

Policy and Procedure

Title:	Delegation of Signing Authority		
Policy Number:	01.002	Section:	Administration
Effective Date:	December 15, 1994		
Revised Date:	September 16, 2021		
Approving Body:	CCMB Board of Directors		
Authority:	CancerCare Manitoba Act and By-Laws		
Responsible Officer:	President and Chief Executive Officer		
Delegate:			
Contact:	Board Chair or President and Chief Executive Officer		
Applicable to:	CancerCare Community		

1.0 BACKGROUND:

In accordance with the CancerCare Manitoba (CCMB) By-Laws, the CCMB Board of Directors has the general and overriding power to enter into all Commitments, of whatever nature, binding CCMB. It retains such power, notwithstanding the delegation of authority or accountability conferred upon specific delegates from time to time as pursuant to this policy.

2.0 PURPOSE:

- 2.1 To identify those individuals to whom the CCMB Board has delegated authority to enter into Commitments.
- 2.2 To ensure that appropriate controls are placed for those entering into financial and non-financial Commitments on behalf of CCMB and to establish authorization limits for financial commitments.

3.0 DEFINITIONS:

- 3.1 Basic Equipment – Equipment that supports approved clinical, support, and administrative functions of a facility or program, including most normal replacement equipment and related emergency requirements of any unit.
- 3.2 Capital - Tangible assets such as land, buildings, furniture and equipment that are held for use in the provision of services with a Value of \$10,000 or more and have a useful life of more than one year.
- 3.3 Commitment - Any obligation placed on CCMB, by way of contract, purchase order, lease, letter of intent, memorandum of understanding, or other agreement.
- 3.4 Compassionate Access Agreement – any legal agreement with a manufacturer of a medicinal product related to the provision of that product provided at no charge for a single patient with a serious or immediately life-threatening condition (also known as compassionate use, expanded access, n=1 trial, etc.)

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- 3.5 Confidential Disclosure Agreement (CDA) – A legal agreement between two or more parties which outlines information the parties wish to share with one another for certain evaluation purposes but wish to restrict from wider use and dissemination. A CDA can also be known as a non-disclosure agreement, confidentiality agreement or secrecy agreement.
- 3.6 Data Sharing Agreement (DSA) – an agreement made between a provider and a recipient for the transfer of data where the recipient intends to use the data for its own purposes. The agreement clearly documents what data are being shared and how the data can be used. DSAs include data transfer agreements and other similarly named agreements with the same intent.
- 3.7 Employment Contract – A Commitment made for a secondment or purchased service agreement, excluding regular employment contracts.
- 3.8 Material Transfer Agreements (MTA) – An agreement made between a provider and a recipient for the transfer of tangible research materials where the recipient intends to use the material for its own research purposes. MTAs include biological materials agreements and other similarly named agreements with the same intent.
- 3.9 Research Contract – An agreement made between CCMB and a for-profit sponsor, funder or academic collaborator for the funding or performance of a specific body of research. Research Contracts include clinical trial agreements, sub-site agreements, consortium agreements, collaboration agreements, research grants and other similarly named agreements with the same intent.
- 3.10 Research Grant Application – An application to a funding organization for research funding.
- 3.11 Signing Authority – The individual delegated authority by the CCMB Board by way of this policy to enter into Commitments on behalf of CCMB.
- 3.12 Specialized Equipment – Is equipment that exceeds basic requirements and equals/exceeds \$10,000 net of GST rebate. Specialized Equipment is considered high technology, is associated with a provincial program, or has system wide applications.
- 3.13 Value - The Value of the Commitment being made over its term in Canadian currency, including all related taxes, service fees and freight charges (if applicable).

4.0 **POLICY:**

- 4.1 Signing authority is delegated by the CCMB board of directors to certain individuals of the organization in accordance with job titles and level of responsibility assigned to those individuals.

