7. assisting with policy and procedure development and implementation;
8. identifying problems and attempting to resolve them at the regional or local board levels;
9. electing a chair, vice-chair and secretary; and
10. appointing a representative to the Provincial board.

Local Library Boards

There are 94 public libraries across the province. The operation of each local library is supported by a local library board consisting of five to nine members with the exception of the three libraries in St. John's which operate under the St. John's Board. There is a total of 92 local library boards in the province.

Each library board shall be known by the name of the community in which it resides and not the name given to the library (a library can be named for the community where it resides or be named after a person). Each local board is accountable to the regional and provincial boards, except St. John's which reports directly to the provincial board. Each local board advises and assists a specific library, in accordance with the *Public Libraries Act* and the approved policies and procedures of the provincial board, in the development and maintenance of public library services in their respective communities. ***Refer to the Library Boards' Chart - Appendix 1.***

Section 6, 27 and 28 of the *Public Libraries Act* states:

6. (1) *The provincial board may establish a local library and shall appoint a local board for that library.*
(2) *A local library shall provide library service to the public in and around a community.*
27. (1) *On being established the local board shall be known by the name of the community in which the local library is located.*
(2) *A local board shall consist of not less than 5 and not more than 9 members, appointed by the provincial board.*

28. A local board is accountable to the provincial board and shall advise and assist the provincial board, in accordance with the policies of the provincial board, in the development and maintenance of public library services in a community.

Duties of Local Library Boards (including the St. John's Board)

Local library boards are charged with the responsibility of assisting the provincial board in providing library services in and around a community while complying with the **Public Libraries Act** and the provincial board's policies and procedures. In addition to this, they act as advisors to the regional and provincial boards as applicable (except St. John's Board which is considered a local board but it operates like a regional board since it reports directly to the provincial board). They accomplish these duties in a number of ways.

1. They advise the divisional manager, headquarters and the provincial board on:
 - a. trends/issues in the community;
 - b. partnership opportunities in the community or provincially; and
 - c. operational issues including;
 - i. library materials,
 - ii. library programs,
 - iii. library schedules,
 - iv. library equipment,
 - v. library staff, and
 - vi. library staff and board training.
2. They assist the divisional manager, headquarters and the provincial board by:
 - a. recommending, developing or providing feedback on policies and procedures;
 - b. submitting required reports;
 - c. signing attendance sheets;
 - d. providing input on library renovations;
 - e. gathering information; and
 - f. establishing partnerships.
3. They participate in:
 - a. divisional meetings;
 - b. library activities;
 - c. library committees;
 - d. local board staffing for grants;
 - e. library staffing competitions;
 - f. community meetings representing public libraries;
 - g. meetings with politicians; and
 - h. library projects.
4. They promote the library in the community by:
 - a. contacting local groups and individuals to encourage them to use the library;
 - b. conducting library awareness activities in the community;
 - c. assisting library staff in planning library promotions;
 - d. assisting library staff with special events; and
 - e. distributing information, posters and flyers.
5. They help to financially support the library by:
 - a. planning and conducting sales and other fund-raising activities;

- b. canvassing local businesses and service groups for donations;
 - c. seeking corporate sponsors for special projects;
 - d. applying for provincial and federal grants;
 - e. seeking funding from local municipalities; and
 - f. funding hours, programs, services or equipment.
- 6. They purchase, monitor or control, in accordance with provincial board policy, provincial regulations and AG requirements:
 - a. items for library operation;
 - b. spending of local board raised funds; and
 - c. local and provincial board assets.
- 7. They advocate for improved funding, new services, new buildings and/or new equipment during municipal, provincial and federal elections at the local or provincial levels.
- 8. They act as community resources for the staff, divisional managers, headquarters and the provincial board drawing on their expertise, experience and their connections.
- 9. They inform the regional and provincial boards, the divisional office or headquarters of new developments in library services, programs or equipment they may discover.
- 10. They appoint a representative and an alternate to the regional board (in the case of the St. John's Board, the provincial board).
- 11. They attend staff and board conferences, staff socials, presentation of service awards to staff or board members and certificates of appreciation to municipalities or corporate sponsors.
- 12. They develop and report on strategic plans.

NLPL Staff

Provincial Administration

Provincial administration represents the operational arm of the provincial board. It is comprised of the executive director, director of regional services, director of finance and director of IM/IT and corresponding management, frontline and administrative staff. These people collectively run the day to day operations of the public library system in the province under direction of the provincial board, in accordance with the applicable policies and procedures. All of the directors work out of provincial headquarters. The director of finance's staff also work at headquarters, whereas the director of IM/IT's staff work from the divisional offices located throughout the province. The director of regional services is responsible for overseeing divisional operations through divisional offices located throughout the province. That position, along with an HR Clerk located at headquarters, is also responsible for the human resources aspect of the organization.

Divisional Operations

Library operations in the province are divided into four divisions (which also corresponds with the regions): St. John's, Eastern, Central and West Newfoundland and Labrador. Each of these divisions has an administrative office which oversees the day to day operations of the libraries under their jurisdiction. Each division has a manager and applicable support staff. All of the staff in the libraries throughout the province report to their respective divisional manager who

is accountable to the director of regional services. ***Refer to the NLPL staffing chart - Appendix 2.***

Board Membership

Every year, local, regional and provincial boards shall hold elections for members and/or officers. The election process is governed by the ***Guidelines for Election of Local, Regional and Provincial Board Members (Election Guidelines) – Appendix 3.***

Provincial Board Members

The composition of the provincial board is outlined in section 3 of the Public Libraries Act which states:

3. The Provincial Information and Library Resources Board is continued as a corporation consisting of not less than 10 and not more than 15 members, as follows:

- (a) a representative from each regional library board appointed by that board;*
- (b) the chairperson of the St. John's Library Board appointed by that board;*
and
- (c) up to 6 other members appointed by the Lieutenant-Governor in Council.*

As a result there is no election of board members at the provincial board level. The members are appointed/elected by the regional boards and the St. John's Board and appointed by the Lieutenant-Governor in Council.

Members of the provincial board are appointed for three year terms. Where any member cannot fulfill the three year term, a replacement member shall be appointed. The appointment of the replacement member will only be for the remainder of the term of the original member.

Regional Board Members

Each local library board shall elect/appoint a representative to the respective regional board. Normally, the appointment is reserved for the local board chair. In the event that the chair cannot participate, the local board shall elect another member of the local board to be the official representative. If the official representative from a local board is elected chair of the regional board, another official representative may be appointed to represent the local board. With the St. John's Library Board, the appointment is directly to the provincial board because, even though it is considered a local library board, it operates similar to a regional board. Their representative is normally the St. John's Library Board chair.

Appointments of local library board representatives to the regional board are for a period of three years. If a local board member resigns, retires or dies during the term, the replacement will only be for the remainder of the term. At the next annual regional board meeting, a new representative and an alternate shall be appointed. Reappointments are permitted.

Each year, at the annual meeting, regional boards shall hold elections for the officer positions of chair, vice-chair and secretary. Since the regional boards have no funds to manage, a treasurer is not necessary. In addition, chairpersons and members of each committee established by the regional board shall also be elected.

Section 18 of the Public Libraries Act states:

18. (1) A regional library board shall consist of 1 representative from each of the local boards of each affiliated library within the region.

(2) The representative shall be appointed by the local board who shall also appoint an alternate to the regional library board and the alternate shall attend meetings when the representative is unable to do so.

(3) An additional representative to the regional library board may be appointed by a local board if the original representative is elected chairperson of the regional library board.

Section 32 of the Public Libraries Act states that every board shall appoint an executive committee:

32. The provincial board and each board established under this Act shall appoint an executive committee which shall act in place of and manage the affairs of the appropriate board.

The executive committee is not specified but is normally composed of the chair, vice-chair, past chair and secretary.

The terms of the appointments for officers of a regional board are one year.

Local Board Members

A local board shall be comprised of a maximum of 9 and a minimum of 5 members. Whether the board is being established for the first time to assist with the operation of a newly established library, is seeking new members to replace members who have resigned from a functioning existing library board or is seeking new members for a non functioning board with less than 5 members to make it functional again, the procedures as outlined in the ***Election Guidelines – Appendix 3*** shall be followed.

Each board shall hold an annual general meeting where the election to the local library board members and the election of officers occur. Members can be added at any official meeting (with a quorum) of the board, where there is a vacancy and eligible candidates. The annual general meeting must be advertised in the community by notice in the library or one or more other public locations. The details and time lines are listed in the ***Election Guidelines – Appendix 3***.

The board shall elect from the group, a chair and other executive officers as required, as well as committee chairs and representatives. The chair shall submit the names of the members to the divisional manager, within 14 days, who will then forward the names to headquarters for approval at the next face to face provincial board meeting. The local board does not have legal status until a board approval letter is sent to the local board chair by the secretary of the

provincial board, immediately following the provincial board's annual meeting. The board may continue to operate but only appointed members can make up a quorum and only appointed members are permitted to vote.

Appointments to local library boards, with the exception of the St. John's Library Board, are effective for three years.

Where a board member retires or resigns, the chair shall hold an election for his or her replacement at a legal meeting (with a quorum). Members can be added by acclamation if there are no other candidates or through an election process (***Election Guidelines – Appendix 3***). Each board member shall have one vote, and where there is a tie, the chair shall cast the second deciding vote. The same process applies for election of officers.

The terms of the officer positions for local boards shall be one year.

Section 32 of the Public Libraries Act states that every board shall appoint an executive committee:

32. The provincial board and each board established under this Act shall appoint an executive committee which shall act in place of and manage the affairs of the appropriate board.

The executive committee of a local board is not specified but is normally composed of the chair, vice-chair, treasurer and secretary (some boards choose to combine the treasurer and secretary positions).

Board Member Eligibility

Generally, all members of the public are eligible to be members of a local, regional or the provincial board as long as they are a resident of the province and a citizen of Canada. The only exception is an employee of the organization is not eligible to be a board member until they have retired or resigned from the organization for a minimum of one year. A person will also cease being a member if he or she fails to attend 3 consecutive meetings without just cause.

Section 30 Public Libraries Act states:

- (1) A person who is a full-time employee of the public libraries board is not eligible to be a member of the provincial board or of another board established under this Act.*
- (2) A person shall not remain a member of the provincial board or of another board established under this Act upon failing to attend 3 consecutive meetings, unless authorized by a resolution of the board concerned.*
- (3) A member who loses his or her membership under subsection (2) is considered to have resigned.*

While not specified in the Act, library board members are not permitted to be employees. A board member must resign from the respective board before accepting a paid position within the organization and must remain off the respective board for 12 consecutive months after leaving the paid position. After 12 months of leaving the paid position (12 months of not being paid) an individual may return to the board through the normal board member election process.

The minimum age of library board members is not specified in the Public Libraries Act but the provincial board has set a minimum age of 18 years. Persons from 16-18 years are eligible provided they have parental/guardian consent. Persons under 16 years of age are not eligible.

While not mandatory, members of a library board are strongly encouraged to be library card holders.

Meetings

Regional Boards

Section 34 of the Act requires that:

(2) Each regional library board shall meet at least 2 times a year.

Currently the Eastern and Central Boards have two, in-person, meetings per year which are usually held in May and October. The West Newfoundland and Labrador Board, due to financial constraints, has one, in-person, meeting in May and one teleconference meeting in October.

A quorum for a meeting shall consist of 50 per cent, plus one, of the present appointed regional library board members. Only appointed members are eligible to vote and be counted for quorum purposes.

Local Boards

Section 34 of the Act requires that:

(3) Other boards shall meet at least 4 times a year.

Each local board is expected to meet at least 4 times per year. Usually this is attainable because the members reside in or near the community where the library is located. A quorum for a meeting shall constitute 50 per cent, plus one, of the current appointed local library board members.

Expenses

The provincial board agrees to reimburse regional board members actual traveling and other out-of-pocket expenses necessarily incurred in attending regional board meetings or in the discharge of duties assigned by the provincial board. Travel arrangements are made through the divisional manager and reimbursements for out of pocket travel expenses are provided through a travel claim procedure.

Reimbursement of travel expenses will be in accordance with Government's Travel Rules. The current travel rates relating to private vehicle usage, meals, accommodations, miscellaneous expenses and other transportation forms can be found at:

http://www.exec.gov.nl.ca/exec/pss/working_with_us/auto_reimbursement.html

http://www.exec.gov.nl.ca/exec/pss/working_with_us/meal_rates.html

http://www.exec.gov.nl.ca/exec/pss/working_with_us/misc_reimbursements.html

http://www.exec.gov.nl.ca/exec/pss/working_with_us/transportation.html

There is no reimbursement of expenses to attend local library board meetings because members reside in or near the library and therefore travel expenses are minimal.

