

The personal information on this Profile and Declaration is collected because you wish your name to be considered for appointment to the governing board of a British Columbia public sector organization. The information obtained on this form will be used to assess your candidacy against the skills and experience sought for the vacant position.

In completing the Profile, please note that the information sought is that which is relevant to the position in which you have expressed an interest. For more information about the candidate selection and appointment process, please refer to the Board Resourcing and Development Office website (www.gov.bc.ca/brdo) and link to the page "The Appointment Process".

(Please complete electronically and then print to sign. If you require more room than the space provided, please use a separate piece of paper)

Name of the organization:

UNIVERSITY OF BRITISH COLUMBIA

CONTACT INFORMATION

Name (Please Print – Title/First/Initial/Last): DR. KENNETH K. FUNG

Telephone: Work

Home

Cell

S. 22

Home Address:

S. 22

Email Address:

BACKGROUND INFORMATION

1. Educational background (Provide a chronology)

Institution	Term Attended (Date to Date)	Degree/Diploma Obtained
U of Manitoba	1969	B.Sc.
U of Manitoba	1974	M.Sc.

CANDIDATE PROFILE AND DECLARATION GOVERNING BOARD

<i>M of Manitoba</i>	<i>1978</i>	<i>M.D.</i>
<i>M of Manitoba</i>	<i>1980</i>	<i>M.Sc.</i>
<i>UBC</i>	<i>2003</i>	<i>M.H.A.</i>

2. Professional and employment background. (Provide a chronology)

Organization	Term of Service (Date to Date)	Position
<i>Self Employed</i>	<i>1978 - present</i>	<i>physician</i>

3. The following is a list of every company of which I am currently a director or officer. (Provide a chronology)

Organization	Term of Service (Date to Date)	Position
S. 22		

4. The following is a list of every company of which I was previously a director or officer. (Provide a chronology)

Organization	Term of Service (Date to Date)	Position
<i>At of Manitoba</i>	<i>1974</i>	<i>M.Sc.</i>

CANDIDATE PROFILE AND DECLARATION GOVERNING BOARD

NONE		

5. Past and present community and civic activities. (Provide a chronology)

Organization	Term of Service (Date to Date)	Position
S. H. C. C. E. S. S.	6 years	Vice President
Chinese Cultural Centre	3 years	Director
Vancouver Multicultural Society	2 years	President

6. Memberships in professional organizations.

Professional Organization	Term of Membership (Date to Date)
S. 22	
College of Physicians & Surgeons of BC	2001 - present
Canadian Bar Association (BC)	2006 - present

**CANDIDATE PROFILE AND DECLARATION
GOVERNING BOARD**

7. Publications (*List any published works you have authored*).

<i>Publication</i>	<i>Publication Date(s)</i>

8. On a scale of 1-10 where 1 = low and 10 = high, indicate the level of your ability to read and understand financial statements.

CONFLICT OF INTEREST – DISCLOSURE STATEMENT

A conflict of interest arises where you have an interest which conflicts (or might conflict, or might be perceived to conflict) with the interests of the Organization.

A conflict of interest may take a number of forms. It may be financial or non-financial. It may be direct or indirect. It may be professional or family related.

A conflict of interest may arise from directorships or other employment; interests in business enterprises or professional practices; share ownership; beneficial interests in trusts; existing professional or personal associations with the Organization; professional associations or relationships with other organizations; personal associations with other groups or organizations; or family relationships.

Every director or potential director of the Organization must disclose any duty or interest that might conflict with his or her duty or interest to the Organization.

9. A direct or indirect conflict with my duty as a Director of the Organization may arise because (please indicate if non-applicable):

NONE

**CANDIDATE PROFILE AND DECLARATION
GOVERNING BOARD**

- a) I, or my associates¹, hold the following offices (appointed or elected):

NONE

- b) I, my associates, or any trustee or any nominee on my behalf, own or possess, directly or indirectly, the following interests (i.e., shares, businesses, or properties):

NONE

- c) I, or my associates, have the following interests in existing or proposed transactions with the Organization.