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- 4.2 No individual may sign any contract that creates a Commitment on behalf of CCMB unless that individual has Signing Authority in accordance and in compliance with this policy.
- 4.3 Signing Authority is automatically vested in any individual at a higher level of authority in the direct line of reporting.
- 4.4 Regardless of the delegation of Signing Authority made, accountability for the operations of a service or purchase rests with the individual who has been given the responsibility to manage that service or purchase within CCMB.
- 4.5 Each Signing Authority shall diligently bring to the attention of the individual at the next higher level of authority in the direct line of reporting those Commitments within their portfolio which are considered of sufficient importance, regardless of Value, prior to their signature. Such Commitments include, but are not limited to, Commitments with an unusually high level of risk, Commitments that might bring the activities of CCMB under public scrutiny or Commitments which might involve any controversial matter.
- 4.6 No Signing Authority designated in this policy shall sign any Commitment within the scope of that Signing Authority's jurisdiction where, by doing so, that Signing Authority is placed in a conflict of interest in violation of CCMB Policy 01.001 *Conflict of Interest*.
- 4.7 No Signing Authority may approve any request for personal reimbursement. All requests for personal reimbursement must be signed by the claimant and approved by a person who is on the organizational level above that of the claimant (normally the person to whom the claimant reports).
- 4.8 Where a position is vacant and is formally filled by an individual in an acting capacity, that individual shall have the full signing authority of the position.
- 4.9 **Capital Equipment and Projects**

Commitments for Capital equipment and projects require pre-authorization, as follows:

- Basic Equipment with a combined Value of over \$100,000 requires the approval of Manitoba Health and Seniors Care (MHSC) prior to sign-off by the appropriate Signing Authority.
- Specialized Equipment requires the approval of MHSC prior to sign-off by the appropriate Signing Authority. Funding will be provided through loan authority or outright grants.
- Projects involving significant renovations or new construction require submission to and approval by MHSC.

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4.10 Leases of Real Property

- 4.10.1 Any request for a new lease of real property must be reviewed and approved by the Department of Workforce and Environment.
- 4.10.2 All leases of real property where CCMB is the lessee, must be approved by MHSC.
- 4.10.3 Extensions or renewals of leases of real property, in which CCMB is exercising an option to renew from a real property lease previously approved by MHSC, do not require re-approval; however, MHSC must be notified.
- 4.10.4 Once the approvals required by sections 4.10.1 - 4.10.3 have been obtained, the total Commitment for the entire lease term should be calculated and approved by the appropriate Signing Authority.

4.11 Employment Contracts

- 4.11.1 Employment Contracts for secondments and purchased service arrangements with a one-year Value of less than \$250,000 may be approved by the Chief of Corporate Services and Finance (CCSF).
- 4.11.2 All written offers of employment must include the signature of the CCSF or as designated by the CCSF.

4.12 Human Resources/Labour Relations Commitments

- 4.12.1 The Signing Authority for the following agreements is the Director of Workforce:
 - Essential services agreements
 - Memorandums of agreement or memorandums of understanding related to the settlement of grievances
 - Memorandums of agreement or memorandums of understanding related to the settlement of employment disputes

4.13 Compassionate Access Agreements

- 4.13.1 The Signing Authority for all Compassionate Access Agreements is the Chief Medical Officer (CMO).

4.14 Oncology Drug Purchases

- 4.14.1 The Signing Authority for oncology drug purchases with a Value of less than \$1,000,000 is the President & CEO. The Chief of Clinical Operations (CCO), CMO or CCSF may authorize oncology drug

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purchases up to \$500,000 so long as the purchase meets the following criteria:

- Coverage is provided under the Provincial Oncology Drug Program (PODP) or Home Cancer Drug Program (HCDP) budgets.
- The purchase order has been signed by the Director, PODP or Director of Pharmacy.

4.15 **Confidential Disclosure Agreements (CDAs)**

4.15.1 The Signing Authority for CDAs related to the business of the Clinical Trials Unit (CTU) is the CTU Medical Director or CTU Manager.