Board Member Roles

Local and regional library boards are important components of public library services in the province. The boards are only as effective as the members which comprise them. Regional and local board members must take an active interest in their local libraries and the regional provision of services. Members need to be active participants at meetings. In order to prepare for meetings members should review:

1. minutes of the previous meeting (note errors and omissions for discussion during approval of the minutes);
2. headquarters' update;
3. reports from the divisional manager, the assistant divisional manager, library staff, the chair and secretary/ treasurer;
4. local library reports (for regional board members); and
5. background information pertaining to agenda items.

In addition to the information which is distributed, board members should be aware of and bring forward any issues which affect or relate to their respective library. If an issue is raised at the regional board meeting, the member raising it should be able to speak to the issue, provide details on the extent, impacts and possible solutions to problems.

Communicating with Board Members

In an attempt to ensure that local board members (and regional board members) are kept informed, which is essential for the effective provision of library services and the operation of local libraries, the provincial board, the divisional office and headquarters will send information through the following methods:

1. letters, memos and faxes;
2. telephone calls;
3. our internal newsletter *Insights*;
4. internal reports including the annual report and strategic plan;
5. NLPL website; and
6. Email.

In the age of technology our preferred method of communication will be electronic. In order to facilitate this, we will be encouraging communications through email as outlined in the **NLPL Board Email Guidelines - Appendix 4.**

Decisions at Board Meetings

During a board meeting two types of information are provided. The first is general information which is provided for the interest of the board members. No action may be necessary at the time it is provided but it is intended to give members a better understanding of the issue. The second type of information is that which is provided in support of a motion. After this information is provided, a motion is tabled to provide direction for the board or staff. The motion is moved by one member and seconded by another, discussed and then voted on. A majority of members attending must approve the motion before it is carried. **Once a motion is made and approved, it establishes direction for the applicable board member and/or staff and is binding.** An approved motion may be rescinded by another motion of the board but a 2/3 majority vote is required. All issues of any significance, where direction or action is warranted, should be approved by a motion.

It is important to note that, at the provincial and regional board levels, the alternates do not have voting privileges unless the representatives are absent. In the case of a tie vote, the chair has the second and deciding vote.

It is also important to note that a board member who has not yet been officially appointed by the provincial board is considered a pending member and as a pending member does not count towards a quorum and does not have voting privileges. They can, however, attend meetings and participate in discussion. Once the appointment letter is received by the board from the secretary of the provincial board, they have full member privileges.

Organizational Spokesperson

Periodically, staff and board members receive calls from the media about an issue pertaining to the organization. In order to ensure the integrity of the organization and to ensure, to the maximum extent possible, that all information provided is accurate, **only the provincial chair is designated as the official spokesperson of the organization.** If a board member receives a call regarding a library related issue they should refrain from making any comment and should refer the call to the provincial chair or the executive director.

Reports

It is important that regional and local boards provide regular reports on their activities and operations to ensure that the provincial board, other regional boards and other local boards are aware of their activities, successes and problems.

Regional Representative Reports

The regional board representatives on the provincial board are required to provide a report to the provincial board at each in-person provincial board meeting. The regional library board report can be a common report prepared by the divisional manager and the regional board representative. While the manager would have the most knowledge of the day to day operational issues, it is important that the regional representative ensure that the broader issues, if there are any, are included with the submission.

The regional representative reports shall include:

1. Regional Chair's Report – It outlines the period which the report covers, provides an overview of key issues and trends as well as regional problems. It should also include activities of the regional chair or regional representatives such as conference attendances, staff socials, presentation of service awards to staff or board members and certificates of appreciation to municipalities or corporate sponsors.
2. Divisional Manager's Report – It summarizes the activities of the division, trends noted, capital initiatives, key library programming activities and staffing changes.
3. Local Board Report – It details new or retiring regional and local board members as well as change of information, committee information, representative information, signing officer information, meeting dates, library hours and local board activities and financial information. ***Refer to Local Board Annual Report Forms - Appendix 5.***

While the above noted items are reported to the provincial board, these reports are submitted to the divisional offices. It is important that they be submitted to the divisional offices as soon as possible after the annual meeting to ensure they can be forwarded to the provincial board a minimum of two weeks before the provincial board's annual meeting in early June.

Local Library Board Reports

Each local library board is required to submit a report to the regional board at their meetings. This is normally a short narrative style report summarizing the activities of the local board during the reporting period. It should be submitted to the divisional manager in time to distribute it to other local boards, either electronically or in printed format, before the meeting.

Local Library Staff Reports

Local library staff members are required to submit regular reports to their local board. These reports should provide an overview of the activities during the report period, specific library programs and activities, financial position, staff changes and issues. This information is necessary in order for the chair to prepare the local library board report for submission to the regional board. Details on reporting requirements can be obtained from the divisional manager.

Report Deadlines

Generally, the local board meetings are scheduled to occur prior to the regional board meetings. This is done to ensure that regional board representative reports can be forwarded to all regional board representatives, so any issues raised at the local board level can be raised at the regional board if necessary.

Responsibilities of Public Boards and Bodies

The Government of Newfoundland and Labrador published a booklet called **Excellence in Governance**. This document contains crucial information on the roles and responsibilities of public boards and board members. The table of contents and section 4 of the document are

attached. If you would like a copy of the entire document please contact the executive director. ***Refer to Excellence in Governance Table of Contents and Section 4 – Appendix 6.***

The Public Trust

All board members (provincial, regional and local) of the NLPL are expected to abide by the regulations, policies, procedures and guidelines of the province, the provincial board, and any other organizations which regulate library operations.

Library board members are expected to help oversee the operation of libraries throughout the province and help ensure that they remain vibrant and integral parts of the communities they service for future generations to enjoy.

Members are expected to take the same care in managing the library's affairs as they would their own. They must not manipulate the library's affairs for their own advantage or to the advantage of family or friends. Anyone found to be negligent or in breach of their duty could be removed from their board, and liable for any loss suffered.

Where a library board member has reason to believe that they may benefit from a decision they are asked to vote on, they should remove themselves, stating the reason for the removal. If they are unsure, they should consult with the regional manager or executive director.

Legal Liabilities

Library board members are covered under the PILRB Director Insurance Policy. This insurance will cover, subject to the terms and conditions of the policy, expenses which may be incurred as a result of litigious action taken against (a) volunteer(s) in the discharge of (his)(her)(their) duties if, that person performed duties in good faith with a view to the best interests of the PILRB and:

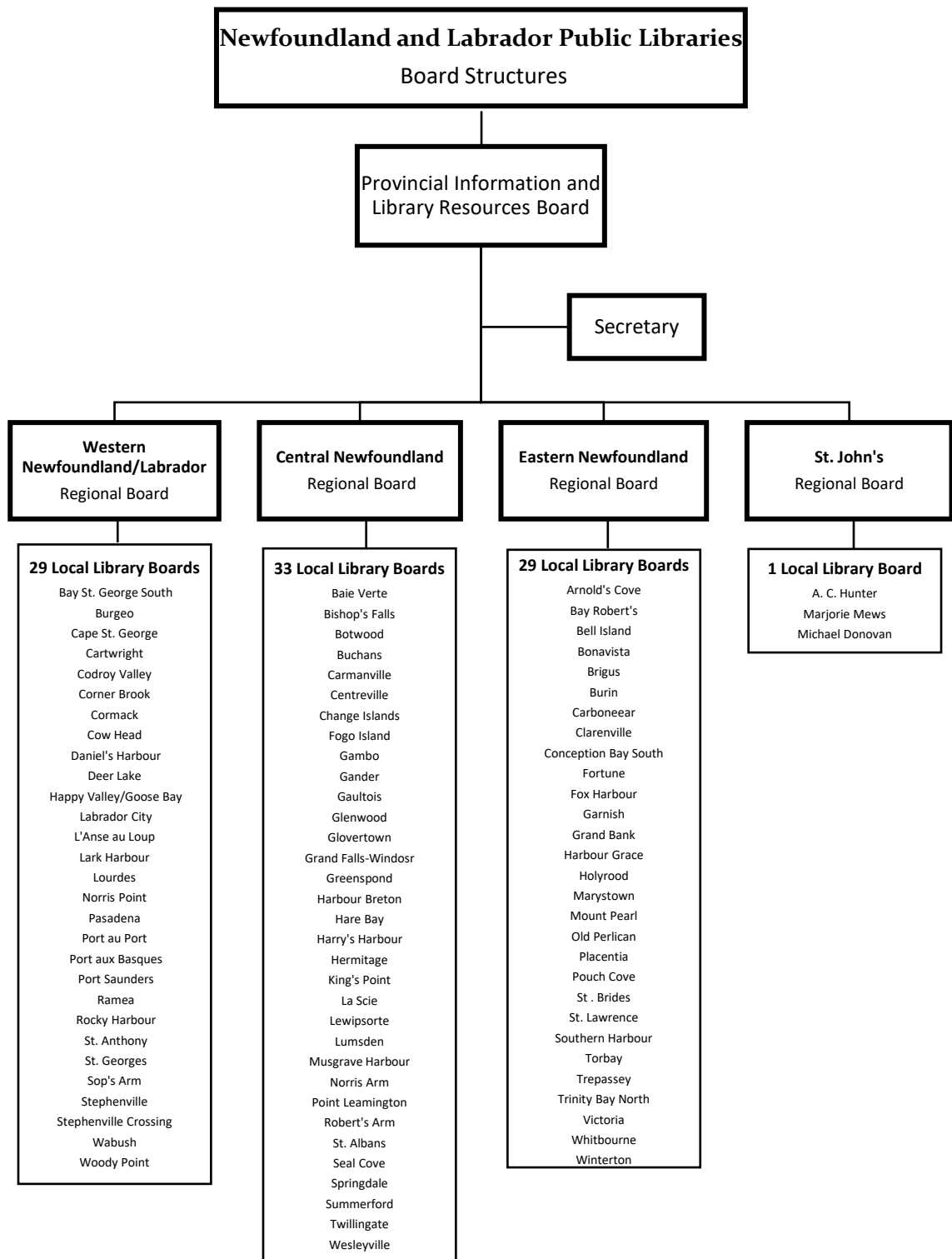
- a. in case of a criminal or administrative action or proceeding that is enforced by a monetary penalty, that person had reasonable grounds for believing that the conduct was lawful; (*Note: Penalties and criminal activities are not covered*) and,
- b. that person acted without willful neglect or gross negligence.

Library Board Policies, Procedures and Guidelines

Local board operational policies, procedures and guidelines continue to be developed to help assist local boards and board members. As they are developed and approved they will be distributed to local boards for inclusion in the Local and Regional Library Board Handbook. If you have any suggestions for new policies, procedures or guidelines please refer them to your regional or provincial board representative or contact the executive director.