NONE

10. The nature and extent of the conflicting office duty or interest referred to in subparagraphs 9(a) or 9(b) is (please indicate if non-applicable):

NOT APPLICABLE

11. A real or perceived conflict of interest with my duty as an appointee to the Organization may arise because I receive financial remuneration (either for services performed by me, as an owner or part owner, trustee, or employee or otherwise) from the following sources (please indicate if non-applicable):

NONE

¹ "associate" of a person means any person closely connected by blood or otherwise including, but not limited to, a spouse (including common-law spouse), parent, grandparent, brother, sister, child or grandchild.

CANDIDATE PROFILE AND DECLARATION GOVERNING BOARD

12. The following is a list of each subsidiary² or affiliate³ of a company listed in paragraph 9(b) or 11 of this Profile and Declaration.

Company Listed in Paragraph 9(b) or 11	Name of Subsidiary or Affiliate	Type of Business Ordinarily Carried on by Subsidiary or Affiliate
<i>Not applicable</i>		

13. If, at any time following the signing of this Profile and Declaration, there are changes to the information given herein regarding conflict of interest, either by way or addition or deletion, I shall forthwith file with the Organization a supplementary disclosure statement describing such change.

Yes: ☒ No: ☐

14. Other than disclosed above, do you have any relationships or interests that could compromise, or be perceived to compromise, your ability to exercise judgment with a view to the best interests of the Organization?

Yes: ☐ No: ☒

Describe:

² For the purposes of this Profile and Declaration, a corporation is a subsidiary of another corporation where:

(a) It is controlled by:

- (i) that other corporation;
- (ii) that other corporation and one or more other corporations, each of which is controlled by that other corporation; or
- (iii) two or more other corporations, each of which is controlled by that other corporation; or

(b) It is a subsidiary or a subsidiary of that other corporation.

³ For the purposes of this Profile and Declaration, one corporation is affiliated with another corporation where one of them is the subsidiary of the other, or both are subsidiaries of the same corporation, or each of them is controlled by the same person.

CANDIDATE PROFILE AND DECLARATION GOVERNING BOARD

DUTIES/RESPONSIBILITIES TO THE ORGANIZATION

Board Directors owe the Organization they serve undivided loyalty and a commitment to making the best possible decisions. Directors must carefully adhere to these duties and take their jobs seriously to set high standards of accountability.

By signing this Profile and Declaration, you acknowledge and understand that you are bound by the following duties and responsibilities. (Note: These duties are in addition to the Organization's own Code of Conduct or Conflict of Interest Guidelines.)

15. **Duty of Care:** You have a duty of care to the Organization which means that:
 - you must exercise the degree of skill and diligence reasonably expected from an ordinary person of your knowledge and experience;
 - in making decisions, you must always act in the best interests of the Organization;
 - you must base your decisions upon facts and reliable information; and
 - you must not act without first taking care to be properly informed.
16. **Duty of Loyalty:** This duty embraces fairness, good faith and honesty. It means that, in all decisions, you must act in the Organization's best interests, not your own. Specifically, you must:
 - be honest in your dealings within the Organization and with others on behalf of the Organization;
 - maintain the confidentiality of information received by you in your capacity as board member both before and after termination (for whatever reason) of your appointment; and
 - avoid situations where you could put yourself in a position of conflict between your own private interests and the best interests of the Organization.
17. **Duty of Obedience:** This duty requires that you know the Organization's mission and the laws and regulations that affect the carrying-out of the mission. This duty means that you must:
18. carry out the Organization's purposes; and

CANDIDATE PROFILE AND DECLARATION GOVERNING BOARD

- take all necessary and reasonable measures to assure compliance with laws, regulations and policies that apply to the Organization.

INTEGRITY AND PUBLIC ACCOUNTABILITY

Note: An affirmative answer to any of the questions in sections 18 to 21 does not automatically disqualify a potential applicant from being appointed. Each candidate's background will be considered in relation to the specific requirements of the appointment.

