

Policy Number	7.6
Approval Body	Board of Governors
Policy Officer	VP, Finance + Administration
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Expenditure and Contract Signing Authority Policy

1.0 Purpose

The Expenditure and Contract Signing Authority Policy (the Policy) establishes the framework for financial approval authority and contract signing authority for the University.

The Policy designates individuals to act as the University's approval and contract signing authorities, for specified purposes and subject to specified restrictions.

Responsibilities and duties of those with signing authority will be clearly communicated to designated individuals who are responsible for ensuring they understand and abide by their responsibilities and authorities established through the Policy, and associated schedules or procedures that may be established in connection with the Policy.

2.0 Definitions

Board – the Board of Governors of the University.

Contract– means, collectively,

- a legally binding promise or agreement between two or more parties for consideration that is enforceable by law, including, contracts, sub-contracts, construction or renovation project tenders and agreements, leases, licenses, donor agreements, deeds, grant applications, grant agreements, certificates, instruments, or any other document which creates an obligation or is binding upon the University or any part thereof, including those related to in-kind transactions; and
- promises and agreements, whether legally binding or not, such as letters of intent, letters of agreement, memoranda of understanding, and memoranda of agreement.

Contract Signing Authority – the authority to execute Contracts on behalf of the University.

Executive Team Member – a member of the University's President's Executive Committee.

Expenditure – a payment or an obligation to pay funds on behalf of the University.

Expenditure Approval Authority – the authority to approve Expenditures of University funds.

Purchase Order - a document that is issued by a University buyer when placing an order with the University's existing vendors or suppliers for purchasing goods.

Purchase Requisition – a digital form sent to the Financial Services department approving the creation of a Purchase Order for the acquisition of required goods, services, and equipment.

Purchaser – the employee responsible for purchasing goods or services for their department.

Significant Contract – a proposed Contract that may have a substantial impact or pose extraordinary risk to the University and includes contracts that are precedent-setting, involve sensitive issues, or otherwise have the potential for reputational harm. Significant Contracts may include:

- Agreements related to activities in other countries;
- Agreements where the University is entering into a joint venture, partnership or similar relationship with another institution or private company that presents additional risk; or
- Agreements related to licensing, sale, purchase, or disposition of real property, technology, or intellectual property.

Signing Authority – collectively, Expenditure Approval Authority and Contract Signing Authority.

University – Emily Carr University of Art + Design.

3.0 Scope + Application

- 3.1 This Policy applies to the Board and all employees of the University.
- 3.2 This Policy delegates Expenditure Approval Authority and prohibits individuals who do not have Expenditure Approval Authority from exercising such authority.
- 3.3 This Policy delegates Contract Signing Authority and prohibits individuals who do not have Contract Signing Authority from exercising such authority.
- 3.4 This Policy does not apply to:
 - employment contracts and collective agreements; and,
 - cheque signing roles and responsibilities
- 3.5 Expenditure Approval Authority of this Policy:
 - does not grant Contract Signing Authority; and,
 - is applicable to all University funds, and includes all operating, capital, ancillary, trust and research activities.
- 3.6 Contract Signing Authority of this Policy:
 - does not grant Expenditure Approval Authority;
 - applies to all Contracts; and
 - applies to all employees of the University and all academic, administrative and research activities and operations undertaken by the University, including activities related to capital, externally funded projects, and endowments.

4.0 Policy

General

- 4.1 Through this Policy, the Board makes the delegations of Expenditure Approval Authority and Contract Signing Authority set out in Schedules A and B to this Policy.

Notwithstanding the foregoing delegation of Contract Signing Authority:

- the Board retains Contracting Signing Authority over Significant Contracts, which shall be reviewed and signed in accordance with Schedule B; and
- the Board may direct that any proposed Expenditure or Contract be reviewed and approved by the Board, or the Audit + Finance Committee of the Board, and signed in accordance with its specific direction.