Appendix 1

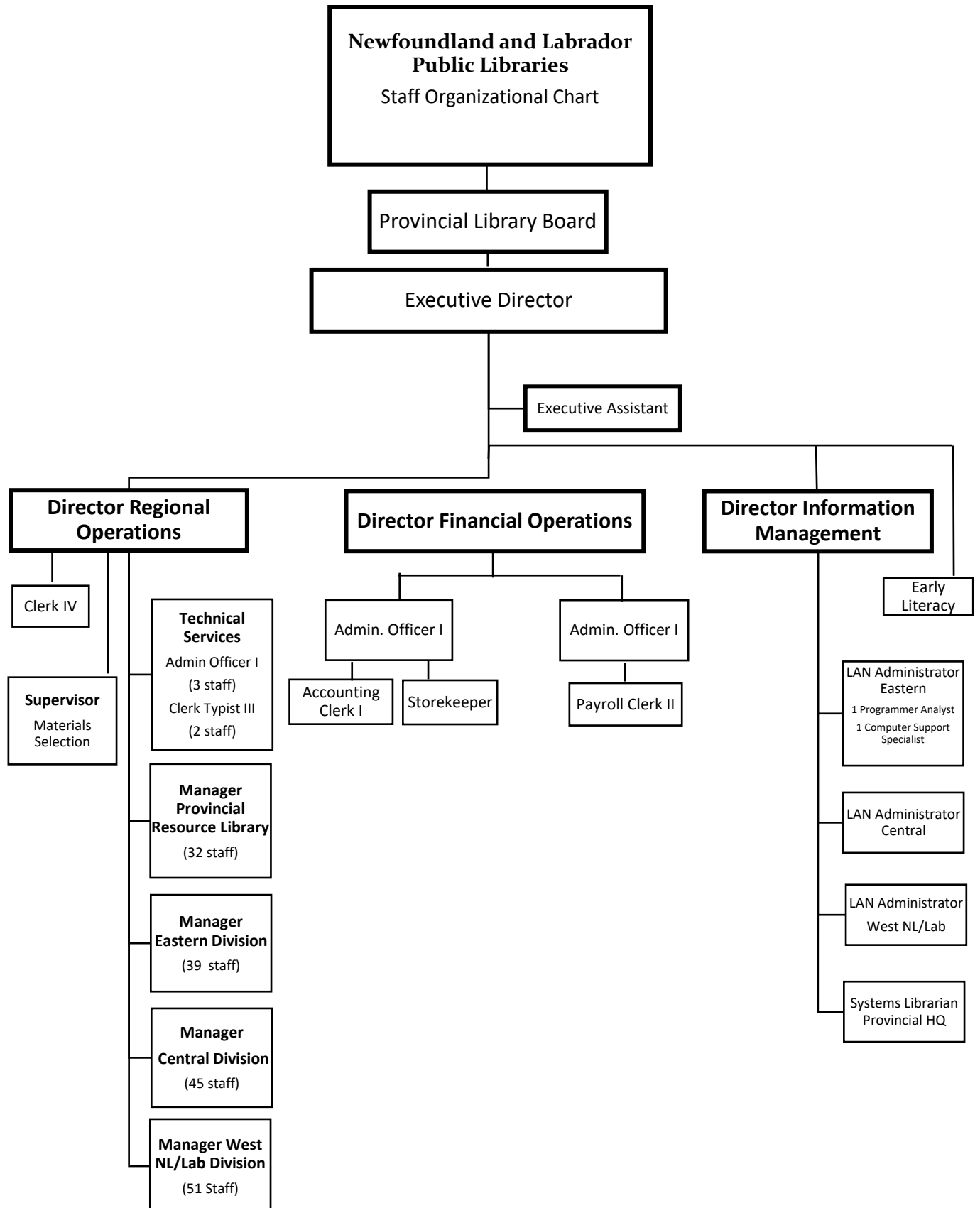
Library Boards' Chart



April 1, 2017

Appendix 2

NLPL Staff Chart



Appendix 3

Guidelines for Election of Officers
For Local, Regional and Provincial Boards



Newfoundland & Labrador
Public Libraries

**Guidelines for Election of Board Members and Officers
Local, Regional and Provincial Library Boards**

April 1, 2011

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1. Library Board Elections

Each year there are elections for board members and/or officers to local, regional and provincial library boards in the province. The purpose of these guidelines is to clarify the procedures for future library board elections to ensure consistency across the province.

2. Local Library Boards

2.1. Election Process for an Existing Functioning Library Board

- 2.1.1. Each local library board shall have a minimum of 5 and a maximum of 9 members to be considered an **existing functioning board**. Where a board has less than 5 members it shall be considered an **existing non-functioning library board** and the election of board members shall be held in accordance with section 2.2 of these guidelines.
- 2.1.2. Each functioning local library board shall hold an annual general meeting where the election of officers shall occur. Board members are usually elected at the annual meeting but can be elected at any time during the year at a legal board meeting. A local board shall have a quorum for the meeting to have legal status. For local boards, a quorum is 50 percent plus one of the current appointed members. Where there is no quorum, the election shall be held at the next general meeting where a quorum exists.
- 2.1.3. The annual general meeting must be advertised by public notice in the library and other public locations at least fourteen (14) days prior to the meeting. Notices must be placed in the community where the library is located and other communities deemed to be served by the library. Details of the date, time, location, purpose and eligibility of participants shall be included (see draft public notice page 13).
- 2.1.4. Persons seeking a board position must be 18 years of age or older. Persons aged 16 to 18 may be eligible if they have parental or guardian consent and meet any additional provincial board requirements. Persons under the age of 16 are not eligible.
- 2.1.5. Those individuals who are interested in being elected to the local board shall, either submit their name to the chair or secretary/treasurer of the local board before the meeting is called to order, or be nominated from the floor by a current member of the board in good standing¹. A nominated person must be present to accept or reject the nomination or have submitted his/her intentions, in writing, to the chair or secretary/treasurer before the meeting has been called to order. Candidates who offer themselves must have their nomination seconded by a current board member, in good standing. That can be done in person or in writing.

¹ *Member in Good Standing means a duly appointed member who regularly attends meetings and whose conduct is not under review by the board.*

- 2.1.6. When the nomination process is closed, the final list of candidates for each position shall be recorded in the minutes.
- 2.1.7. When there is the same number of candidates as there are available board positions, the candidates may be declared elected by acclamation. Any appointed or pending member can request that approval of the candidate be voted on (yes or no) by the appointed members present at a meeting using secret ballot by making such request prior to the start of the election. No reason need be given. A candidate will be considered elected if approved by the majority of appointed board members. If approval is not forthcoming, the candidate will be notified and a search for other candidates will be immediately undertaken.
- 2.1.8. Where there are more candidates than the number of vacant board positions, election by secret ballot shall occur. Only those board members present and in good standing, are eligible to vote. Proxy votes will not be accepted in the election process. Those candidates with the highest number of votes shall fill the vacant positions, subject to approval of the provincial board.
- 2.1.9. The votes will be counted and tabulated by the secretary of the board immediately following completion of the voting for each position. Where the secretary is absent, the chair shall appoint an alternate to record the results.
- 2.1.10. The results of the election shall be made known to all members during the meeting.
- 2.1.11. The board shall elect, on an annual basis, their officers which include: chair, vice-chair, treasurer and secretary (some boards choose to combine the treasurer and the secretary positions). Procedures for election of officers are outlined in section 2.4. The board may also elect/appoint committee chairs.
- 2.1.12. Following the election, the list of names comprising the new board, the officers and their applicable information shall be recorded in the minutes, **with a note that their appointments are subject to provincial board approval.**
- 2.1.13. The names of the pending board members shall be submitted to the divisional manager who will forward the names to the provincial board for formal appointment. A board member does not have legal standing, cannot vote and does not count towards a quorum until she/he receives the appointment letter from the secretary of the provincial board.
- 2.1.14. The provincial board may choose not to appoint one or more of the pending members and the decision of the provincial board is final.
- 2.1.15. **Section 32 of the Public Libraries Act states:** *The provincial board and each board established under this Act shall appoint an executive committee which shall act in place of and manage the affairs of the appropriate board.* The executive committee of the local board shall consist of the chair, vice chair, treasurer and secretary (some boards choose to combine the treasurer and the secretary positions).
- 2.1.16. The board shall submit the names of all board members who have resigned, retired or been terminated and any particulars to the divisional manager who will forward this information to the provincial board to update the approved local board membership.

- 2.1.17. All board members have a one year term but reappointments are permitted. Officer elections and committee appointments are for one year but re-elections and renewals are also permitted.
- 2.1.18. At all legal board meetings, each appointed board member shall have one vote, with the exception of the chair who shall have a second and deciding vote in the event of a tie.

2.2. Election Process for an Existing Non-Functioning Library Board

- 2.2.1. Each local library board shall have a minimum of 5 and a maximum of 9 members to be considered an **existing functioning library board**. Where a board has less than 5 members it shall be considered an **existing non-functioning library board**.
- 2.2.2. As soon as a board's membership reaches a point where it becomes non-functioning, the chair, another officer or any member shall notify the divisional manager.
- 2.2.3. As soon as possible, a public meeting shall be organized by the current chair, another board member(s) or the divisional manager, to add additional board members in order to allow the board to become functional.
- 2.2.4. The public meeting must be advertised by public notice in the library and one or more other public locations at least fourteen (14) days prior to the meeting. Notices must be placed in the community where the library is located and other communities deemed to be served by the library. Details of the date, time, location, purpose and eligibility of participants shall be included (see draft public notice on page 13).
- 2.2.5. Persons seeking a board position must be 18 years of age or older. Persons aged 16 to 18 may be eligible if they have parental or guardian consent and meet any additional provincial board requirements. Persons under the age of 16 are not eligible.
- 2.2.6. Those individuals who are interested in being elected to the local board shall either submit their name, in writing, to the divisional manager, chair or existing board member, before the meeting is called to order or be nominated from the floor. A nominated person must be present to accept or reject the nomination or have submitted his/her intentions, in writing, to the provincial board representative, chair or existing board member before the meeting has been called to order. Candidates who offer themselves must have their nomination seconded. That can be done in person or in writing.
- 2.2.7. When the nomination process is closed, the final list of candidates for each position shall be recorded in the minutes.
- 2.2.8. When there is the same number of candidates as there are board positions, the candidates may be declared elected by acclamation. Any member can request that approval of the candidates be voted on (yes or no) by the current members/people present at a meeting using secret ballot by making such request prior to the start of the election. No reason need be given. A candidate will be considered elected if approved by the majority of current or pending board members or people present at the meeting. If approval is not

forthcoming, the candidate will be notified and a search for other candidates will be immediately undertaken.

- 2.2.9. Where there are more interested candidates than the required number, an election by secret ballot shall occur. All those Individuals in attendance, 16 years of age or older, are eligible to vote. Those candidates with the highest number of votes shall comprise the board, subject to provincial board approval. Proxy votes will not be accepted in the election process. The results of the election shall be made known to all members during the meeting.
- 2.2.10. Following the election, the list of names comprising the new board, and their applicable information shall be recorded in the minutes, with a note that their appointments are subject to provincial board approval.
- 2.2.11. The pending board shall also elect their officers which include: chair, vice-chair, treasurer and secretary (some boards choose to combine the treasurer and the secretary positions). Procedures for election of officers are outlined in section 2.4. The board may also elect/appoint committee chairs.
- 2.2.12. The pending board chair or secretary shall submit the names of the pending board members and officers to the divisional manager who will forward the names to the provincial board for formal appointment. A board is not legal until it receives an appointment letter from the secretary of the Provincial Board. Neither the pending board members nor the pending officers are permitted to vote until they receive their appointment letters from the secretary of provincial board. The board shall not resume normal operations until it is able to establish a quorum of appointed members. Until board members have been officially appointed, they are not considered in the count for members for quorum purposes.
- 2.2.13. The provincial board may choose not to appoint one or more of the pending members and the decision of the provincial board is final.
- 2.2.14. All board members have a one year term but reappointments are permitted. Officer elections and committee appointments are for one year but re-elections and renewals are also permitted.
- 2.2.15. At all legal board meetings, each member shall have one vote, with the exception of the chair who shall have a second and deciding vote in the event of a tie.

2.3. Election Process for a New Library Board

- 2.3.1. When a new library is established (new to the system), a provincial board representative shall call a public meeting for the purposes of establishing a new local library board. Under the ***Public Libraries Act***, section (2), *a local board shall consist of not less than 5 and not more than 9 members, appointed by the provincial board.*
- 2.3.2. Public notices shall be displayed in prominent locations in the communities to be served by the library and advertisements shall be run at least 30 days prior to the meeting. Details of the date, time, location, purpose and eligibility of participants shall be included (see draft public notice on page 13).

- 2.3.3. At the start of the public meeting, the provincial board representative shall call the meeting to order, state the purpose, and appoint a secretary to record the minutes.
- 2.3.4. The representative shall respond to inquiries and questions.
- 2.3.5. Persons seeking a board position must be 18 years of age or older. Persons aged 16 to 18 may be eligible if they have parental or guardian consent and meet any additional provincial board requirements. Persons under the age of 16 are not eligible.
- 2.3.6. Those individuals who are interested in being elected to the local board shall either submit their name, in writing, to the provincial board representative before the meeting is called to order or be nominated from the floor. A nominated person must be present to accept or reject the nomination or have submitted his/her intentions, in writing, to the provincial board representative before the meeting has been called to order. Candidates who offer themselves must have their nomination seconded. That can be done in person or in writing.
- 2.3.7. When the nomination process is closed, the final list of candidates for each position shall be recorded in the minutes.
- 2.3.8. When there is the same number of candidates as there are board positions the candidates may be declared elected by acclamation. Any member can request that approval of the candidates be voted on (yes or no) by the people present at a meeting using secret ballot by making such request prior to the start of the election. No reason need be given. A candidate will be considered elected if approved by the majority of people present at the meeting. If approval is not forthcoming, the candidate will be notified and a search for other candidates will be immediately undertaken.
- 2.3.9. Where there are more interested candidates than the required number, an election by secret ballot shall occur. All those Individuals in attendance, 16 years of age or older, are eligible to vote. Those candidates with the highest number of votes shall comprise the board, subject to provincial board approval. Proxy votes will not be accepted in the election process. The results of the election shall be made known to all members during the meeting. Newly elected members at this stage are referred to as pending board members.
- 2.3.10. The pending board shall elect officers from the pending board member group at the public meeting or another meeting. The procedure for selection of officers is outlined in section 2.4 of these guidelines. Officer positions include: chair, vice-chair, treasurer and secretary (some boards choose to combine the treasurer and the secretary positions). The first meeting shall be chaired by the provincial board representative (normally the divisional manager) or a pending board member until the officers are in place. The board may also elect/appoint committee chairs.
- 2.3.11. Following the election, the list of names comprising the new board, the officers and their applicable information shall be recorded in the minutes, **with a note that their appointments are subject to provincial board approval.**

- 2.3.12. The names of the pending board members shall be submitted to the divisional manager who will forward the names to the provincial board for formal appointment. A board is not legal until it receives the appointment letter from the secretary of the provincial board. A board member does not have legal standing, cannot vote and does not count towards a quorum, until she/he or she receives the appointment letter from the secretary of the provincial board. In addition to this, they do not have voting privileges and they are not considered in the count for members for quorum purposes.
- 2.3.13. The provincial board may choose not to appoint one or more of the pending members and the decision of the provincial board is final.
- 2.3.14. **Section 32 of the Public Libraries Act states:** *The provincial board and each board established under this Act shall appoint an executive committee which shall act in place of and manage the affairs of the appropriate board.* The executive committee of a local board shall consist of the chair, vice chair, treasurer and secretary (some boards choose to combine the treasurer and the secretary positions).
- 2.3.15. All local board members have a one year term but reappointments are permitted. Officer elections and committee appointments are for one year but re-elections and renewals are also permitted.