19. In your employment, business or personal affairs, have you, or any company in which you have a direct or indirect controlling interest, in B.C. or elsewhere:

- | | | | | |
|-----|---|-----|----|-------|
| (a) | been charged with (where charges are still outstanding) or convicted of an offence under the Criminal Code of Canada? | Yes | No | |
| (b) | been charged with (where charges are still outstanding) or convicted of an offence under any other Federal statutes or regulations, including the Income Tax Act, the Controlled Drugs and Substances Act, or others? | Yes | No | |
| (c) | been charged with (where charges are still outstanding) or convicted of any offence under any Provincial statutes or regulations? | Yes | No | S. 22 |
| (d) | been charged with (where charges are still outstanding) or disciplined by any professional association or body? | Yes | No | |
| (e) | had any improper dealings with government (e.g. Improper solicitation of contracts, lobbying or representations? | Yes | No | |
| (f) | been involved in any issue or controversy that has gone, or is now likely to go to litigation or public review? | Yes | No | |

If you answered "Yes" to any of the above questions, please provide details below.

CANDIDATE PROFILE AND DECLARATION GOVERNING BOARD

20. Have you or any organization or group which you are associated with promoted or encouraged hatred against people or persons on the basis of ethnicity, language, colour, religion, culture, gender or sexual orientation?

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21. Have you had, or do you have any kind of disability (*example: substance abuse*) that may affect your ability to serve as a board member?

S. 22

22. Generally, are you aware of any facts or matters which, if publicly disclosed, could cause the government embarrassment or hinder your performance of your duties as a board member?

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23. BRDO is responsible for ensuring awareness of all relevant information related to potential appointees. As such, we are asking you use this section to disclose any issues that may be of public interest in the event you are appointed to a government agency, board or commission. Such issues can include criminal charges/convictions.

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CANDIDATE PROFILE AND DECLARATION GOVERNING BOARD

24. I understand that the Board Resourcing and Development Office and the Organization have an obligation to verify reference information with respect to all candidates for potential appointments, including myself.

By signing below, I authorize the Board Resourcing and Development Office to verify or obtain any personal information about me directly from me, from organizations or references referred to in this Profile and Declaration, or from the specific organization(s) listed below for the purpose of evaluating my suitability for appointment to the governing board of a British Columbia organization. I also consent to the disclosure of my personal information to such persons or organizations when such disclosure is necessary to evaluate my suitability for appointment to a British Columbia public sector organization. This authorization is valid for one year following the date of my signature.

Additional Organizations:

- a)
- b)
- c)

25. Birth Date (*Required only to verify background information*):

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REFERENCES

26. Please provide a minimum of three references.

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CANDIDATE PROFILE AND DECLARATION GOVERNING BOARD

BIOGRAPHY

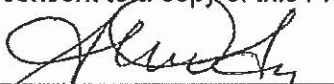
25. I agree that if I am appointed to the governing board of a British Columbia organization, the Board Resourcing and Development Office and the Organization may publish a biography of me that states the area of the Province in which I reside and contains some or all of the information provided in paragraphs 1 through 5 of this Profile and Declaration. *(If you wish, you may attach a short (i.e., 100 words) biography of yourself for publication purposes.)*

**CANDIDATE PROFILE AND DECLARATION
GOVERNING BOARD**

ATTESTATION AND SIGNATURE

I, (Print Name): KENNETH K. FUNG

1. attest to the veracity of the information provided in this Profile and Declaration;
2. acknowledge and agree to adhere to the Charter of Expectations for Directors of Governing Boards; and
3. consent to a copy of this Profile being provided to the Organization.


Signature

NOV-7-2013
Date

CONFIDENTIALITY

The personal information requested on this form is collected under the authority of and used for the purpose of administering a variety of statutes which authorize the appointment of individuals to government's agencies, boards and commissions.

Information on the authority for a specific appointment is available on request. All information provided to us will be considered as supplied in confidence. Under certain circumstances some information may be released subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

If you have any questions about the collection and use of this information, please contact the Board Resourcing and Development Office at (604) 775 - 2084, Room 730 - 999 Canada Place, Vancouver, BC V6C 3E1.

This Profile and Declaration will be kept for a minimum of one year.

