

**ISLAND COASTAL ECONOMIC TRUST (ICET) FIVE YEAR LEGISLATIVE REVIEW
TERMS OF REFERENCE FOR LEGISLATIVE REVIEW COMMITTEE**

Adopted January 18 2011

A. Purpose and role of committee

The ICET was established in 2005 pursuant to the *North Island-Coast Development Initiative Trust Act* (the "Act"), with the purpose of investing in the North Island-Coast Area (as defined in the Act) in the areas of forestry, transportation, tourism, mining, Olympic opportunities, small business, economic development, energy, and agriculture. The primary objective of the ICET is to be a catalyst to build a diverse and sustainable Island coastal economy.

Pursuant to section 26 of the Act, on or before the fifth anniversary of the establishment of the ICET a committee must be appointed by the Board of ICET to review the Act and evaluate how it is functioning.

The review committee may consult with business, labour, education providers, government and any other person or organization it considers appropriate. It must publish a report of its findings in a manner that can reasonably be expected to bring the report to the attention of the public.

B. Further context

By June 2011 the Board of ICET expects to complete a comprehensive performance review. Members of the legislative review committee will also participate in the comprehensive review process on a separate committee comprising six or more individuals representing specific geographic areas, economic sectors or areas of expertise.

C. Scope of review

Objectives of review:

The primary objective of the review is compliance with section 26 of the Act. The results (including both barriers and assets to effective performance identified by the committee in their evaluation of how the Act is functioning) will also be taken into consideration in the comprehensive review process.

Consultation:

The review committee will identify appropriate individuals and organizations with which to consult on the functioning of the Act. The key criteria for selection of those individuals and organizations will be knowledge and understanding of ICET, its work and its objectives, and/or experience of working with the Act and ICET over the last five years.

Recommendations:

The review committee will make recommendations for changes to the Act that appear to the committee to be necessary or desirable to support or improve the effective functioning of the Act and of ICET.

Publication of review report:

The review committee will, in consultation with ICET staff and the Legislative Review Steering Committee, determine an appropriate method of publication of its report in a manner that can reasonably be expected to bring the report to the attention of the public.

D. Matters to be addressed in review

Without limiting the scope of its review and the evaluation of the functioning of the Act, the review committee will address the following matters:

Governance:

1. *Board:* The composition of the Board of ICET, term of office, and proceedings (clauses 6—10);
2. *RACs:* The composition of regional advisory committees (RACs), term of office, and proceedings (clauses 2—4); regional divisions and structures (clauses 1—2); and role (clause 21).

Core purposes:

Scope and validity of strategic areas for investment (clause 20).

Finance and administration:

Limit on total allocation to ICET (clause 17); requirement to pay interest and donations into Regional Account (clauses 18—19, 22); operational spending (clause 13); appointment and authorities of staff (clauses 11—12); winding up provisions (clause 23); review requirements (clause 26).

Public accountability:

Strategic planning process (clause 14); annual reports (clause 15); audit requirements (clause 16).

General:

Flexibility and transparency of the Act; aspects of the Act that have supported or been barriers to the objectives of the ICET; aspects of the Act that have supported or been barriers to the operational efficiency and capacity of ICET to meet its primary objective to be a catalyst to build a diverse and sustainable Island coastal economy.

Responses obtained in the consultation process that are not pertinent to the legislative review, but which may be useful in the context of the comprehensive review, will be provided separately to ICET. Consulted parties will be asked to participate in the comprehensive review.

E. Process: duties and procedures

Procedures:

ICET will:

- Provide administrative support for the review committee, including preparation and distribution in advance of agendas for meetings, arranging locations for meetings, distribution and maintenance of decision records, publication of the final report and other reasonable administrative support as required.
- Ensure that the consultant has the necessary materials and documentation to support the committee.
- Liaise with the provincial government as required.

The consultant engaged by ICET to assist the committee with the review process will:

- Record decisions of the committee;
- Provide information as required to the committee;
- Conduct the consultation process on behalf of the committee;
- Present the results of the process to the committee for review;
- Prepare a draft report and recommendations for the committee's review;
- Prepare the final report for committee approval prior to submission to ICET.

The review committee will:

- Operate on the basis of consensus. For the purposes of this committee, consensus is defined as no member opposes a final decision of the committee.
- Report to and liaise with the Legislative Review Steering Committee established by ICET.
- Provide strategic direction and guidance for the consultant regarding the consultation process and the reporting content and format.
- Review draft reports.
- Attend a minimum of three and maximum of four meetings.
- Modify these terms of reference from time to time as considered necessary or desirable to meet the objectives of the legislative review.
- Use reasonable efforts to present a final report to ICET for publication no later than February 27, 2011.