2.4. Election of Local Board Officers

- 2.4.1. In order to run for office, a candidate must be a member or pending member of the board and in good standing.
- 2.4.2. A local board shall elect officers from its members, and pending members, at their Annual General Meeting (or another meeting where the board is new or non-functioning provided there is a quorum.) Where there is no quorum, the election shall be held at the next general meeting where a quorum exists.
- 2.4.3. The officers of a local board consist of: chair, vice chair, treasurer and secretary (some boards choose to combine the treasurer and the secretary positions); the elections shall be held in that order. The board may also elect/appoint committee chairs.
- 2.4.4. The local board shall also appoint a voting and a non-voting member to the regional board. These positions are normally reserved for the chair and vice chair but in the event that either or both are unable to participate, an election for these positions shall be held.
- 2.4.5. Members and pending members do not have to be present to be considered a candidate. Members, in good standing, and pending members who are absent from the Annual General Meeting, (or other general meeting for new or non functioning board) are eligible for election if they submit their intention in writing to the chair/secretary prior to the meeting being called to order.
- 2.4.6. Members and pending members, who are present, can offer themselves verbally or in writing or can be nominated from the floor. For nominations from the floor, an individual must be present to accept such nomination unless they have submitted their intention in writing.

- 2.4.7. All candidates who offer themselves must have their nomination seconded by another person present at the meeting or in writing if they are unable to be present.
- 2.4.8. When the nomination process is closed, the final list of candidates for each position shall be recorded in the minutes.
- 2.4.9. When there is only one candidate for an available officer position, the candidate may be declared elected by acclamation. Any member and pending member can request that approval of the candidate be voted on (yes or no), using secret ballot, by making such request prior to the start of the election. No reason need be given. A candidate will be considered elected if approved by the majority of the members, in good standing. If approval is not forthcoming, the candidate will be notified and a search for other candidates will be immediately undertaken.
- 2.4.10. Where there is more than the required number of interested candidates for each officer position, an election by secret ballot shall occur. All appointed board members in attendance, in good standing, are eligible to vote. The candidate with the highest number of votes shall win. Proxy votes will not be accepted in the election process.
- 2.4.11. The votes will be counted and tabulated by the secretary of the board immediately following the election for a position. Where the secretary is absent, the chair shall appoint an alternate to record the results. In the case of the election of the secretary position, the secretary shall not be involved in counting of the ballots.
- 2.4.12. All officer positions are for a period of one year and renewable.
- 2.4.13. At all legal board meetings, each appointed member shall have one vote, with the exception of the chair who shall have a second and deciding vote in the event of a tie.

2.5. Approval of Local Board Members by Provincial Board

- 2.5.1. Following an election, and anytime there is a change in the membership of a local board, within 14 days, the list of current (existing and new) board members shall be submitted to the divisional manager who will forward the list to the provincial board. At the next provincial board meeting the provincial board will formally appoint the members to the local board. It is important to note that without approval of the provincial board, the pending local board members are not considered appointed to the board. In the interest of continuing operations, however, members are permitted to attend meetings but they are not permitted to vote. The appointment letter for the pending board members will be sent by the secretary of the provincial board.
- 2.5.2. The provincial board will not appoint someone to an existing local board without approval of the majority of the local board. The local board should have a minute, supported by the majority of the board, approving the addition of a member to the local board subject to approval of the provincial board. Appointments to the local board are at the sole discretion of the provincial board and no reason need be given why someone is, or is not, appointed to the local

board. The provincial board may conduct its own investigation or seek legal advice regarding appointments of local board members. The decision of the provincial board is final.

2.6. Reconstituted Local Library Boards

- 2.6.1. Where there is a dispute over the composition of the existing local library board, the provincial board may, if it determines that any wrong doing occurred, dismiss the existing board and call a public meeting with the intent of forming a new local library board.
- 2.6.2. The procedures shall be the same as those outlined for the establishment of a new library board.

3. Regional Boards

3.1. Election of Regional Board Members

- 3.1.1. Normally there is no election for regional board members. Regional board members are appointed/elected by the local library boards. The local library board representative on the regional board is normally reserved for the local board chair and the vice chair is normally the alternate. Where one or the other, or both, cannot participate an election may be held. When an election is necessary, it shall follow the same format as the election of officers.
- 3.1.2. The term of office for a regional board member is one year. Each year the local board shall appoint a new representative and alternate or reappointment existing individuals.
- 3.1.3. **Section 32 of the Public Libraries Act states:** *The provincial board and each board established under this Act shall appoint an executive committee which shall act in place of and manage the affairs of the appropriate board.* The executive committee of the regional board shall consist of the past chair, chair, vice chair and secretary (some boards choose to combine the treasurer and the secretary positions). In the event there is no past chair an election shall be held for another voting member representative to fill this position.

3.2. Election of Regional Board Officers

- 3.2.1. In order to run for office, a candidate must be a member of the board and in good standing or be a pending member (awaiting appointment of provincial board).
- 3.2.2. A regional board shall elect officers, from its members and pending members, at their Annual General Meeting provided there is a quorum. Where there is no quorum, the election shall be held at the next general meeting where a quorum exists. For regional boards, a quorum is 50 percent plus one of the current appointed members.
- 3.2.3. Normally, the officers of a regional board consist of: chair, vice chair and secretary (some boards choose to combine the treasurer and the secretary positions). The board may also elect/appoint chairs of committees.

- 3.2.4. Members and pending members do not have to be present to be considered a candidate. Those who are absent from the Annual General Meeting are eligible for election if they submit their intention in writing to the chair or the secretary prior to the meeting being called to order.
- 3.2.5. Members and pending members who are present can submit their names for election, verbally or in writing, or can be nominated from the floor. A person must be present to accept the nomination in order to be considered an eligible candidate for election unless they have submitted their intention in writing prior to the meeting.
- 3.2.6. All candidates who offer themselves must be nominated by at least one other existing board member in good standing.
- 3.2.7. When the nomination process is closed, the final list of candidates shall be recorded in the minutes and the election process shall proceed. The election shall be held in this order: chair, vice-chair, treasure and secretary (some boards choose to combine the treasurer and the secretary positions).
- 3.2.8. The regional board shall also appoint a voting and a non-voting member to the provincial board. These positions are normally reserved for the chair and vice chair but in the event that either or both are unable to attend, an election for these positions shall be held.
- 3.2.9. When there is only one candidate for an available officer position, the candidate may be declared elected by acclamation. Any member can request that approval of the candidate be voted on (yes or no) by the current members present at a meeting and in good standing, using secret ballot, by making such request prior to the start of the election. No reason need be given. A candidate will be considered elected if approved by the majority of current board members in good standing. If approval is not forthcoming, the candidate will be notified and a search for other candidates will be immediately undertaken.
- 3.2.10. Where there is more than the required number of interested candidates, an election, by secret ballot, shall occur. All those appointed board members, in attendance, are eligible to vote. Proxy votes will not be accepted in the election process and pending members are not eligible to vote until their official appointment by provincial board.
- 3.2.11. Members shall be elected by secret ballot. Those candidates with the highest number of votes shall win. The votes will be counted and tabulated by the secretary of the board immediately following the election for a position (additional scrutineers may be used). Where the secretary is absent, the chair shall appoint an alternate to record the results. In the case of the election of the secretary position, the secretary shall not be involved in counting of the ballots. All results will be made known immediately.
- 3.2.12. At all legal board meetings, each member shall have one vote, with the exception of the chair who shall have a second and deciding vote in the event of a tie.
- 3.2.13. All officer positions are for a period of one year and renewable.

4. Provincial Board Elections

4.1. Composition of Provincial Board

4.1.1. The composition of the provincial board is outlined in section 3 of the Public Libraries Act which states:

3. The Provincial Information and Library Resources Board is continued as a corporation consisting of not less than 10 and not more than 15 members, as follows:

(a) a representative from each regional library board appointed by that board;

(b) the chairperson of the St. John's Library Board appointed by that board; and

(c) up to 6 other members appointed by the Lieutenant-Governor in Council.

4.1.2. As a result there is no election of board members at the provincial board level. The members are appointed/elected by the regional boards and the St. John's Board and appointed by the Lieutenant-Governor in Council. The regional boards and the St. John's board can also appoint one alternate to attend, without voting privileges. Non-voting alternates have voting privileges when the voting member is absent.

4.1.3. The term of office for provincial board members is three years. Where a member resigns, retires or is dismissed, the election of the person to replace them shall only be for the period remaining on the three year term. Members can be reappointed.

4.2. Election of Officers

4.2.1. In order to run for office, a candidate must be a member of the board and in good standing.

4.2.2. The provincial board shall elect officers, from its members, at their Annual General Meeting provided there is a quorum. Where there is no quorum, the election shall be held at the next general meeting where a quorum exists. For the provincial board a quorum is 6 voting members.

4.2.3. Members do not have to be present to be eligible candidates. Members who are absent from the Annual General Meeting are eligible if they submit their intention, in writing, to the chair or secretary prior to the meeting being called to order.

4.2.4. Members who are present can submit their names for election, verbally or in writing, or be nominated from the floor. A member must be present to accept the nomination in order to be considered an eligible candidate or, if they are unable to attend, they may submit their intention in writing, prior to the meeting being called to order. All candidates who offer themselves must have their nomination seconded by one other existing board member, in good standing.

4.2.5. When the nomination process is closed, the final list of candidates and positions shall be read into the minutes and the election process shall proceed. Only those voting members of the provincial board are eligible to vote. The election shall be conducted in the following order: chair, vice chair and committee chairs.

- 4.2.6. **Section 32 of the Public Libraries Act states:** *The provincial board and each board established under this Act shall appoint an executive committee which shall act in place of and manage the affairs of the appropriate board.* The executive committee of the provincial board shall consist of the past chair, chair and vice chair. In the event there is no past chair an election shall be held for another voting member representative to fill this position.
- 4.2.7. When there is only one candidate for an available officer position, the candidate may be declared elected by acclamation. Any member can request that approval of the candidate be voted on (yes or no) by the current members present at a meeting and in good standing, using secret ballot, by making such request prior to the start of the election. No reason need be given. A candidate will be considered elected if approved by the majority of current or pending board members. If approval is not forthcoming, the candidate will be notified and a search for other candidates will be immediately undertaken.
- 4.2.8. Where there are more interested candidates than the required number, an election by secret ballot, shall occur. All eligible voting members in attendance can vote. Those candidates with the highest number of votes shall win.
- 4.2.9. While proxy voting is not permitted, if a voting board member is absent, the alternate is eligible to vote.
- 4.2.10. Members shall be elected by a secret ballot. The votes will be counted and tabulated by the secretary of the board immediately following the election for a position. Where the secretary is absent, the chair shall appoint an alternate to hold the election. All results will be made known immediately.
- 4.2.11. At all legal provincial board meetings, each voting member shall have one vote, with the exception of the chair who shall have a second and deciding vote in the event of a tie.
- 4.2.12. All officer positions are for a period of one year and renewable.

NOTICE OF PUBLIC MEETING

The (Community/Town/City) Local Library Board will be holding a public meeting on (Date and Time) at (Location) for the purpose of electing a new public library board (or XX new members to the local library board).

Individuals, 18 years of age and older, are eligible for nomination. Individuals, 16-17 years of age, are eligible with parental or guardian consent.

If there are more nominations than available positions, an election will occur. Final decision on appointment to the local library will be made by the Provincial Information and Library Resources Board.