If you are appointed to the Organization, a copy of this Profile and Declaration will be provided to the Organization.

Schedule "A" to Governing Board Candidate Profile and Declaration

CHARTER OF EXPECTATIONS FOR DIRECTORS OF GOVERNING BOARDS

The Charter of Expectations for Directors of Governing Boards, as set out below, outlines for potential candidates the duties and expectations of board members generally.

Strategic Planning

- provide input to management on emerging trends and issues
- review and approve management's strategic plans, including significant capital allocations and expenditures

Performance Monitoring and Reporting

- monitor corporate performance against strategic and business plans
- evaluate corporate performance reporting
- evaluate performance of senior management

Risk Assessment

- identify principal risks of the Organization's operations and ensure that appropriate systems are in place to manage these risks

Public Policy

- appreciate the role of the Organization as an instrument of public policy
- monitor performance of Organization in relation to the strategic objectives of the shareholder

Senior Staff

- appoint, monitor and evaluate the performance of the CEO; replace if necessary
- ensure succession planning

Financial/Legal Integrity

- ensure ethical behaviour of entity and compliance with all laws and regulations;
- ensure accuracy of financial information and compliance with all accounting and audit principles

Personal Integrity

- ensure personal integrity in all dealings with and on behalf of the Organization, including ongoing responsibility to disclose conflict of interest

Governance

- establish appropriate governance structures to ensure efficient and prudent stewardship of the Organization
- assess board's own effectiveness including monitoring the effectiveness of individual board members

Material Transactions

- review and approve material transactions not in the ordinary course of business

Committees

- participate as appropriate on board committees including: Audit and Risk Management, Governance, Human Resources

The Standards of Ethical Conduct for Directors of Public Sector Organizations

The fundamental relationship between a director and the public sector organization on which the director serves should be one of trust; essential to trust is a commitment to honesty and integrity. Ethical conduct within this relationship imposes certain obligations.

The purpose of this document is to set out minimum standards of ethical conduct expected of all directors appointed by the Province of British Columbia to public sector organizations.

1. COMPLIANCE WITH THE LAW

- 1.1 Directors should act at all times in full compliance with both the letter and the spirit of all applicable laws.
- 1.2 In his/her relationship with the organization, no director should commit or condone an unethical or illegal act or instruct another director, employee, or supplier to do so.
- 1.3 Directors are expected to be sufficiently familiar with any legislation that applies to their work to recognize potential liabilities and to know when to seek legal advice. If in doubt, directors are expected to ask for clarification.
- 1.4 Falsifying any record of transactions is unacceptable.
- 1.5 Directors should not only comply fully with the law, but should also avoid any situation which could be perceived as improper or indicate a casual attitude towards compliance.

2. CONFLICTS OF INTEREST

- 2.1 In general, a conflict of interest exists for directors who use their position at the organization to benefit themselves, friends or families.
- 2.2 A director should not use his or her position with the organization to pursue or advance the director's personal interests, the interests of a related person¹, the director's business associate, corporation, union or partnership, or the interests of a

¹ "related" person means a spouse, child, parent or sibling of a director who resides with that director.

person to whom the director owes an obligation.

- 2.3 A director should not directly or indirectly benefit from a transaction with the organization over which a director can influence decisions made by the organization.
- 2.4 A director should not take personal advantage of an opportunity available to the organization unless the organization has clearly and irrevocably decided against pursuing the opportunity, and the opportunity is also available to the public.
- 2.5 A director should not use his or her position with the organization to solicit clients for the director's business, or a business operated by a close friend, family director, business associate, corporation, union or partnership of the director, or a person to whom the director owes an obligation.
- 2.6 Every director should avoid any situation in which there is, or may appear to be, potential conflict² which could appear³ to interfere with the director's judgment in making decisions in the organization's best interest.
- 2.7 There are several situations that could give rise to a conflict of interest. The most common are accepting gifts, favours or kickbacks from suppliers, close or family relationships with outside suppliers, passing confidential information to competitors or other interested parties or using privileged information inappropriately. The following are examples of the types of conduct and situations that can lead to a conflict of interest:

² "conflict" means a conflict of interest or apparent conflict of interest

³ "apparent" conflict of interest means any situation where it would appear to a reasonable person that the director is in a conflict of interest situation.

