

**MAYNE ISLAND IMPROVEMENT DISTRICT
BYLAW NO. 76**

A bylaw to indemnify an officer of the Improvement District against a claim for damages arising out of the performance of his or her duties and to pay legal costs incurred in a court proceeding arising out of the claim.

THE TRUSTEES of the Mayne Island Improvement District ENACTS AS FOLLOWS:

1. INTERPRETATION

In this bylaw "officer" means:

- a. A member of the Board of Trustees;
- b. An appointed member of an Improvement District committee;
- c. An officer or employee of the Improvement District;
- d. A volunteer Fire Fighter of the Improvement District;
- e. Any volunteer who participates in the delivery of services by the Improvement District under supervision of an officer or employee of the Improvement District.

2. INDEMNIFICATION

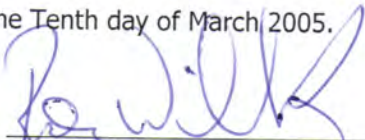
- a. The Improvement District shall indemnify its officers against a claim for damages against them arising out of the performance of their duties and, in addition, pay the actual costs incurred by the officer in a court proceeding arising out of the claim.
- b. Section 2 (a), above, applies in respect of a person who was an officer at the time he or she performed the duties out of which the claim arose, whether or not he or she is an officer at the time the claim for damages arises or the court proceeding arising out of the claim is commenced, prosecuted, or concluded.
- c. Where any action of an officer results in a claim for damages against the Improvement District, the Board of Trustees shall seek indemnity or reimbursement from the officer only where:
 - i. The claim arises out of gross negligence of the officer; or
 - ii. The officer acted contrary to the terms of his or her employment or an order of a superior in relation to the action that gave rise to the claim.

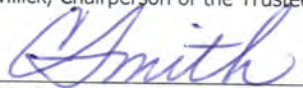
3. CITATION

This bylaw may be cited as the "Indemnification Bylaw, No. 76".

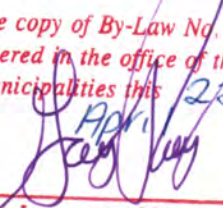
INTRODUCED and given first reading by the Trustees on the Tenth day of March 2005.

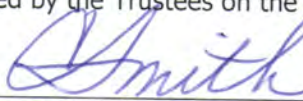
RECONSIDERED and finally passed by the Trustees on the Tenth day of March 2005.


Ron Willick, Chairperson of the Trustees


Cheryl L. Smith, Administrator

I hereby certify under the seal of the **Mayne Island Improvement District** that this is a true copy of Bylaw No. 76 of the Mayne Island Improvement District, passed by the Trustees on the Tenth day of March 2005.

A true copy of By-Law No. 76
registered in the office of the Inspector
of Municipalities this 22 day of
April 2005

Deputy Inspector of Municipalities


Cheryl L. Smith, Administrator