All interested individuals are encouraged to participate. Your participation will help shape the future of your library.

For more information call

Appendix 4

NLPL Board Email Guidelines

Board Email Guidelines

In order to improve and simplify communication with local boards, effective April 1, 2011, the NLPL will be using email as the primary means of communication.

When possible, communication will be with one member of the board, preferably the chair. If a board prefers to identify another member as the contact, it can, but unless there is a legitimate reason, a board should only have one contact.

Effective April 1, 2011:

1. Each board chair should have an active personal email account. If the chair is unable to establish one, another member of the local board should be encouraged to.
2. If difficulty is encountered when trying to establish an email account, assistance can be requested from the IT Department.
3. If none of the board members are able to establish and maintain an active email account the divisional manager will identify an alternate process for communication.
4. Where the chair (or another board member) has an active account, they shall provide the details to the divisional manager and shall update the email information when there is any change.
5. The divisional manager, with assistance from IT, will create a group email address for all library board chairs (or alternates) in each of their respective divisions.
6. When communicating with local boards, the divisional manager, headquarters and the provincial board shall use the group email account or individual accounts as applicable.
7. In most instances, information for local boards will be distributed through the divisional manager via email but in certain situations, provincial administration or the provincial board may communicate directly with local boards with the managers being copied on all correspondence.

Appendix 5

Local Board Annual Report Forms



PROVINCIAL INFORMATION AND LIBRARIES RESOURCES BOARD LOCAL BOARD REPORT

ANNUAL REPORT OF THE _____ (name of library and community) PUBLIC LIBRARY BOARD FOR THE YEAR ENDING MARCH 31, 2018

This report is to be approved by the Library Board at its Annual Meeting which must be held before the end of April of each year. Upon approval, it should be signed by the appropriate officers and one copy forwarded to the Divisional Manager. One copy should be retained for the Board's records. Please indicate below the names and telephone numbers for members of the board who will be serving in the coming year. Please indicate the position if they have been elected to the Executive. Please note any change of surname for existing members. Local boards are required to have a minimum of five and a maximum of nine members. All boards are required to have a chair, vice-chair, secretary and treasurer (*only these positions may be combined*).

MEMBERS OF LIBRARY BOARD – UPCOMING YEAR 2018-2019			
		NAME	PHONE NUMBER
1.	CHAIRPERSON:		
Please include address for Chairperson			
	Mailing:		
	Email:		
2.	VICE-CHAIRPERSON:		
3.	SECRETARY:		
4.	TREASURER:		
5.	MEMBERS:		
6.			
7.			
8.			
9.			

Options for completing the Local Board Annual Report

Each local library board is required to submit an Annual Report in a form so prescribed by the Provincial Board. The reports must be submitted to the divisional office by the end of April of each year. The report may be printed, filled in manually, signed by two executive members of the local board and submitted by mail to your divisional office, or, the report may be completed electronically and emailed as an attachment to the divisional office.

When submitting electronically, in the absence of original signatures, the local board representative shall include the following statement: ***The attached Annual Report has been prepared by me or under my direction and is approved by the members of our board.***

COMMITTEES OF THE BOARD	
COMMITTEE NAME	MEMBERS

2018 – 2019 REPRESENTATIVE TO DIVISIONAL BOARD (if not chairperson)	
NAME	
ADDRESS	
EMAIL	

The Public Libraries Act (1990) requires that a minimum of four meetings per year must be held. Please list the dates of all meetings held during 2017 / 2018 as well as the date of the Annual Meeting.		
1.	5.	9.
2.	6.	10.
3.	7.	11.
4.	8.	12.
Annual Meeting Date:		

Please indicate any variation between summer and winter hours

WINTER LIBRARY HOURS				
	MORNING	AFTERNOON	EVENING	TOTAL
MONDAY				
TUESDAY				
WEDNESDAY				
THURSDAY				
FRIDAY				
SATURDAY				
SUNDAY				

Date hours changed to summer: _____ No change during summer: ☐

SUMMER LIBRARY HOURS				
	MORNING	AFTERNOON	EVENING	TOTAL
MONDAY				
TUESDAY				
WEDNESDAY				
THURSDAY				
FRIDAY				
SATURDAY				
SUNDAY				

REPORT OF BOARD ACTIVITIES	
FUND-RAISING PROJECTS:	
ONGOING PROGRAMS:	
SPECIAL EVENTS, PROMOTIONS:	
MAJOR RENOVATIONS:	
OTHER:	
Signature of Chairperson:	
<p>The Public Libraries Act, 1990 requires that the treasurer, and one other officer (<i>Chair / Vice-Chair / Secretary</i>) designated by the board must be signing officers for all cheques. Please indicate below the names of the signing officers for the upcoming year.</p>	
Signature of Treasurer:	
Signature of (either) Vice-Chair/Secretary:	
Date:	



Newfoundland & Labrador
Public Libraries

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**LIBRARY BOARD FINANCIAL STATEMENT
YEAR ENDING MARCH 31, 2018**

REVENUE

Locally raised funds

Municipal grants	1	
Interest earned	2	
Photocopier revenue	3	
Public donations	4	
Fundraising projects	5	
Other, please specify		
Total other	6	0.00
Total local revenue (add lines 1 to 6)	7	0.00

EXPENDITURE

Local Board expenditures

Photocopier costs	1	
Books, periodicals	2	
Special events/promotions	3	
Furnishings	4	
Computer/automation	5	
Minor repairs	6	
Other, please specify		
Total other	7	0.00
Total local expenditure (add lines 1 to 7)	8	0.00

Balances brought forward April 01, 2017

Cash on hand	8	
Operating accounts	9	
Capital accounts	10	
Local/other accounts	11	
Total balances (add lines 8 to 11)	12	0.00
Checksum (add lines 7 and 12)	13	0.00

Balances remaining March 31, 2018

Cash on hand	9	
Operating accounts	10	
Capital accounts	11	
Local/other accounts	12	
Total balances (add lines 9 to 12)	13	0.00
Checksum (add lines 8 and 13)	14	0.00

A signed copy of this statement must be at the Divisional Headquarters on or before:
April 30, 2018.

The above is an accurate financial statement for the year ended March 31, 2018.

Signed: _____
Treasurer Date

Signed: _____
Chairperson

Signed: _____
Vice-Chair

Appendix 6

Table of Contents
and Section 4 of Excellence in Governance

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4 Roles and Responsibilities

This chapter outlines the roles and responsibilities within a governance structure. Further elaboration on specifics will occur in subsequent chapters.

Role of the Governing Body

The powers, duties and decision-making capability of a governing body is usually established through legislation and/or government direction and reflected in the governing body's constitutions, by-laws and policies. All the legal authority to conduct the business of an organization is vested in the governing body. The governing body is the link between the organization it governs and the organization's external environment. In the broadest sense, the role of the governing body is to provide leadership and direction to the organization. Specifically, a governing body is responsible for:

- exercising the powers and duties vested in it by enabling and/or other legislation, (please refer to the legislation relevant to this public body);
- ensuring the organization operates within the limits of its statutory and/or other relevant authorities, (ibid, p.28-32);
- ensuring appropriate programs and services are offered within resource capabilities;
- advising the Minister (via the Chairperson) of relevant emerging, potentially sensitive and/or legal issues;
- ensuring the assets of the organization, including any public funds, are used with integrity, Chapter 8;
- ensuring potentially sensitive and/or legal issues are dealt with appropriately and expeditiously, Chapter 6;
- exercising fiduciary responsibilities, Chapters 2, 6, 7, 8, 11;
- ensuring that the organization's staff operate in an ethical and legal manner, Chapters 2, 7;
- setting the goals and objectives (except for Category 3 government entities which will set objectives) and defining policies, Chapters 7, 10;
- strategic (Category 1), business (Category 2), activity (Category 3) planning and for achieving the specific goals and objectives of the plan, and for explaining any variances, Chapter 10;
- submitting plans and reports to the relevant Minister for approval, Chapter 10;
- recommending annual budgets to the Minister for approval, Chapter 8;
- monitoring and reporting organizational performance, Chapters 10;

- liaising with internal and external stakeholders, Chapter 5;
- managing risks and sensitivities, Chapters 2, 7, 8,9,11;
- recommending or providing policy input to and seeking policy direction from Government, Chapter 7;
- participating in the organization's executive hiring process where appropriate, Chapter 4;
- negotiating and signing an employment contract with a new CEO;
- evaluating itself, its members, and the performance of the organization's Chief Executive Officer, Chapter 11;
- ensuring that borrowing limits are approved by the responsible minister and the Minister of Finance, unless the entity's legislation specifies more stringent borrowing limitations (see section 11 of the *Transparency and Accountability Act*); and
- the development and implementation of a performance contract with the CEO;
- developing policy processes and approving policy, Chapter 7.

Standards of behaviour

Members of a governing body have a responsibility to provide leadership by adhering to the highest standards of behaviour. Organizations should clearly articulate and communicate these standards to governing body members. Suggested principles to guide behaviour may include:

- selflessness;
- integrity;
- objectivity;
- accountability;
- openness;
- honesty; and
- leadership.

Selflessness

The principle of selflessness means a governing body member puts the concerns for the greater good of the organization ahead of his personal interests. A member seeks first to understand the perspectives of others before sharing individual views. A member should be willing to participate in problem-solving processes and uphold the decisions of the majority.

Integrity

Unless requested by the chairperson a member should not conduct informal meetings about the organization's business either before and/or after the formal meetings have taken place. A member should speak his mind honestly and openly while meetings are in progress. Information which is noted as confidential should be kept confidential. A member should gain and maintain the trust of the other governing body members and the executive management staff through respectful actions.

Objectivity

A member should acknowledge his biases and not bring prejudices to the governance table. A member should listen to all points of view and remember he is responsible for sound objective decision making which at times may bring different results than if he were making decisions from a personal perspective. If a member has any conflicts of interest he should declare those before the discussions start and not participate in relevant discussions.

Accountability

A member has a responsibility to be aware of the strategic directions of the Government, respective department and the goals of the organization of which he is a member. A member should agree to accept ownership of the conferred responsibilities and be willing to report to a higher authority on the discharge of those accepted responsibilities and the results obtained. The information gleaned during the accountability process will permit management to make informed decisions which in turn should result in continuous improvements in service delivery. However, the main purpose of accountability is to ensure that useful relevant information about government programs and services is provided to the public.

Openness

A member of the governing body should accept the contributions of other members and make a conscious effort to ensure all members are included in discussions. A member should be conscious of his verbal and non-verbal communication ensuring he is non-judgmental and sincere. A member should be open to change, build on the culture and history of the organization and respect the past, while preparing for the challenges of the future. Also, he should accept responsibility for building collaborative relationships with staff, community groups, other stakeholders and governing bodies.

Honesty

A member is in a position of public trust. He should channel all of his words and deeds toward the achievement of the organization's mandate and goals. A member should keep his commitments and word. He should disclose any conflicts of interest and make the governing body aware of any information that could influence the direction of the decision-making process.

Leadership

A member should agree to problem solve and lead by example. He should accept his governance role and not try to manage the organization. A member should not interfere with the role and responsibilities of the CEO or other staff. He should evaluate his own activities, accept the evaluation of others and agree to participate in a fair evaluation of the CEO. A member should encourage positive relationships throughout the organization. A member should champion strategic planning and performance measurement recognizing that the organization is a part of the greater community. A member should always be aware of how decisions could affect other stakeholders.

The most effective governing body member is one who understands his role, has a clear sense of vision, mission and mandate, is able to work as a team member to achieve goals and focus on results.

Code of ethics

Each governing body should develop a code of ethics for governing body members. The following examples are designed to support the governing body in this process. Each member shall:

- view service on the governing body as an opportunity to serve the region/province;
- at all times, think of the constituents and how decisions will affect them;
- make no disparaging remarks in or out of the governing body meetings about other members or about their opinions;
- remember at all times that as an individual he has no legal authority outside the meetings of the governing body and that he will conduct all of his relationships on the basis of this fact;
- recognize that his responsibility is not to manage and operate the organization but to see that it is well managed and operated;
- seek to provide programs and services based on the needs of the constituents within the mandate of the governing body;
- listen to all citizens and refer all management concerns to the CEO and discuss same only at a regular meeting on referral by the CEO;
- graciously support a decision once it has been made by the majority of the governing body;
- not criticize staff publicly but refer such criticism to the CEO for investigation and action if necessary;
- only make decisions after all relevant facts and research has been presented and discussed;
- refuse to make promises as to how he will vote on a matter that should properly come before the governing body as a whole;
- not discuss the confidential business of the governing body in his home and/or community; the place for such discussion is the governing body meeting;
- confine his actions to policymaking, planning and evaluation and leave the management and operation of the organization to the CEO;
- encourage co-operation and participation by community, clients and staff in developing policies that affect their welfare;
- ensure that the organization uses its limited financial resources to achieve maximum benefits consistent with its mandate, mission and goals;
- resist every temptation and outside pressure to use his position to benefit himself/herself or any other individual or agency not relevant to the mandate of the organization; and,

- recognize at all times that the governing body is an agent of the Government and as such will abide by the relevant legislation and the constitution, by-laws and policies of the organization.