- (i) influencing the organization to lease equipment from a business owned by the director's spouse;
- (ii) influencing the organization to allocate funds to an institution where the director or his or her relative works or is involved;
- (iii) participating in a decision by the organization to hire or promote a relative of the director;
- (iv) influencing the organization to make all its travel arrangements through a travel agency owned by a relative of the director;
- (v) influencing or participating in a decision of the organization that will directly or indirectly result in the director's own financial gain.

2.8 A director should fully disclose all circumstances that could conceivably be construed as conflict of interest.

3. DISCLOSURE

- 3.1 Full disclosure enables directors to resolve unclear situations and gives an opportunity to dispose of conflicting interests before any difficulty can arise.
- 3.2 A director should, immediately upon becoming aware of a potential conflict of interest situation, disclose the conflict (preferably in writing) to the board chair. This requirement exists even if the director does not become aware of the conflict until after a transaction is complete.
- 3.3 If a director is in doubt whether a situation involves a conflict, the director should immediately seek the advice of the board chair. If appropriate, the board may wish to seek advice from the organization's ethics advisor or legal advice.
- 3.4 Unless a director is otherwise directed, a director should immediately take steps to resolve the conflict or remove the suspicion that it exists.
- 3.5 If a director is concerned that another director is in a conflict of interest situation, the director should immediately bring his or her concern to the other director's attention and request that the conflict be declared. If the other director refuses to declare the conflict, the director should immediately bring his or her concern to the attention of the board chair. If there is a concern with the board chair, the issue

should be referred to the governance committee or equivalent committee of the board that deals with board governance issues.

3.6 A director should disclose the nature and extent of any conflict at the first meeting of the board after which the facts leading to the conflict have come to that director's attention. After disclosing the conflict, the director:

- (i) should not take part in the discussion of the matter or vote on any questions in respect of the matter (although the director may be counted in the quorum present at the board meeting);
- (ii) if the meeting is open to the public, may remain in the room, but shall not take part in that portion of the meeting during which the matter giving rise to the conflict is under discussion, and shall leave the room prior to any vote on the matter giving rise to the conflict;
- (iii) should, if the meeting is not open to the public, immediately leave the meeting and not return until all discussion and voting with respect to the matter giving rise to the conflict is completed; and
- (iv) should not attempt, in any way or at any time, to influence the discussion or the voting of the Board on any question relating to the matter giving rise to the conflict.

4. OUTSIDE BUSINESS INTERESTS

4.1 Directors should declare possible conflicting outside business activities at the time of appointment. Notwithstanding any outside activities, directors are required to act in the best interest of the organization.

4.2 No director should hold a significant financial interest, either directly or through a relative or associate, or hold or accept a position as an officer or director in an organization in a material relationship with the organization, where by virtue of his or her position in the organization, the director could in any way benefit the other organization by influencing the purchasing, selling or other decisions of the organization, unless that interest has been fully disclosed in writing to the organization.

4.3 A "significant financial interest" in this context is any interest substantial enough that decisions of the organization could result in a personal gain for the director.

- 4.4 These restrictions apply equally to interests in companies that may compete with the organization in all of its areas of activity.
- 4.5 Directors who have been selected to the board as a representative of a stakeholder group or region owe the same duties and loyalty to the organization and when their duties conflict with the wishes of the stakeholder or constituent, their primary duty remains to act in the best interests of the organization.

5. CONFIDENTIAL INFORMATION

- 5.1 Confidential information includes proprietary technical, business, financial, legal, or any other information which the organization treats as confidential.
- 5.2 Directors should not, either during or following the termination of an appointment, disclose such information to any outside person unless authorized.
- 5.3 Similarly, directors should never disclose or use confidential information gained by virtue of their association with the organization for personal gain, or to benefit friends, relatives or associates.
- 5.4 If in doubt about what is considered confidential, a director should seek guidance from the board chair or the CEO.

