



SIGNING AUTHORITY POLICY

CODE:	D.004
CATEGORY:	FINANCE
RESPONSIBILITY:	ASSISTANT DIRECTOR OF EDUCATION
APPROVAL:	BOARD OF TRUSTEES
APPROVAL DATE:	AUGUST 2010
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NEXT REVIEW:	JULY 2015

INTRODUCTION

The objective of the Signing Authority Policy is to outline signing officers, procedures for the signing of contracts of all categories and the review and management of contracts. This policy provides information to all Signing Officers of the organization.

PURPOSE

The purpose of this policy is to ensure that the proper authority within the organization enters into any certain contract or obligation on behalf of Mamu Tshishkutamashutau. This includes Property Leases, Research Agreements, Partnership Contracts, Purchasing Contracts, Settlement Agreements and Banking, Investment and Loan Contracts.

SCOPE

This policy and the procedures associated with it apply to all administrative and support staff and relate to all contracts contained within the policy.

POLICY

Management of Contracts

1. Any signing officer who has signed a contract shall keep the original or, when not available, a true copy thereof, as well as the necessary supporting documents, in that person's office or a place under that person's control.
2. Any Director shall diligently bring to the attention of the Board of Trustees those contracts within that Director's jurisdictions which are considered of sufficient importance regardless of value, prior to their signature, namely contracts with an unusually high risk factor, contracts that might bring

the activities of the organization under public scrutiny or contracts which might involve any controversial matter.

3. Each signing officer subordinate to the Director shall diligently bring to the attention of the Director those contracts within their jurisdiction which are considered of sufficient importance regardless of value, prior to their signature. Each Director has the power to restrict the signing authority of any subordinate signing officer, in writing.
4. No signing herein designated shall sign any contract within the scope of that signing officer's jurisdiction where, but doing so, that officer is placed in a conflict of interest or gives the appearance of being so.

Mandatory Review of Certain Contracts

5. Review of a contract, prior to its signing and with possible legal counsel, by a Director of Education, the Assistant Director Finance and Administration, and the Director of Administration and Professional Services is mandatory, except in the following instances:
 - a) Purchase Order Requests having a total value not exceeding \$100,000.
 - b) Any property or equipment leases;
 - c) Partnership contracts;
 - d) Consultant or Specialist contracts;

Signing Authority - General

6. The Board of Trustees of Mamu Tshishkutamashutau has the general and overriding power to enter into all contracts of whatever nature, binding the corporation. It retains such power, notwithstanding the delegation of authority conferred upon specified delegates in this present Policy and furthermore, continues to possess the residual power to contract itself where no specific delegation of authority has been made in relation to any contract.
7. Where a contract for which no person has been designated as signing officer requires approval, the Director of Administration and Professional Services is the signing officer.
8. The Secretary of the Board of Trustees has the authority to issue any document authenticating or confirming the by-laws, resolutions, decisions and other acts of the Board.
9. Any signing officer herein designated may enter into and sign any contract within the scope of that officer's jurisdiction for any amount less than the ceiling amount fixed for that officer's signing authority.

10. If the Director of Administration and Professional Services will be absent from the Office, he or she may, in writing and for a time limited to the duration of the absence, delegate his or her signing authority to another member of the Board Administration Office.

Purchasing Contracts

11. In this section ,unless the context indicates otherwise, “purchasing contract” means any purchase agreement, contract or purchase order for the acquisition by purchase or rental of moveable effects including goods, supplies, equipment and services.

Refer to the Purchasing Policy for roles and responsibilities of Department Heads and the Office of the Assistant Director Finance and Administration.

12. The individuals designated below may delegate their signing authority temporarily to responsible nominees in the event of unavailability or other extraordinary circumstances, by way of written authorization specifying the Purchase Order Request authorization with signature of authorized individual and signing authority, and the effective dates of temporary authorization. Any value or specific limitation of the temporary signing authority should also be contained in the written authorization.
13. Purchase orders or purchase contracts may be entered into and signed in the name of Mamu Tshishkutamashutau by Assistant Director – Finance and Administration provided that they are preceded by the following Purchaser Order Request authorizations:
 - i. By Principals, Facility Managers or Directors of Education if the amount payable under such contract does not exceed \$15,000 per fiscal year.
 - ii. By a Director of Education and the Assistant Director Finance and Administration if the amount payable under such contract exceeds \$15,000, but does not exceed \$50,000.
14. Following the appropriate Purchaser Order Request authorization, purchase contracts may be entered into, in accordance with the Purchasing Policy and signed in the name of Mamu Tshishkutamashutau by the Assistant Director Finance and Administration or the Director of Administration and Professional Services.

Leases

15. In this section, unless the context indicates otherwise, “lease” means any contract by which a party acquires or cedes the enjoyment of the right to property.

16. Leases and any extensions or renewals of leases may be entered into and signed in the name of Mamu Tshishkutamashutau as lessor by the Assistant Director Finance and Administration if the total value does not exceed \$50,000 and the term of the lease does not exceed three years;

Partnership, Specialist and Consultant Contracts

17. In this section, unless the context indicates otherwise, “partnership contract” means any contract between the MTIE and any government, or any of its departments or agencies, or any university or any educational institution.
18. In this section, unless the context indicates otherwise, “specialist and consultant contract” means any contract between MTIE and any academic specialist, consultant, or any of its departments or agencies.
19. The officers designated may sign all accessory documents and perform all acts imposed upon or permitted to the organization, in virtue of the partnership contract or consultant / specialist contract and such accessory documents.
20. Partnership, specialist and consultant contracts may be entered into and signed in the name of Mamu Tshishkutamashutau by either a Director of Education, the Assistant Director Finance and Administration and the Director of Administration and Professional Services if the amount payable under said contract does not exceed \$100,000. The three aforementioned officers must consult with regards to all partnership contracts.
21. MTIE’s purchasing system shall not be used for personal purchases and Distribution Services shall not receive or ship personal items.

RELATED POLICIES

Purchasing Policy
Acquisition of Professional Services Policy
Quotation, Tender & Award Policy
Conflict of Interest Policy