Governing body and staff

A clear understanding of responsibilities and relationships between and among the governing body and staff is essential for a smoothly run and efficient organization. It should be remembered that the governing body, management, staff and all others responsible for any phase of the work of the organization have a common and basic responsibility – the physical, social and/or economic well being of the organization's clients. This responsibility should, within the confines of the resources allocated to it, i.e. financial, human and technical, guide all considerations and decisions. It is important that the governing body members and staff understand the parameters of their communications and reporting relationships as outlined above. Adherence to the governing body's code of ethics and the standards of behaviour are crucial during governing body member and staff interactions.

Role of the Governing Body in Succession Planning

Succession planning is a strategic process. Once the process is approved by the governing body, it is implemented by the CEO in order to prepare for current and future executive management needs. It is important for an organization because it helps to:

- engage senior executives in a formal review of leadership talent;
- guide development activities of staff;
- bring management development programs into alignment with the process of leadership renewal within the organization;
- assure continuity of leadership;
- avoid transition problems; and
- prevent premature promotion.

It is an ongoing process that is in place throughout every level and for all positions within the organization. The process ensures the right people are ready at the appropriate time to assume positions throughout the organization and it should be:

- customized to the organization;
- driven by executive management;
- focused on the organization's multi-year performance-based plan and reflective of its culture; and
- based on an ethical systematic approach.

Role of the Chairperson

The chairperson of the governing body provides the formal link between the body, the designated Minister and the governing body's key stakeholders. It is the chairperson who presides over meetings of the governing body and facilitates discussion without monopolizing ongoing debate. The chairperson has no greater authority than any other member and only speaks on behalf of the governing body in accordance with its constitution, by-laws and policies. In addition, to facilitate the overall effective functioning of the governing body, the chairperson is usually responsible for:

- ensuring that members understand and abide by the principles of quality governance;
- ensuring that members are oriented to their roles;
- ensuring that members participate in continuing-education opportunities, in accordance with governing body policy and available resources;
- serving as a director of the provincial association, if one exists;
- ensuring that board members understand their roles, responsibilities and accountability requirements within the governing body's statutory authority;
- ensuring that members understand their risks and liabilities;
- ensuring members understand the conflict of interest policy and that conflict of interest issues are declared and addressed as appropriate;
- planning for leadership succession as outlined above;
- developing an effective liaison with the appropriate minister, provincial associations, if one exists, community groups and other key stakeholders;
- ensuring there is a consistent decision-making framework in accordance with the principles of quality governance;
- presiding over meetings ensuring that participation and effective deliberations are fair, open and thorough, and minutes are accurately and promptly recorded;
- ensuring members are aware of and adhere to the governing body's code of ethics;
- ensuring the development and implementation of the organization's multi-year performance-based planning process;
- ensuring that the governing body, the individual governing body members, and the CEO evaluation processes are undertaken as per board policy; and,
- signing the multi-year performance-based plan and annual report on behalf of the governing body.

Role of the Vice-Chairperson

The role of the vice-chairperson should be outlined in the legislation, constitution and/or by-laws covering the organization. This role is primarily to be familiar with and assume the role of chairperson in his absence. Additionally, the vice-chairperson must be prepared to assist the chairperson in the execution of his duties or accept special assignments as requested by the chairperson or the governing body.

Role of the Secretary

The role of the secretary should be outlined in the legislation, constitution and/or by-laws covering the organization. Should this role exist the member should understand the expectations and time commitments before agreeing to serve. Even if there is no role for the secretary in legislation the governing body should consider appointing a recording secretary who would be responsible for keeping records of meetings, including overseeing the taking of minutes at all meetings. Also, he is responsible for the distribution of meeting announcements, minutes and the agenda to each member, assuring that organizational records are maintained as outlined in the relevant legislation and/or by-laws.

Role of the Treasurer

The role of the treasurer should be determined by the legislation, constitution and/or by-laws governing the organization. Should this role exist the member, before agreeing to serve in this office, should understand the expectations and time commitments. Typically this role could include the following:

- ensuring the financial reporting requirements are met;
- providing advice to the governing body, with the support of the organization's staff, on financial matters;
- assuming overall governance responsibilities for the financial affairs of the organization;
- ensuring that bankers are appointed on a regular basis; and,
- ensuring that auditors are engaged in a timely manner in order to meet the requirements outlined in the *Transparency and Accountability Act*, where the responsibility is formally assigned by the governing body.

Role of Individual Governing Body Members

A governing body member is expected to bring his views and those of the constituents to the governing body table. However, it is critical to understand the obligation to represent all stakeholders and to make decisions in the best interest of the total population served. A member who fails to consider the broader context of his role, and who fails to make the necessary separation between a single interest and the broader interest, can seriously compromise a governing body's ability to deliver on its overall mandate. More specifically each member should make sure he:

- is familiar with the legislation applicable to the governing body and the *Transparency and Accountability Act*;
- knows and supports the vision, mission, mandate and goals of the organization (Category 3 government entities may not establish a vision, mission and goals, but they will have objectives);
- safeguards and promotes the values of the organization;
- comes to meetings prepared, asks informed questions and makes a positive contribution to discussions;
- makes decisions based on thorough evidence and research;
- actively contributes his personal expertise as needed on the governing body, e.g., business management, financial, legal or consumer viewpoint;
- works harmoniously with other governing body members without either dominating the governing body or neglecting his share of the work;
- supports the decisions and policies of the governing body in discussions outside the governing body meetings even if he expressed a dissenting voice during discussions;
- respects the confidentiality of governing body discussions;
- fulfills his responsibilities in recognition of a fiduciary responsibility and does not represent the interests of a narrow constituency;
- discloses to the governing body any potential conflict of interest and removes himself from discussions where a potential conflict of interest exists;
- recognizes the role of management in carrying out the governing body's direction and policy and is careful not to interfere with the functions delegated to either management or staff;
- takes advantage of opportunities to be educated and informed about the governing body and the relevant field; and
- engages in the evaluation of the governing body and the CEO and in self-evaluation.

Role of the Chief Executive Officer

The CEO is appointed by the governing body, however, where prior written approval is required by the appropriate Minister it must be obtained. Ideally, the CEO and the governing body work together in furthering the best interests of the organization therefore their relationship needs to be one of mutual openness, trust and respect. Upon appointment the governing body chairperson undertakes to ensure a thorough orientation for the new incumbent to the role and responsibilities and the organizational issues and concerns. Additionally, the CEO should establish a liaison with the deputy minister and senior officials of the relevant department, other CEO colleagues and the relevant provincial association(s) where they exist. Primarily, the CEO manages the day-to-day activities and guides the organization toward the strategic goals established by the governing body. However, the CEO is not simply an administrator. A CEO has to be a visionary, strategist and problem solver and is usually responsible for:

- monitoring and evaluating the organization's performance and initiating corrective action as necessary;
- participating in the multi-year performance-based planning process as approved by the governing body;
- preparing operational plans to focus his work, and progress/performance reports for the governing body;
- preparing the capital and operating budgets to support the governing body's required reviews and approvals;
- maintaining effective communication with the relevant deputy minister;
- implementing approved organizational policies and procedures;
- evaluating the performance of the organization's executive staff;
- ensuring new employees are properly evaluated;
- ensuring the governing body has access to all relevant information necessary for the conduct of its business;
- honoring the performance contract between him/herself and the governing body; and,
- maintaining effective communication links within the organization and with the governing body, its public and other stakeholders.

In addition, the CEO shall not cause or allow within his reasonable control any practice, activity, decision or circumstance within the resources available that is detrimental, unsafe, unethical, irresponsible, imprudent or illegal to occur. The following are examples of limitations on the role of the CEO. He shall not:

- permit new employees to begin work without adequate orientation, where one is required;
- allow any program and service area to operate without appropriate and properly functioning equipment;
- permit programs and services to operate without appropriately qualified staff;
- authorize expenditures beyond the budgets approved by the governing body;
- fail to protect clients from abuse by staff;
- permit operations to occur without policies to reasonably protect clients from exposure to health hazards in the organization's facilities/agencies;
- fail to ensure that programs and services are delivered in a manner sensitive to the clients' culture;
- minimize, withhold or ignore information to clients regarding safety or risk related procedure;
- fail to meet the standards applicable to the organization;
- operate without a quality management process which regularly assesses the quality of programs and services against generally accepted standards providing for evidence-based decision making;
- use forms or procedures that elicit information for which there is no clear necessity;
- use methods of collecting, reviewing, storing or transmitting client information that fail to protect against improper access;
- fail to ensure that policies are in place which protect client rights and confidentiality during research;
- operate without consistent procedures to ensure clients with the greatest need are given the highest priority;
- operate without a review process that determines whether resources are being utilized appropriately;
- use methods that are ineffective or inefficient;
- operate without on-going monitoring of needs of the community(s) applicable to the governing body's mandate;
- fail to promote collaboration with internal and external partners to enhance the quality and efficiency of programs and services;
- fail to provide an appeal process for client complaints and/or concerns; and
- fail to inform, on a timely basis, the governing body of all events and issues.

This list is not all inclusive. It is intended to provide guidance only.

Governing Body Committees

Committees receive their mandate from the governing body and as such report to the governing body on their deliberations. Governing bodies generally appoint committees to assist with its functioning.

The committees may be 'standing', meaning that they continue until cancelled by the governing body, or 'ad hoc', meaning that they are appointed to fulfill a specific purpose. Standing and ad hoc committees involve either the participation of all members in the form of a committee of the whole, or of one or more members.

A governing body that attends to its primary responsibilities and that understands its role rarely if ever appoints ad hoc committees. However, there are occasions when issues of a time-limited and critical-nature necessitate the establishment of ad hoc committees. Once the time limit has been reached and the report submitted members should understand that the role of the committee is completed and it is duly dissolved.

A committee should not assume any additional responsibilities unless conferred upon it by the governing body. Committees are used where expertise is required. Each committee should have the following outlined in the governing body's by-laws, minutes and/or policies:

- the purpose (terms of reference);
- the membership composition;
- the degree of permanence (e.g. standing, ad hoc);
- the reporting structure;
- parameters for decision making; and
- the reporting expectations of the governing body.

Appendix 7

Fiscal Guidelines for Local Library Boards



Newfoundland & Labrador
Public Libraries

Fiscal Guidelines for Local Library Boards

Updated: April 1, 2011

Introduction

For several years, the Provincial Information and Library Resources Board (PILRB) have been receiving inquiries from local and divisional board members on information pertaining to the fiscal roles and responsibilities of Local Boards.

This document is intended to answer questions and to provide insight into the nature of the fiscal relationship between local boards and the PILRB. It also includes some basic financial controls that local boards should have implemented.

The area of financial management is usually viewed as the responsibility of the Local Library Board Treasurer. In reality all board members are accountable for the fiscal actions of a Local Board. Therefore all board members should have a basic understanding of the following financial management areas.

- 1: The PILRB's Role
- 2: The Role of the Auditor General
- 3: Fiscal Responsibility of the Local Board
 - Cash
 - Purchasing
 - Donations
 - Property
 - Reports

The PILRB's Role

All funds that are received by a public library board, (provincial, divisional, or local) regardless of the source, are government funds (public funds). Since all Local Boards are entities under the jurisdiction of the Provincial Board, the PILRB is ultimately responsible for the activities of all boards. It is the PILRB's role to ensure that these public funds are received and expended in accordance with the appropriate government acts, policies and procedures. The PILRB is the legal and fiscal entity under which all libraries of the system operate.

The Role of the Auditor General - Audits

The Public Libraries Act instructs the PILRB to maintain full and correct books of account which shall be subject to audit by the Office of the Auditor General. The Auditor General audits the fiscal records of the PILRB annually between April 1st and June 30th.

This audit includes the annual fiscal information provided by Local Boards. It is within the authority of the Auditor General to audit Local Boards at the Auditor General's discretion and it is within the authority of the PILRB to ask the Auditor General to audit fiscal records of any Local Board. It is also within the authority of the PILRB to instruct the Director of Finance to internally audit the fiscal records of any Local Board.

Fiscal Responsibility of Local Library Boards (including the St. John's Library Board)

The Public Libraries Act establishes the following relationships between the local board and the provincial board.