Note: If the CTU Medical Director is involved as a site principal/lead investigator on a CDA, the CDA will be signed by the CTU Manager.

4.15.2 The Signing Authority for all other CDAs is the CCSF.

4.16 **Research Agreements**

4.16.1 Material Transfer Agreements – the Signing Authority is the Chief of Research or the CCSF.

4.16.2 Data Sharing Agreements – the Signing Authority is the CCSF.

4.16.3 Research Contracts – the Signing Authority is the CCSF.

4.16.4 Research Grant Applications – the Signing Authority is the Chief of Research or the CCSF for applications that require institution sign-off.

4.16.5 Research grant holders may approve Commitments with a Value of equal to or less than \$10,000 from their respective grant. Commitments over \$10,000 require the approval of the Chief of Research or the CCSF.

4.17 **Cheque Signing**

All bank transactions, including the signing of cheques will take place in accordance with CCMB SOP 4.10 *Signing Authorities – Banking*.

4.18 **Recurring Payments**

4.18.1 CCMB may have regular recurring payments for payroll, purchased services, or Capital equipment and projects with a Value in excess of \$1,000,000. The President & CEO is authorized to enter into and sign Commitments for regular recurring payments provided the CCMB Board has previously approved the total Value of the Commitment.

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For example, a contract for 24 monthly payments of \$60,000 would be a Commitment valued at \$1,440,000, which could be signed by the President & CEO with prior Board approval.

4.19 Authorization Limits for financial Commitments not specified in Sections 4.9 - 4.18

4.19.1 Level 1:

Any Commitment made on behalf of CCMB with a Value greater than \$1,000,000 must be signed on behalf of the CCMB Board by any one of the Chair or Vice-Chair, together with any one of the other Officers in accordance with the CCMB By-Law, Article 11 *Execution of Documents*.

4.19.2 Level 2:

The President & CEO is delegated the authority to approve and sign all Commitments with a Value of less than or equal to \$1,000,000.

4.19.3 Level 3:

The CCSF is delegated the authority to approve and sign all Commitments with a Value of less than or equal to \$250,000 in any portfolio.

4.19.4 Level 4:

The Provincial Director of Population Oncology (PDPO), Chief of Clinical Operations (CCO), Chief of Research, and the Chief Medical Officer (CMO) are delegated the authority to approve and sign all Commitments with a Value of less than or equal to \$100,000 within their respective portfolios.

4.19.5 Level 5:

Directors/Service Heads who report directly to Level 4 Signing Authorities may approve and sign Commitments with a Value of less than or equal to \$10,000 from their respective budget.

4.19.6 Level 6:

a. Individuals who report directly to Level 5 Signing Authorities such as Managers/Supervisors/Coordinators may approve and sign Commitments with a Value of less than or equal to \$5,000 within their department.

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- b. In certain circumstances, individuals who are not a Manager/Supervisor/Coordinator may also be authorized by the applicable portfolio chief to approve and sign Commitments with a Value of less than or equal to \$5,000 for a specific purpose, within their department.

4.20 **Authorization for Non-Financial Commitments Not Specified in this Policy**

- 4.20.1 The Signing Authority for any non-financial Commitments not specified in this policy is the President & CEO or other individual authorized in advance and in writing by the President & CEO.

- 4.21 A summary of the delegated Signing Authority is provided in Appendix A.

4.22 **Delegation of Signing Authority during Absences**

- 4.22.1 If a Signing Authority will be absent from CCMB, they may, for the duration of the absence, delegate their authority to another person, by submitting a Temporary Notice of Delegation Form (Appendix B).
- 4.22.2 Temporary delegation by Level 5 and 6 Signing Authorities require approval of the applicable portfolio chief.
- 4.22.3 Temporary delegation by Level 3 and 4 Signing Authorities require approval of the President & CEO.
- 4.22.4 Temporary delegation by the President & CEO requires approval by the CCMB Board Chair.