6. INVESTMENT ACTIVITY

- 6.1 Directors should not, either directly or through relatives or associates, acquire or dispose of any interest, including publicly traded shares, in any company while having undisclosed confidential information obtained in the course of work at the organization which could reasonably affect the value of such securities.

7. OUTSIDE EMPLOYMENT OR ASSOCIATION

- 7.1 A director who accepts a position with any organization that could lead to a conflict of interest or situation prejudicial to the organization interests, should discuss the implications of accepting such a position with the board chair recognizing that acceptance of such a position might require the director's resignation from the organization's board.

8. ENTERTAINMENT, GIFTS AND FAVOURS

- 8.1 It is essential to fair business practices that all those who associate with the organization, as suppliers, contractors or directors, have access to the organization on equal terms.
- 8.2 Directors and members of their immediate families should not accept entertainment, gifts or favours that create or appear to create a favoured position for doing business with the organization. Any firm offering such inducement should be asked to cease.
- 8.3 Similarly, no director should offer or solicit gifts or favours in order to secure preferential treatment for themselves or the organization.
- 8.4 Under no circumstances should directors offer or receive cash, preferred loans, securities, or secret commissions in exchange for preferential treatment. Any director experiencing or witnessing such an offer should report the incident to the board chair immediately.
- 8.5 Gifts and entertainment should only be accepted or offered by a director in the normal exchanges common to established business relationships for the organization. An exchange of such gifts should create no sense of obligation on the part of the director.
- 8.6 Inappropriate gifts received by a director should be returned to the donor.
- 8.7 Full and immediate disclosure to the board chair of borderline cases will always be taken as good-faith compliance with these standards.

9. USE OF THE ORGANIZATION'S PROPERTY

- 9.1 A director should require the organization's approval to use property owned by the organization for personal purposes, or to purchase property from the organization unless the purchase is made through the usual channels also available to the public.
- 9.2 Even then, a director should not purchase property owned by the organization if that director is involved in an official capacity in some aspect of the sale or purchase.

10. RESPONSIBILITY

- 10.1 The organization should behave, and be perceived, as an ethical organization.
- 10.2 Each director should adhere to the minimum standards described herein and in the organization's code of conduct, and to the standards set out in applicable policies, guidelines or legislation.
- 10.3 Integrity, honesty, and trust are essential elements of the organization's success. Any director who knows or suspects a breach of the organization's code of conduct and ethics has a responsibility to report it to the board chair.
- 10.4 To demonstrate determination and commitment, each director should review and declare compliance with the organization's code of conduct and ethics annually.

11. BREACH

- 11.1 A director found to have breached his/her duty by violating the minimum standards set out in this document may be liable to censure or a recommendation for dismissal to the Government.

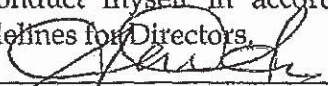
12. WHERE TO SEEK CLARIFICATION

- 12.1 Normally, the board chair or the governance committee chair should be responsible to provide guidance on any item concerning standards of ethical behaviour.

13. FORM OF DECLARATION

- 13.1 The following is a sample form of declaration that may be used by organizations.

I ACKNOWLEDGE that I have read and considered the Code of Conduct and Conflict of Interest Guidelines for Directors of the U.B.C. [name of organization] and agree to conduct myself in accordance with the Code of Conduct and Conflict of Interest Guidelines for Directors.


Signature

KENNETH K. FUNG

Print Name

Page 21 redacted for the following reason:

S. 22

University - University of British Columbia (November 2013)

NEW

Dr. Kenneth K. Fung ■ TBD

S. 22

Address:

S. 22

The personal information on this Profile and Declaration is collected because you wish your name to be considered for appointment to the governing board of a British Columbia public sector organization. The information obtained on this form will be used to assess your candidacy against the skills and experience sought for the vacant position.

In completing the Profile, please note that the information sought is that which is relevant to the position in which you have expressed an interest. For more information about the candidate selection and appointment process, please refer to the Board Resourcing and Development Office website (www.gov.bc.ca/brdo) and link to the page "The Appointment Process".