- 4.2 No person is authorized to sign a Contract unless authorized under this Policy. Individuals who do not comply with this Policy may be subject to penalties and/or discipline, up to and including termination of employment or other relationship with the University in accordance with University policies or procedures and any applicable collective agreements.
- 4.3 Executive Team Members who directly or indirectly report to the President + Vice-Chancellor will have general Expenditure Approval Authority and Contract Signing Authority for Contracts within their area of responsibility up to the values set out in Schedules A and B.
- 4.4 Executive Team Members may sub-delegate Expenditure Approval Authority or Contract Signing Authority. The limits of the sub-delegation will be as set out in Schedules A and B for the applicable position.
- 4.5 If an individual delegated Expenditure Approval Authority or Contract Signing Authority will be unavailable for an extended period due to vacation, travel or unexpected absence, they may sub-delegate to a position that has the knowledge and expertise to act in their absence, otherwise the authority will move to the Executive Team Member to whom the absent employee reports, or in their absence, the Vice-President, Finance + Administration.
- 4.6 Before approving an Expenditure, the individual delegated Expenditure Approval Authority must ensure that the Expenditure:
- is valid, appropriate, necessary for the business of the University, and fairly valued;
 - is within the functional scope and area of responsibility assigned to them;
 - does not exceed the limits set out in Schedule A;
 - does not exceed the approved budget or, in the case of restricted funds, complies with the applicable restrictions and does not exceed the amount of restricted funds available;
 - complies with applicable University policies and procedures; and
 - is consistent with external funding, including donor or contributor terms and conditions, if applicable.
- 4.7 Before signing a Contract, the individual delegated Contract Signing Authority must ensure that:
- the Contract is properly documented in writing, preferably using the relevant University approved template, if one is available;
 - the financial and non-financial risk, benefits and obligations are assessed, and consultation and coordination with the appropriate Executive Team Members or university employees occurs to ensure Contract terms are in the best interest of the University;

- where Contracts include the purchase or licensing of equipment, services or software with the potential to impact the University's IT infrastructure, approval is granted by the Chief Information Officer (CIO) before the Contract is signed;
 - the parties to the Contract can reasonably meet all obligations set out in the Contract;
 - the Contract complies with the applicable legislative or regulatory requirements, policies, guidelines, collective agreements, or other obligations of the University; and,
 - Contract terms related to privacy, intellectual property, indemnification, and insurance requirements are assessed in accordance with applicable policy, procedure, and legislation and cover the University's interests.
 - the appropriate level of preliminary review and approval is obtained as set out in Schedule B.
- 4.8 Regardless of the dollar value, the Vice-President Finance + Administration must be notified before an individual delegated Expenditure Approval Authority approves an Expenditure with an unusually high financial or reputational risk-factor that could bring the activities of the University under public scrutiny or involves controversial matters or potential fraud.
- 4.9 Every individual delegated Contract Signing Authority must report Contracts that they consider to be Significant Contracts to the President + Vice Chancellor and the Vice President Finance + Administration for a determination of the appropriate Contract review and signing process.
- 4.10 An individual delegated Expenditure Approval Authority may not authorize their own expense claims, or expense claims of employees in a senior position. Expense claims must be approved by an authorized Expenditure Approval Authority at least one level higher in the hierarchy illustrated in Schedule A, regardless of the amount.
- In addition:
- 4.10.1 The Expenditure Approval Authority for reimbursement of the President's expense claims is the Chair of the Board or, in their absence, the Board Vice-Chair or the Chair of the Audit + Finance Committee.
- 4.10.2 The Expenditure Approval Authority for reimbursement of a Board member is the Chair of the Board or, in their absence, the Board Vice-Chair or the Chair of the Audit + Finance Committee.
- 4.10.3 The Expenditure Approval Authority for reimbursement of the Chair of the Board is the Board Vice-Chair or the Chair of the Audit + Finance Committee.
- 4.11 An individual delegated Expenditure Approval Authority or Contract Signing Authority may not approve payment or sign any document in which they have an actual, potential or perceived conflict of interest, including any arrangement conferring benefit on themselves, their family members, or related parties. If there is uncertainty regarding whether a conflict of interest exists, the document must be approved by an authorized Signing Authority at least one level higher in the hierarchy set out in Schedule A or B.

Limits of Approval

- 4.12 A Signing Authority may only approve Expenditures or enter into Contracts within the limits of approval set out in Schedules A and B and not exceeding amounts that in aggregate are over the departmental budget. The values of interdependent Expenditures or Contracts that comprise a single obligation are deemed to be a single transaction for purposes of determining limits of approval set out in Schedules A and B. Similarly, a single procurement must not be divided into multiple components to circumvent the approval requirements of this policy.
- 4.13 Individuals assigned a commercial payment card may approve individual purchases within the card's limits and their delegated Contract Signing Authority, whichever is lower.
- 4.14 Expenditures related to donations for scholarships, bursaries and awards will be made in accordance with Schedule A.
- 4.15 Editorial amendments to the Signing Authorities identified in Schedules A and B are permitted when necessary to reflect changes in position titles provided that the change reflects a change in nomenclature and not a change to the underlying role of the position.