Section 6 (1)

"The Provincial board shall establish and operate those public libraries in the province that it considers necessary and shall provide support to ensure that library materials, information and programs meet the needs of the public."

Section 6 (3)

"For the purposes of subsection (1), the provincial board may divide the province into regions and may appoint for each region a regional library board."

Section 6 (4)

"The provincial board has jurisdiction over boards appointed under subsection (3)."

Section 6 (7)

"The provincial board may make monetary grants-in-aid and give other help to boards and may prescribe the conditions which must be complied with before grants –in-aid or other help may be given."

Section 6 (8)

"The provincial board shall grant to each board a certificate in the form that the provincial board may prescribe authorizing it to establish and operate a library."

Section 6 (9)

"The provincial board may in its sole discretion cancel a certificate granted under subsection (8)."

Section 8

"Real property acquired by a board, whether by purchase, gift, bequest or otherwise, shall be held in trust and administered for it by the provincial board."

Section 23

"The functions and responsibilities of the St. John's Library Board shall be determined by the provincial board."

Section 28

“A local board is accountable to the provincial board and shall advise and assist the provincial board, in accordance with the policies of the provincial board, in the development and maintenance of public library services in a community.”

Generally the fiscal responsibility of a local board can be summarized with the following sentence.

Those monies collected and spent and items purchased by or entrusted to Local Library Boards are accounted for and utilized according to Government and PILRB policies and procedures to support services of the Local Library.

Specifically this means:

1. Cash - Public funds collected are safeguarded appropriately
2. Purchasing - Public funds are spent using the correct policies and procedures
3. Donations - Are utilized according to the wishes of the donor
4. Property - The properties of the PILRB and Local Boards are safeguarded
5. Reports – Annual fiscal reports are filed accurately and correctly with the PILRB

Cash

All cash received by a Local Library Board should be deposited as quickly as possible in a bank account opened in the name of the Local Library Board. The Treasurer will maintain a file that documents the date, amount and source of all funds deposited. Under no circumstances should local library funds be deposited in a board member's or library staff's private bank account. There will be situations where it may not be possible to get funds to a bank in a reasonable time. If this should occur the funds should be maintained in a safe or locked cash box at the local library.

Local Boards are permitted to keep funds that were obtained either through local fund raising activities, grants, donations or bequests given directly to the local board, or generated from fees for using items that the local board has purchased for the library. All other funds are classified as general funds and must be submitted to the PILRB. For example funds such as board room rentals, late fines, and printing fees must be forwarded to the PILRB. Municipal Grants, local fund raising activities, and photocopier fees (where the local board has purchased the photocopier) can be kept by the local board.

The bank account is a very important part of the internal control system of a Local Library Board. All local library boards should have the following procedures implemented to ensure the safety of the public funds collected.

- Each bank account should have three signing officers who are members of the Local Board, with any two of these signing every cheque. *These officers should never sign a blank cheque.*
- Funds should never be withdrawn from a bank account directly except through the use of a cheque. The Treasurer will maintain an invoice file that documents the amount, to whom, and why the cheque was written. All invoices should be kept in this file.
- Each bank account should provide a monthly statement complete with cancelled cheques.
- During Local Board meetings the Treasurer shall provide the Local Board with monthly bank reconciliation for their approval. This reconciliation should be signed by the Chair and Vice Chair upon approval.
- All members of the Local Board should be aware of the amount of funds the local board has in its bank account, and should discuss how to use any excess funds. A common permissible use would be to shift excess monies to term deposits. Government entities are not permitted to invest funds into financial instruments that speculate and risk the principal of the initial investment. Local boards are not permitted to enter into financial contracts such as bank loans, mortgages, or leases.
- If a Local Board desires, they can deposit their funds in trust with the PILRB. The Director of Finance will make payments and deposits as directed by the local board chair. The Local Board will then receive monthly statements from headquarters. This would eliminate the need for the local board to manage their own bank account. Interest will be applied to those accounts equal to the rate given to the PILRB. Any Bank charges will be absorbed by the PILRB.

Purchasing

All Local Board purchases should be approved by the Local Board. If the amount is over \$50 (not including taxes) the Local Board should obtain three price quotes if practical. If the amount is over \$10,000 (not including taxes) then the Public Tender Act applies and the Local Board must issue a tender for the desired item. For assistance with the Public Tender Act process, local boards can contact their Division Manager. The Treasurer must maintain an invoice file of all items purchased, and of any tenders issued.

For the information of Local Boards, the PILRB is rebated 100% of any HST spent purchasing items, by the Federal Government. A Local Board could achieve a 13% saving by purchasing all items through the Provincial Board. If a board desires to take advantage of this situation, please contact your Division Manager.

Please Note: The above purchasing methods apply only to local board held funds. Purchases that are being handled through Division Offices, that utilize provincial funds, require a purchase order, complete with three price quotes (or tender), approved in advance by the Director of

Finance. Purchases made prior to the issuance of an approved purchase order (by the Director of Finance) are not the responsibility of the PILRB, and will not be honored.

Donations

When receiving donations the organization has an ethical and moral obligation to ensure that the donated items are utilized exactly as the donor intended.

Library Materials/Physical Items

Our primary source of donations is library materials. In these situations patrons often donate materials we cannot use. When receiving these items it is recommended that it be mentioned to the donor that the material will be used if possible and discarded if it cannot. It is also recommended that any physical items (shelves, chairs, and computers) be handled in the same manner. Patrons give these donations with the best of intentions; however, sometimes the items cannot be used by the library system. It is imperative that those patrons who donate items do not feel maligned when they find out their items was discarded by the Local Board.

Cash and Bequests

When a patron donates monies to the local library board most times there are no restrictions or qualifications attached to the donation. The funds can be regarded as local funds and spent in accordance with local board wishes.

However, there are times when donations and bequests are donated by the patron with a specific stated intent. *This intent must be fulfilled by the Local Board if it accepts the donation.* The Local Board has no discretion in this area. The funds must be spent in accordance with the wishes of the donor, or the donation must be returned.

Property

Local libraries contain many different types of property. These include everything from buildings to books to computers. These items have been entrusted to the PILRB to provide public library services to the people of Newfoundland and Labrador. With library sites throughout the province, it falls to the local board to ensure that the resources placed within the library are used in accordance with the provincial board's directions. The Local Board should ensure that all property (TV's, DVD players, Computers, etc) is present at the site and being used for PILRB approved activities. If property is not present at the site, ensure that there is a legitimate library related activity that justifies the property's absence.

Reports

Every Local Board is required to fully complete an accurate and correct annual financial report and submit it to the PILRB in a timely manner. There should be a file of documents supporting the figures in this report on file with the Local Board. These records must be kept for a minimum of 10 years. This report is found within the annual report of the Local Board which needs to be completed and submitted to Provincial Administration. This report must be filed no later than six weeks after the fiscal year end. The fiscal year end is March 31 therefore; all fiscal reports must be submitted by May 15.

Appendix 8

Fraud Policy



Newfoundland & Labrador Public Libraries

Administration Division

POLICY

Category:	Governance	Circulation:	All Boards and Staff
Number:	Finance - 2.50	Replaces:	New
Subject:	Fraud	Date Issued:	Pending
Motion:	20090323-3.29	Dates Revised:	
Developed By:	A. Hunt	Approved By:	Calvin Taylor
File:U:	\ Governance\Finance\Fraud.doc		

Background

The PILRB is an independent organization established by the Provincial Government under the authority of the Public Libraries Act to oversee the operation of the public library services in Newfoundland and Labrador. The PILRB is a public body and is therefore accountable to the citizens of Newfoundland and Labrador. This accountability is important in all situations involving public trust.

The PILRB receives operating and program grants from various departments in all three levels of Government; Federal, Provincial and Municipal. The PILRB also receives monetary donations from corporate, not for profit, private organizations and individuals. The PILRB also collects service fees from the public for some of its library activities.

The PILRB has established internal accounting controls at a reasonable cost to ensure that these funds and the assets acquired by them are utilized to operate the provincial public library system towards the primary benefit of the citizens of Newfoundland and Labrador.

It should be stressed that the existence of internal controls, even if maintained with due care and attention, does not guarantee that fraud will not occur.

Therefore a fraud policy statement to affirm the PILRB's commitment to integrity, as the foundation for accountability and to serve the public trust, is necessary.

Policy

The PILRB accepts the *International Standards for the Professional Practice of Internal Auditing* definition of fraud which is:

"Any illegal act characterized by deceit, concealment, or violation of trust. It can be perpetrated by individuals, parties, or organizations to obtain money, property, service; to avoid payment or loss of service; or to secure personal or business advantage"¹

¹ *International Standards for the Professional Practice of Internal Auditing*, [Glossary]

The PILRB has the primary governance responsibility for the deterrence and detection of fraud through various internal controls within the Newfoundland and Labrador Public Library system.

The PILRB exercises this responsibility through the PILRB's Executive Management Team who have an operational role in deterrence and detection by the continual examination and evaluation of the adequacy and effectiveness of these internal controls. The PILRB's Executive Management Team will investigate all suspected or reported incidents of wrongdoing.

Upon notification of suspected wrongdoing or inappropriate behavior, the Executive Director, (or the Board's designate) shall direct an appropriate staff member or members to perform an internal investigation or engage a qualified third party to investigate the complaint.

All members of the PILRB management team shall:

1. Maintain the confidence of any individual who makes a complaint.
2. Treat all suspected individuals consistently, regardless of position or length of service.
3. Through the Executive Director, report the results of all investigative activity to the PILRB, for guidance, direction, and further actions as deemed appropriate by the Board.

All members of the PILRB staff or volunteers shall:

1. Upon the suspicion of wrongdoing or inappropriate behavior immediately notify their Divisional Manager or one of the following individuals: the Executive Director, the Director of Regional Services, Director of Financial Operations, or the Director of Information Technology.
2. Cooperate fully with investigative, regulatory, law enforcement officials, and any other individuals assigned to explore the suspected wrongdoing.

All members of the PILRB staff or volunteers shall not:

1. Engage in any illegal activity in the PILRB's name including fraud for the benefit of the organization, or any individual.
2. Cover up, disguise, or conceal any suspected wrongdoing.
3. Retaliate against witnesses, whistleblowers, volunteers, or staff who report suspected incidents of fraud, is participating in the investigation of inappropriate behavior, or who takes action to prevent, correct, or punish the individual or individuals responsible.

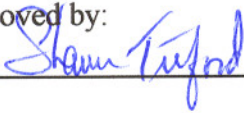
Appendix 9

Lottery Licences



PROVINCIAL INFORMATION & LIBRARY RESOURCES BOARD
PROVINCIAL ADMINISTRATION DIVISION

POLICY

Category: Operational	Subject: Lottery Licences	Circulation: All Staff and Board Members
Number: Operations 4 - 40	Motion Number: 20021025 - 4.53	Replaces: New
Approved by: 	Date Issued: October 25, 2002 (April 1, 2005)	File: U:\Policies\Operations\lotterylicences.wpd

Background:

January 13, 2002 the Provincial Government revised the lottery licensing program. The new program includes changes which affect the Provincial Information and Library Resources Board. In the past, local library boards could obtain a lottery permit/licence for fund-raising purposes. Under the new program, local boards who wish to use lotteries as a fund-raiser, must obtain the approval of the Provincial Board as only the Provincial Board is registered as a charitable organization. In order to continue to allow lottery fund-raising by the local boards, the Provincial Board will now obtain the lottery licence for the local boards. As a result of the changes, a policy is required to address the changes and the new procedures.

Policy:

When a local or divisional library board undertakes a lottery event as regulated by:

NEWFOUNDLAND AND LABRADOR REGULATION 1/02

Lottery Licensing Regulations
under the
Criminal Code
(M.C. 1081-82)

a lottery licence must be obtained for the event subject to the requirements of those regulations and this policy.

1. The application shall be completed by the local board and signed by the local board chair.
2. The completed application shall be forwarded to Provincial Information and Library Resources Board Headquarters to the attention of Andrew Hunt, Director of Financial Operations.
3. The application will be reviewed and if completed properly, will be signed by the Director of Financial Operations on behalf of the Provincial Information and Library Resources Board. The application will be forwarded to the Department of Government Services and Lands. A copy will be retained at Headquarters.

4. Upon issuance of a licence, the Department of Government Services and Lands will forward it to the Provincial Information and Library Resources Board Headquarters.
5. The licence will be copied and forwarded to the local board chair.
6. Upon completion of the event, in accordance with the requirements of the regulations, the appropriate reports are to be forwarded to Headquarters where a copy will be retained and the original will be forwarded to the Department of Government Services and Lands.
7. Inquiries, by local library boards, regarding the status of licences should be directed to the Director of Financial Operations, rather than the Department of Government Services and Lands.

