

**HALIFAX REGIONAL MUNICIPALITY  
ADMINISTRATIVE ORDER 49  
RESPECTING THE SETTLEMENT OF  
ACTIONS, PROCEEDINGS AND CLAIMS**

**BE IT RESOLVED AS AN ADMINISTRATIVE ORDER** of the Council of the Halifax Regional Municipality as follows:

**Short Title**

1. This Administrative Order may be cited as Administrative Order 49, the Settlement of Claims Administrative Order.

**Application**

2. This Administrative Order applies to the settlement of legal actions and proceedings which have been commenced, and to all settlements where it would be anticipated that a legal action or proceeding would be commenced but for the settlement.

**Settlements of \$25,000 or less**

3. A settlement of a legal action or proceeding for \$25,000 or less may be made on the recommendation of staff with the approval of the Manager of Risk and Insurance Services or the Director of Legal, Insurance & Risk Management Services.

**Settlements greater than \$25,000 and up to and including \$100,000**

4. A settlement of a legal action or proceeding greater than \$25,000 and up to and including \$100,000 may be made with the approval of the Chief Administrative Officer ("CAO") on the recommendation of a staff solicitor, the Director of Legal, Insurance & Risk Management Services, or Manager of Risk and Insurance Services.

**Settlements greater than \$100,000**

5. A settlement of a legal action or proceeding over \$100,000 shall be submitted to Regional Council for approval on the recommendation of the Director of Legal, Insurance & Risk Management.

**Employee Settlement/Severance**

6. The CAO shall have the authority to settle employment issues for an amount which does not exceed 18 months' salary.

**Reports to Regional Council**

7. The CAO shall provide a written report to Regional Council annually on all settlements made pursuant to sections 3, and 4 of this Administrative Order.

**ICSA Agreement**

8. Any portion of a settlement done pursuant to the ICSA agreement only requires

approval of the Director of Legal Services & Risk Management or the Manager of Risk and Insurance Services.

**Proof of Loss**

9. A proof of loss for an insured claim may be signed on behalf of the municipality, if the monetary amount of the loss is:

- a) \$25,000 or less, by the Senior Claims Officer;
- b) greater than \$25,000 and up to and including \$50,000, by the Manager of Risk and Insurance Services; or
- c) greater than \$50,000, by the Manager of Risk and Insurance Services and either the Director of the applicable department of the municipality or the CAO.

**Releases**

10. A release for an insured claim, or part of an insured claim, may be signed on behalf of the municipality, if the monetary amount of the release is:

- a) \$25,000 or less, by the Senior Claims Officer;
- b) greater than \$25,000 and up to and including \$50,000, by the Manager of Risk and Insurance Services; and
- c) greater than \$50,000, by the Manager of Risk and Insurance Services and either the Director of the applicable department of the municipality or the CAO.

**Settlement of Claims by Insurer**

11. A proof of loss for an insured claim, in any amount, that is settled by an insurer of the municipality may be signed on behalf of the municipality by either the Manager of Risk and Insurance Services or the CAO.

**Repeal**

12. The Settlement Policy for Legal Actions and Proceedings enacted by Regional Council on September 13, 2011 is repealed.

Done and passed in Council this 19<sup>th</sup> day of February, A.D. 2013.

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Mayor

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Municipal Clerk

I, Cathy Mellett, Municipal Clerk of Halifax Regional Municipality, hereby certify that the above noted Administrative Order was passed at a meeting of Halifax Regional Council held on February 19, 2013.

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Cathy Mellett, Municipal Clerk

Notice of Motion:  
Approval:

February 12, 2013  
February 19, 2013