5.0 **PROCEDURE:**

Not Applicable.

6.0 **REFERENCES:**

- 6.1 CancerCare Manitoba By-Law 1-2008 for carrying out the objects of the Corporation
- 6.2 CCMB Policy 01.001 *Conflict of Interest*
- 6.3 CCMB Standard Operating Procedure 4.10 *Signing Authorities - Banking*

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DOCUMENTATION

Document Location:

This document is located (hard and e-copy formats):

1. The original signed and approved document is on file in the Policy Office, CCMB.
2. The e-copy is on file in the CCMB Governing Documents Library on SharePoint.
- 3.

Revision History:

Date	Version	Status	Author	Summary of Changes
dd/mm/yyyy	#	Initial, Draft Final Minor/Major revision		
12/15/1994	1	Initial	CCMB Board	
23/10/2002	2	Revision	CCMB Board	
08/12/2009	3	Review	CCMB Board	
01/21/2010	4	Revision	CCMB Board	
16/05/2013	5	Revision	CCMB Board	
09/04/2019	6	Minor Revision	F&A Committee	Minor editing and under 3.2 increase from \$2,000 to \$10,000
30/10/2019	7	Minor Revision	Executive	
16/09/2021	8	Major Revision	Executive	Addition of signing authorities for various non-financial commitments, updated signing limits, , summary table, formal temporary delegation of signing authority process

Approvals Record:

This Policy requires approval by:

Date	Name / Title	Signature
	Not applicable.	

FINAL APPROVAL:

Date	Name / Title	Signature
Sep 16, 2021	Chair of the CCMB Board of Directors	<i>Approved by the Chair of the CCMB Board of Directors</i>

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Appendix A

Summary of Delegations

Commitment	Signing Authority
CTU CDAs	CTU Manager or Medical Director
CDAs - other	CCSF
MTAs	Chief of Research or CCSF
DSAs	CCSF
Research Contracts	CCSF
Research Grant Applications (institution sign-off)	Chief of Research or CCSF
Research Grant expenditures ≤ \$10,000	Grant holder
Research Grant expenditures > \$10,000	Chief of Research or CCSF
Human Resources/Labour Relations Commitments	Director of Workforce
Compassionate Access Agreements	CMO
All other non-financial Commitments	President & CEO
> \$1,000,000	CCMB Board (Level 1)
≤ \$1,000,000	President & CEO (Level 2)
PODP/HCDP drug purchases ≤ \$1,000,000	President & CEO (Level 2)
PODP/HCDP drug purchases ≤ \$500,000	CCO, CCSF or CMO
Employment Contracts for secondments and purchased service arrangements ≤ \$250,000/year	CCSF (Level 3)
≤ \$250,000 (any portfolio)	CCSF (Level 3)
≤ \$100,000	PDPO, CCO, Chief of Research or CMO within their respective portfolios (Level 4)
≤ \$10,000	Director/Service Head within their respective budget (Level 5)
≤ \$5,000	Managers/Supervisors/Coordinators/Other, within their respective department (Level 6)

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Appendix B

Temporary Notice of Delegation Form

In accordance with CancerCare Manitoba Policy 01.002 *Delegation of Signing Authority*, authority to enter into Commitments may be delegated by the Signing Authority during temporary absences. The exercise of delegated authority during temporary absences is subject to all policy obligations or conditions applicable to Signing Authorities and delegates. The Signing Authority remains responsible for all delegations made by them under this policy.

This is to inform you that I, _____, will be away from CancerCare Manitoba:

from _____ to _____.

For the period of my absence, I have delegated Signing Authority to:

(name and title)

Signature of Signing Authority

Name:

Title:

Signature of temporary Signing Authority

Name:

Title:

Approval*:

Signature

Name:

Title:

*Portfolio chief approval for Level 5 and 6 Signing Authorities/President & CEO approval for Level 3 and 4 Signing Authorities/CCMB Board Chair for President & CEO