It is important to note that failure by any board to comply with the Lottery Licensing Regulations or this policy may result in a refusal by the Provincial Information and Library Resources Board to approve their application(s) or may result in a refusal by the Department of Government Services and Lands to grant a licence to the organization.

Information on the program and Lottery Licence Applications can be obtained at the Department of Government Services and Lands web site <http://www.gov.nf.ca/gsl/cca/tpl/lotteries.stm>

SCHEDULE "D"

1. The total value of tickets sold for any one event shall not exceed 12 times the total retail value of the prizes.
2. For a ticket lottery to be approved there shall be a reasonable expectation of a 50% return after expenses to the licensee.
3. For a ticket lottery with a potential prize payout of \$100,000 or more a detailed business plan shall be submitted with the application detailing the following:
 - (a) advertising/marketing;
 - (b) details of the prize including if the prize has been purchased or if on consignment;
 - (c) ticket distribution;
 - (d) staffing and salaries/commission; and
 - (e) budget and projected profits.
4. All tickets shall be consecutively numbered. Tickets shall be commercially printed where the prize value is greater than \$500.
5. (1) Each ticket shall consist of 2 sections, each severable from the other, and the section to be delivered to the purchaser shall contain the following:
 - (a) the name of licensee;
 - (b) the draw location and dates;
 - (c) the description, number and retail value of the prizes, whether donated or purchased;
 - (d) the ticket number;
 - (e) the total number of tickets printed;
 - (f) the selling price of the ticket;
 - (g) the licence number; and
 - (h) the name of the printer,(2) The section to be retained by the licensee shall contain the following:
 - (a) place for the name, address and telephone number of the purchaser;
 - (b) the ticket number; and
 - (c) the licence number.
6. For ticket lotteries where tickets are sold and the draw is conducted on the same day at a single premise and the potential prize payout exceeds \$500, only paragraphs 5 (a), (d), (f), (g), (h) and 5 (2)(b) shall be required.
7. For ticket lotteries where tickets are sold and the draw is conducted on the same day at a single premises, and the potential prize payout does not exceed \$500, only paragraphs 5 (1)(d) and 5 (2)(b) shall be required. Tickets shall be retained for a period of one week after the draw.
8. With the exception of ticket lotteries where tickets are sold and the draw is conducted on the same day at a single premises and the potential prize payout does not exceed \$500, a draft or hand drawn facsimile of the

RULES FOR TICKET LOTTERIES

- proposed ticket shall accompany the application and a true copy of the ticket for each series shall be forwarded immediately upon printing to the division.
9. Where the presence of the holder of a ticket is a required condition to win, this shall be stated on the ticket, and participants shall be entitled to be present at the drawing without additional charge.
10. Discounted prices shall not be allowed for ticket sales, unless there is a method that ensures financial accountability that has been approved by the division.
11. When a series of draws occurs according to a fixed schedule, i.e. a cash calendar, the ticket price can be reduced based upon the percentage of prize value remaining. Using the cash calendar as an example, each month, the ticket price can be reduced by 1/12th. The licensee shall state the discount procedure in the ticket rules.
12. Unsolicited tickets shall not be distributed to the public.
13. Ticket portions or shares shall not be offered for sale.
14. The value of the prize shall include the amount of any duty, taxes, sales taxes, and other costs. Prizes shall be awarded free and clear of any mortgages, liens, or any other encumbrances.
15. The prize is awarded at the location of the draw, unless otherwise stated.
16. The prize shall be valued by a qualified independent third party if it is a collectible or antique prize purchased by, or donated to the licensee.
17. The licensee may accept cheques or credit payments, and shall be responsible for ensuring that the proceeds from ticket sales are validated before the prize is awarded. If the proceeds cannot be verified for a winning ticket a subsequent draw shall take place to award the prize.
18. (1) A licensee may operate an early bird draw.
(2) An early bird draw shall not be held unless approved by the division and a minimum of 14 days is allotted to account for tickets before the draw takes place.
(3) A shorter period than that provided in subrule may be approved by the division where requested in writing setting out the method that will be used to ensure accountability.
(4) The cut-off date for an early bird draw shall be printed on the ticket.

19. Draw dates may be changed on written approval of the division. Extensions shall not be granted after ticket sales have commenced.
20. The sequence of drawing to award prizes shall be announced before the commencement of the draw. All winning tickets shall not be returned for future draws unless otherwise stated by the licensee.
21. All ticket draws shall be conducted before 2 witnesses who sign a confirmation of their presence for each lottery event.
22. Where the winner is under 19 years of age, the licensee shall deliver the prize to his or her legal guardian.
23. Winners of prizes shall be advised of the results of the draw by telephone, registered mail, or in person. The notice shall indicate how the prize is to be claimed. Prizes shall be distributed to the winning ticket holders as soon as possible after the date of the ticket draw.
24. For prizes over \$500, the licensee shall publish and submit along with the financial report, the winning numbers, names and addresses of the winners of prizes.
25. Where a prize is over \$500 and is not claimed within 60 days of the draw, another draw shall be made. Where the prize is again unclaimed, a subsequent draw shall be made within 30 days. Unclaimed prizes after this, and unclaimed prizes with a value of \$500 or less, shall be included in the net proceeds to be used for, or paid to the charitable or religious objects, as approved in the application.
26. A commission may be paid for the sale of tickets, not to exceed 20% of gross receipts.
27. The licensee shall retain all unsold tickets and stubs of sold tickets for a period of one year from the date of the last draw.
28. The licensee shall retain, as part of its gaming records, the purchase invoices for all tickets, and the invoices shall specify the first and last of the sequential numbers of the tickets for each type of ticket.
29. Only direct expenses required to operate the ticket lottery shall be deducted from gaming revenue.

Ticket

Lottery Licence Application



Office use only	Organization RSN _____
	Property RSN _____
	Folder RSN _____
	Entered _____

Please allow two weeks for the processing of your application.

Applicant		Applicant Information	
Organization Name: _____ Mailing Address: _____ City/Town: _____ Province: _____ Postal Code: _____ Phone: _____ Fax: _____ Email: _____		1) Has your organization previously held a lottery? Yes No If Yes, what was the last licence number? _____ 2) Is your organization a registered charity with the Charities Directorate? Yes No If Yes, what is the registration number? _____ 3) Is your organization incorporated as a non-profit organization? Yes No If Yes, what is the incorporation number? _____	
Proposed Use of Proceeds			
Provide details as to how proceeds will be used: (Attach a separate sheet if necessary.) _____ _____			
Draw Location/ Ticket			
Location of Draw(s)(must be a public location): _____ Address: _____ City/Town: _____ Province: _____		Attach sample copy of ticket. Note: Draw details cannot be changed after ticket sales begin. The total value for the tickets sold for any one event shall not exceed twelve times the total retail value of the prizes, with the exception of a 50/50 draw.	
To be signed by two Principal Officers of the Organization			
We certify that all information and documents supplied are correct and the organization has authorized us to make this application.			
Name: _____ Position: _____ Address: _____ City/Town: _____ Province: _____ Postal Code: _____ Phone (W): _____ Phone (H): _____ Email: _____ Signature: _____ Date: _____		Name: _____ Position: _____ Address: _____ City/Town: _____ Province: _____ Postal Code: _____ Phone (W): _____ Phone (H): _____ Email: _____ Signature: _____ Date: _____	

Ticket Lottery Licence Application

Event(s) Date(s)	
<p>1) A single ticket event with prize(s) drawn on _____</p> <p>2) A single ticket event with prizes drawn during the period _____ to _____ for a total of _____ draws. (i.e. Calendar Draw. Attach complete details)</p> <p>3) A series of ticket events during the period _____ to _____ for a total of _____ events. (Maximum prize payout per event cannot exceed \$500).</p> <p>4) A series of ticket events during the period _____ to _____ for a total of _____ events. (Where prize payouts can exceed \$500.00).</p>	
Event Information	
<p>Tickets Total number of tickets to be printed during the licence period (Include discounted tickets): _____</p> <p>What will be the maximum selling price of one ticket? \$ _____</p> <p>Will tickets be sold at a discount? Yes No (i.e. \$2 each or 3 for \$5) If Yes, what will be the discount price(s)? \$ _____</p> <p>Will a commercial agent be used to sell tickets? Yes No If Yes, attach details.</p> <p>Will any prizes or portion of the prizes be donated? Yes No</p> <p>Will the event be conducted in conjunction with another province? Yes No</p> <p>Will ticket sales only take place on the day of the draw? (i.e. same day sales only) Yes No If Yes, attach details.</p>	<p>Prize(s) Total retail value of prize(s) to be awarded during the licence period (In the case of a 50/50 draw, state the maximum prize payout during the licence period) \$ _____</p> <p>Provide description of prize(s) : (i.e. cash, basket, etc.). Attach a separate sheet if necessary _____</p> <p>Will there be an early bird draw? Yes No If Yes, attach details. (Include cut off dates)</p> <p>Will the ticket draw be one of the following? If Yes, attach details. _____ 50/50 _____ Calendar Draw _____ Pay What You Pull/Scratch</p> <p>Name of gaming supplier(s)/printers: _____</p>
Lotteries Trust Account Information	Event(s) Chair/Manager
<p>Name of Financial Institution: _____</p> <p>Type of Account: _____</p>	<p>Person responsible for the event(s): _____</p> <p>Phone (W): _____ Phone (H): _____</p>
Licence	
<p>Please indicate method of receiving your licence: _____ Fax _____ Email _____ Mail _____</p> <p>The Licence will be mailed to your organization's mailing address unless otherwise indicated.</p> <p>Applications can be dropped off at any Service Centre; mailed to Consumer Affairs Division P.O. Box 8700 St. John's, NL A1B 4J6; faxed to (709) 729-6998, or (709) 637-2498, or emailed to: appsconsumeraffairs@gov.nl.ca</p> <p>Consumer Affairs Toll Free Number: 1-877-968-2600, or Locally (Mount Pearl) at (709) 729-2660.</p> <p>Contact for Regional Offices: Corner Brook (709) 637-2445 (office) Fax: (709) 637-2498.</p>	
Reminder	
<p>Sport or Recreation groups must have valid certification before approval.</p> <p>The application must be signed by two principal officers of your organization. i.e. president, vice president, treasurer.</p> <p>Please read the General Rules and the rules for Ticket lottery before submitting your application. See Schedule "D".</p> <p>Changes will not be granted after ticket sales have commenced. Draw date(s) can only be changed on written approval of the division.</p> <p>Any changes or amendments to the licence shall be requested in writing.</p>	

SAMPLE TICKET GUIDELINE

ABC COMMITTEE	ABC COMMITTEE
NAME _____	TICKET LOTTERY
ADDRESS _____	Draw Date: January 1, 2002
_____	Location of Draw: Town Hall
TELEPHONE NO. _____	Prize Description: TV/DVD
Ticket No. #####	Retail Value: \$800.00
Lottery Licence No. #####	Ticket Price: \$2.00
	No. of Tickets Printed: 1,000
	Ticket No. #####
	Lottery Licence No. #####
	Printer: Smith's Printing

SAMPLE DISCOUNTED TICKET

ABC COMMITTEE	ABC COMMITTEE
NAME _____	TICKET LOTTERY
ADDRESS _____	Draw Date: January 1, 2002
_____	Location of Draw: Town Hall
TELEPHONE NO. _____	Prize Description: TV/DVD
Ticket No. #####	Retail Value: \$800.00
Lottery Licence No. #####	Ticket Price: \$1.00 ea. or
Ticket Price: <input type="checkbox"/> \$1.00 ea.	3 for \$2.00
<input type="checkbox"/> 3 for \$2.00	Ticket No. #####
	Lottery Licence No. #####
	No. of Tickets Printed: 2,000
	Printer: Smith's Printing

SAMPLE COPY OF TICKET (EARLY BIRD DRAW)

ABC COMMITTEE	ABC COMMITTEE
NAME _____	TICKET LOTTERY
ADDRESS _____	Draw Date: January 1, 2002
_____	Early Bird Draw Date: April 1, 2002
TELEPHONE NO. _____	Cut-off Date for Early
Ticket No. #####	Bird Draw Sales: March 15, 2002
Lottery Licence No. #####	Early Bird Prize: \$1,000 Cash
	Location of Draw: Town Hall
	Grand Prize: \$20,000 Cash
	Ticket Price: \$5.00
	No. of Tickets Printed: 10,000
	Ticket No. #####
	Lottery Licence No. #####
	Printer: Smith's Printing

SAMPLE COPY OF "Chase the Ace" TICKET

	ABC COMMITTEE
Ticket #	Ticket Price:
	Lottery Licence #
	Printer:
	Ticket #