Non-Monetary Agreements

Policy and Procedures

Date June 25, 2020
Number B. 10.11 - Procedures

Date of Last Review/Revision: June 25, 2020
Mandated Review: 2025

Policy Authority: Vice-President, Finance and Administration
Parent Policy: B.10.11 Signing Authorizations

1.0 PURPOSE

1.1 The purpose of this procedure is to describe the signing authority applicable to certain contracts and agreements that, because they do not involve the direct expenditure of monies or the direct receipt of monies by the University, do not include contractual obligations or a transaction value to consider under the signing resolutions under Policy B.10.11.

2.0 DEFINITIONS

2.1 Non-Monetary Agreements means those Contracts and Agreements, both non-binding and binding, which create non-monetary rights and obligations, but in each case do not commit the University to the direct expenditure of, or require a counterparty to make direct payment to the University of, any monies.

2.2 Senior Leaders are individuals reporting directly to a Vice-President or Dean who are delegated authority to sign Non-Monetary Agreements by their Vice-President or Dean, as applicable. This may include Associate Vice-Presidents, Associate Deans, Chiefs or other individuals depending on the reporting structure in place in a particular operating unit or faculty.

3.0 PROCEDURE

3.1 The signing authority for any Non-Monetary Agreement will depend on which unit, faculty, or area of the University will be (a) primarily responsible for the satisfaction of the non-monetary obligations imposed on the University by the Non-Monetary Agreement or (b) the primary beneficiary of the non-monetary rights created by the Non-Monetary Agreement.

3.2 Where the Non-Monetary Agreement imposes non-monetary obligations primarily on, or creates non-monetary primarily rights in favour of:
3.2.1 The University generally, the signing authority for the Non-Monetary Agreement will be the President;

3.2.2 A specific administrative unit, Research Institute, or core facility of the University, the signing authority for the Non-Monetary Agreement will be the Vice-President who is primarily responsible for such unit, Research Institute, or core facility; and

3.2.3 A specific faculty or Research Centre of the University, the signing authority for the Non-Monetary Agreement will be the Dean of that faculty itself or that faculty that primarily supports such Research Centre.

3.3 Before any signing authority may execute a Non-Monetary Agreement, the Non-Monetary Agreement in question must have been approved pursuant to the relevant University Policy, committee, or internal program requirements applying to the activities of the relevant administrative unit, Research Institute, Research Centre, or core facility. For example, Non-Monetary Agreements proposed by (a) SFU International must be approved pursuant to University Policy GP23; (b) a Research Institute or Research Centre must be approved pursuant to University Policy R40.01; and (c) a core facility of the University must be approved pursuant to the internal program requirements of that core facility, in each case before the Non-Monetary Agreement will be eligible for signature by the signing authority listed above.

3.4 Authority to sign Non-Monetary Agreements may be delegated in writing by: (a) the President, to a Vice-President and (b) Vice-Presidents and Deans, to Senior Leaders based on the reporting structure in place in their operating units or faculties. The individual to whom signing authority is delegated must have sufficient skills and knowledge to ensure compliance with the terms of the Non-Monetary Agreement for which signing authority has been delegated. The individual delegating signing authority hereunder is expected to retain documentation to support the qualifications of the individual to whom the signing authority is being delegated.

3.5 Questions relating to the application of this procedure should be directed to the Policy Authority in the first instance.

4.0 RELATED LEGAL, POLICY AUTHORITIES AND AGREEMENTS

4.1 The legal and other University Policy authorities and agreements that may bear on the administration of this procedure and may be consulted as needed include but are not limited to:

4.1.1 GP23 – University Policy on International Activities

4.1.2 R40.01 – Research Centres and Institutes