Legal, Risk Management, Insurance and Privacy Review

- 4.16 Contract Signing Authorities who wish to seek legal advice relating to Contracts must obtain approval from the Vice President, Finance + Administration prior to contacting any legal advisor. The selection of the legal advisor is at the discretion of the Vice President, Finance + Administration in consultation with the Signing Authority.
- 4.17 Any document containing a guarantee or indemnity clause must be submitted to the Office of the Vice President, Finance + Administration prior to the document being signed. The Office of the Vice President, Finance + Administration must submit the document to the provincial Risk Management Branch for their approval, if applicable.
- 4.18 The University has insurance coverage under the University, College and Institute Protection Program (UCIPP), provided by the Ministry of Finance. Any document that contains a requirement that the University maintain any form of insurance coverage must be reviewed and approved by the Office of the Vice President, Finance + Administration prior to the document being signed.
- 4.19 Contracts in which a third party may have access to personal information under the custody or control of the University must be reviewed and approved by the University's Privacy Officer prior to the document being signed.
- 4.20 Legal, risk management, insurance and privacy reviews may not be required in situations where the Signing Authority has used template agreements that have been previously reviewed by legal counsel with no changes to legal or risk or privacy terms.

Contract Repository

- 4.21 Contract Signing Authorities will provide the Office of the Vice President, Finance + Administration a fully executed digital copy, or the original 'wet ink' signed version if available, of all executed Contracts, and the Office of the Vice President, Finance + Administration will retain the Contracts, either in paper or electronic format, in accordance with applicable records retention procedures.

5.0 RESPONSIBILITY

For inquiries relating to this policy, contact the Vice President, Finance + Administration.

6.0 PROCEDURES

Schedule A: Expenditure Approval Authority Limits

Schedule B: Contract Signing Authority Limits

[NTD: Associated Procedures to be developed]

https://www.nserc-crsng.gc.ca/InterAgency-Interorganismes/TAFA-AFTO/guide-guide_eng.asp

<https://d1bdilxpumkn65.cloudfront.net/assets/pdf-attachments/7.2-Contracting-Policy.pdf>

7.0 ENABLING LEGISLATION

- *University Act* (British Columbia)
- Indemnities and Guarantee Regulation, *Financial Administration Act*
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/00_96468_01 (British Columbia)
- *Freedom of Information and Protection of Privacy Act* (British Columbia)

Schedule A

Expenditure Approval Authority Limits

Employees delegated or sub-delegated Financial Approval Authority can authorize Expenditures for transactions up to the limits of authority below, per transaction. The limits of authority are expressed in Canadian dollars but include the same value in US dollars, when applicable. Other currencies must be recalculated to Canadian dollars and be within the stated amount limits.

Authorization assumes adequate unspent and uncommitted budget funds are available.

Limits of Authority**	Position
Over \$1,000,000	Board of Governors*
Up to \$1,000,000	President + Vice-Chancellor
Up to \$500,000	Vice President
Up to \$100,000	Executive Team Member Executive Director, Financial Services General Manager, P3 Facility Operations
Up to \$50,000	Executive Director or Director Registrar or Associate Registrar Controller Recipient of External Funding/Grant***
* Upon written approval by the Board of Governors, the President + Vice-Chancellor or Vice President, Finance + Administration may approve transactions over \$1,000,000 for special projects. ** Procurement related to an existing approved Contract can be approved by the Executive Team Member of the contracting department, up to the value(s) identified in the Contract. ** Monthly Service Payments to AAP Partnership are in line with the existing P3 Project Agreement and can be approved by the General Manager, P3 Facility Operations, the Executive Director, Financial Services, and the Controller. Amounts invoiced by AAP Partnership outside the P3 Project Agreement require approval in line with the limits of approval above. *** Recipients of restricted funds (e.g. sponsored research and other specific purpose funds) are authorized to make Expenditures in line with the terms of the grant and within the amounts of the restricted funding available, within the limits of approval above.	

Schedule B

Contract Signing Authority Limits

Contracts are designated into four categories: Expenditure, Revenue, Specialty/Non-Monetary, and Significant. Where a Contract does not align with one of these categories, the Contract Signing Authority will be the President + Vice-Chancellor or Vice President, Finance + Administration.

Contracts requiring more than one signature will first be signed by the Contract Signing Authority, with additional signatures (to the number required) from the positions identified in the Preliminary Review and Approval column, the Vice President, Finance + Administration, or the President + Vice-Chancellor.

Where the Board of Governors is the Contract Signing Authority, the Board Chair will act as signatory, or upon written approval by the Board Chair, the President + Vice-Chancellor or responsible Vice President may sign the contract.

EXPENDITURE CONTRACTS AND PURCHASE ORDERS

A Contract between the University and another entity that defines how the University's funds are expended for the provision of required goods and services to the University.