(Please complete electronically and then print to sign. If you require more room than the space provided, please use a separate piece of paper)

Name of the organization: University of British Columbia

CONTACT INFORMATION

Name: Mr. Alan M. Shuster

Telephone: *Work* S. 22 *Home* S. 22 *Cell* S. 22

Home Address:

S. 22

Email Address:

BACKGROUND INFORMATION

1. Educational background *(Provide a chronology)*

See attached resume

**CANDIDATE PROFILE AND DECLARATION
GOVERNING BOARD**

<i>Institution</i>	<i>Term Attended (Date to Date)</i>	<i>Degree/Diploma Obtained</i>

2. Professional and employment background. (*Provide a chronology*)

See attached resume

<i>Organization</i>	<i>Term of Service (Date to Date)</i>	<i>Position</i>

3. The following is a list of every company of which I am currently a director or officer. (*Provide a chronology*)

See attached resume

<i>Organization</i>	<i>Term of Service (Date to Date)</i>	<i>Position</i>

CANDIDATE PROFILE AND DECLARATION GOVERNING BOARD

4. The following is a list of every company of which I was previously a director or officer. *(Provide a chronology)*

See attached resume

<i>Organization</i>	<i>Term of Service (Date to Date)</i>	<i>Position</i>

5. Past and present community and civic activities. *(Provide a chronology)*

See attached resume

<i>Organization</i>	<i>Term of Service (Date to Date)</i>	<i>Position</i>

6. Memberships in professional organizations.

See attached resume

<i>Professional Organization</i>	<i>Term of Membership (Date to Date)</i>

**CANDIDATE PROFILE AND DECLARATION
GOVERNING BOARD**

CANDIDATE PROFILE AND DECLARATION GOVERNING BOARD

7. Publications (*List any published works you have authored*).

Not applicable

<i>Publication</i>	<i>Publication Date(s)</i>

8. On a scale of 1-10 where 1 = low and 10 = high, indicate the level of your ability to read and understand financial statements.

S. 22

CONFLICT OF INTEREST – DISCLOSURE STATEMENT

A conflict of interest arises where you have an interest which conflicts (or might conflict, or might be perceived to conflict) with the interests of the Organization.

A conflict of interest may take a number of forms. It may be financial or non-financial. It may be direct or indirect. It may be professional or family related.

A conflict of interest may arise from directorships or other employment; interests in business enterprises or professional practices; share ownership; beneficial interests in trusts; existing professional or personal associations with the Organization; professional associations or relationships with other organizations; personal associations with other groups or organizations; or family relationships.

Every director or potential director of the Organization must disclose any duty or interest that might conflict with his or her duty or interest to the Organization.

9. A direct or indirect conflict with my duty as a Director of the Organization may arise because (please indicate if non-applicable):

S. 22 is a partner in Boyden, an executive search firm that has provided search services for UBC in the past and may do so in the future. S. 22 capacity with the firm, is not active on any UBC files.

CANDIDATE PROFILE AND DECLARATION GOVERNING BOARD

a) I, or my associates¹, hold the following offices (appointed or elected):

S. 22 is a partner in Boyden.

b) I, my associates, or any trustee or any nominee on my behalf, own or possess, directly or indirectly, the following interests (i.e., shares, businesses, or properties):

c) I, or my associates, have the following interests in existing or proposed transactions with the Organization.

10. The nature and extent of the conflicting office duty or interest referred to in sub-paragraphs 9(a) or 9(b) is (please indicate if non-applicable):

S. 22 is a partner in Boyden, an executive search firm that has provided search services for UBC in the past and may do so in the future. S. 22 capacity with the firm, is not active on any UBC files.

11. A real or perceived conflict of interest with my duty as an appointee to the Organization may arise because I receive financial remuneration (either for services performed by me, as an owner or part owner, trustee, or employee or otherwise) from the following sources (please indicate if non-applicable):

Not applicable

¹ "associate" of a person means any person closely connected by blood or otherwise including, but not limited to, a spouse (including common-law spouse), parent, grandparent, brother, sister, child or grandchild.

