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**TO:** CITY MANAGER **DATE:** 2006 December 05  
**FROM:** CITY SOLICITOR  
**SUBJECT:** BURNABY INDEMNIFICATION BYLAW, 1976  
**PURPOSE:** To seek Council approval of an amendment to the Indemnification Bylaw

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**RECOMMENDATION:**

1. **THAT** Burnaby Indemnification Bylaw be amended to include the Secretary of the Burnaby Municipal Benefit Society in the group protected by the Bylaw.

**REPORT**

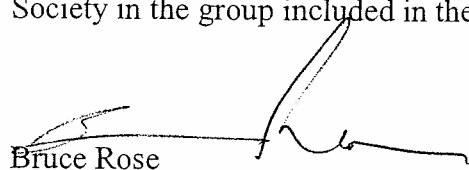
Section 287.2 of the *Local Government Act* permits Council by bylaw to provide for indemnification of municipal officials, including Council members, commission and board members, employees and volunteers acting in the course of their responsibilities and duties on behalf of the City.

The City enacted such a bylaw in 1976.

At its regular meeting of May 25, 1993 Council adopted the recommendation contained in a staff report that the Indemnification Bylaw be amended to include the directors of the Burnaby Municipal Benefit Society. The Bylaw was amended accordingly.

As Council is aware, all of the Society's members are City employees, as are its directors. The 1993 amendment covered only the directors of the Society, not the officers. This is of no consequence as regards the offices of President, Vice-President, and Treasurer, who must also be directors under the Society's bylaws. However, the Society must also have a secretary, who is appointed by the Directors, and who cannot be a Director.

The Society's Secretary should be entitled to the same protection as its Directors under the Bylaw. It is therefore recommended that the Bylaw be amended to include the Secretary of the Society in the group included in the Bylaw.



Bruce Rose  
CITY SOLICITOR

BRR:mka

Copied to: Secretary, Burnaby Municipal Benefit Society