Expenditure Contracts and Purchase Orders		
Contract Amount	Required Preliminary Review and Approval*	Contract Signing Authority
Over \$1,000,000**	President + Vice-Chancellor VP, Finance + Administration Responsible Executive Team Member	Board of Governors
Up to \$1,000,000	VP, Finance + Administration Responsible Executive Team Member	President + Vice-Chancellor
Up to \$500,000	Responsible Executive Team Member	VP, Finance + Administration
Up to \$100,000	Responsible Purchaser	Responsible Executive Team Member General Manager, P3 Facility Operations
Up to \$50,000***	Responsible Purchaser	Responsible Executive Director Responsible Director University Librarian Recipient of External Funding/Grant
Up to \$10,000 Purchase Orders only****	Responsible Purchaser	Controller Responsible Manager Events Lead Print + Transactional Lead Print Technician 3, Digital Output Centre Library Operations Coordinator
* Contracts that involve the acquisition or licensing of equipment, software, online subscription, implementation services, or digital technology solutions to be offered as a digital technology service at the University must be authorized (and if possible, cosigned) by the Chief Information Officer (CIO) after an assessment. * Procurement related to an existing approved Contract may be approved by the Executive Team Member of the contracting department, up to the value(s) identified in the Contract.		

** Upon written approval by the Board of Governors, the President + Vice-Chancellor and Vice President, Finance + Administration may sign the Contract.

*** Individuals assigned a commercial payment card may approve individual purchases within the card's limits and their delegated Contract Signing Authority, whichever is lower.

*** Recipients of restricted funds (e.g. sponsored research and other specific purpose funds) are authorized to sign Contracts in line with the terms of the grant and within the amounts of the restricted funding available, within the limits of approval above.

**** Purchase Orders must only be issued after a Purchase Requisition has been prepared and approved pursuant to relevant purchasing procedures.

REVENUE CONTRACTS

A Contract between the University and another entity that defines the services the University will provide, and what funds will be paid to the University.

Gift, donation and bequest agreements are approved in accordance with applicable University policies governing gift acceptance and donations.

General Revenue Contract		
Contract Amount	Required Preliminary Review and Approval	Contract Signing Authority
Over \$1,000,000*	President + Vice-Chancellor VP, Finance + Administration Responsible Executive Team Member	Board of Governors
Up to \$1,000,000	VP, Finance + Administration Responsible Executive Team Member	President + Vice-Chancellor
Up to \$500,000	Responsible Executive Team Member	VP, Finance + Administration
Up to \$100,000		Responsible Executive Team Member
* Upon written approval by the Board of Governors, the President + Vice-Chancellor and Vice President, Finance + Administration may sign the contract.		

Research Revenue Contract		
Contract Amount	Required Preliminary Review and Approval	Contract Signing Authority
Over \$1,000,000*	President + Vice-Chancellor VP, Academic + Provost AVP Research + Dean Graduate Studies	Board of Governors
Up to \$1,000,000	VP, Academic + Provost AVP Research + Dean Graduate Studies	President + Vice-Chancellor
Up to \$500,000	AVP Research + Dean Graduate Studies	VP, Academic + Provost
Up to \$100,000		AVP Research + Dean Graduate Studies
* Upon written approval by the Board of Governors, the President + Vice-Chancellor and Vice President, Academic + Provost may sign the contract.		

SPECIALTY/NON-MONETARY CONTRACTS

A Contract that falls under various categories as listed below. These Contracts are typically non-monetary in nature.

Specialty/Non-Monetary Contracts*		
Specialty Contract	Required Preliminary Review and Approval	Contract Signing Authority
Agreements that may take the form of a memorandum of understanding; letter of agreement; memorandum of agreement; letter of intent, or other	Responsible Executive Team Member	President or Responsible Vice President
Articulation Agreement	Registrar + Executive Director, Enrolment Responsible Dean	VP, Academic + Provost
Educational Affiliation Agreement	Registrar + Executive Director, Enrolment Responsible Dean	VP, Academic + Provost
* Where a non-monetary contract is not listed above, the Contract Signing Authority will be the responsible Vice President.		

SIGNIFICANT CONTRACTS

See the definition of Significant Contracts in the Section 2 of this Policy.

For all Significant Contracts, the Vice President, Finance + Administration, and the President + Vice-Chancellor are required to review and approve the Contract, and the Board of Governors acts as the Contract Signing Authority. Upon written approval by the Board of Governors, the President + Vice-Chancellor (or such other signatory authorized by the Board) may sign the Contract.