CANDIDATE PROFILE AND DECLARATION GOVERNING BOARD

12. The following is a list of each subsidiary² or affiliate³ of a company listed in paragraph 9(b) or 11 of this Profile and Declaration.

<i>Company Listed in Paragraph 9(b) or 11</i>	<i>Name of Subsidiary or Affiliate</i>	<i>Type of Business Ordinarily Carried on by Subsidiary or Affiliate</i>

13. If, at any time following the signing of this Profile and Declaration, there are changes to the information given herein regarding conflict of interest, either by way or addition or deletion, I shall forthwith file with the Organization a supplementary disclosure statement describing such change.

Yes: ☒ No: ☐

14. Other than disclosed above, do you have any relationships or interests that could compromise, or be perceived to compromise, your ability to exercise judgment with a view to the best interests of the Organization?

Yes: ☐ No: ☒

Describe: Not applicable

² For the purposes of this Profile and Declaration, a corporation is a subsidiary of another corporation where:

- (a) It is controlled by:
- (i) that other corporation;
 - (ii) that other corporation and one or more other corporations, each of which is controlled by that other corporation; or
 - (iii) two or more other corporations, each of which is controlled by that other corporation; or

- (b) it is a subsidiary or a subsidiary of that other corporation.

³ For the purposes of this Profile and Declaration, one corporation is affiliated with another corporation where one of them is the subsidiary of the other, or both are subsidiaries of the same corporation, or each of them is controlled by the same person.

CANDIDATE PROFILE AND DECLARATION GOVERNING BOARD

DUTIES/RESPONSIBILITIES TO THE ORGANIZATION

Board Directors owe the Organization they serve undivided loyalty and a commitment to making the best possible decisions. Directors must carefully adhere to these duties and take their jobs seriously to set high standards of accountability.

By signing this Profile and Declaration, you acknowledge and understand that you are bound by the following duties and responsibilities. (Note: These duties are in addition to the Organization's own Code of Conduct or Conflict of Interest Guidelines.)

15. **Duty of Care:** You have a duty of care to the Organization which means that:
- you must exercise the degree of skill and diligence reasonably expected from an ordinary person of your knowledge and experience;
 - in making decisions, you must always act in the best interests of the Organization;
 - you must base your decisions upon facts and reliable information; and
 - you must not act without first taking care to be properly informed.
16. **Duty of Loyalty:** This duty embraces fairness, good faith and honesty. It means that, in all decisions, you must act in the Organization's best interests, not your own. Specifically, you must:
- be honest in your dealings within the Organization and with others on behalf of the Organization;
 - maintain the confidentiality of information received by you in your capacity as board member both before and after termination (for whatever reason) of your appointment; and
 - avoid situations where you could put yourself in a position of conflict between your own private interests and the best interests of the Organization.
17. **Duty of Obedience:** This duty requires that you know the Organization's mission and the laws and regulations that affect the carrying-out of the mission. This duty means that you must:
18. carry out the Organization's purposes; and

CANDIDATE PROFILE AND DECLARATION GOVERNING BOARD

- take all necessary and reasonable measures to assure compliance with laws, regulations and policies that apply to the Organization.

INTEGRITY AND PUBLIC ACCOUNTABILITY

Note: An affirmative answer to any of the questions in sections 18 to 21 does not automatically disqualify a potential applicant from being appointed. Each candidate's background will be considered in relation to the specific requirements of the appointment.

19. In your employment, business or personal affairs, have you, or any company in which you have a direct or indirect controlling interest, in B.C. or elsewhere:

- | | | | |
|-----|---|--------------|-------------|
| (a) | been charged with (where charges are still outstanding) or convicted of an offence under the Criminal Code of Canada? | Yes | No |
| (b) | been charged with (where charges are still outstanding) or convicted of an offence under any other Federal statutes or regulations, including the Income Tax Act, the Controlled Drugs and Substances Act, or others? | Yes | No |
| (c) | been charged with (where charges are still outstanding) or convicted of any offence under any Provincial statutes or regulations? | Yes
S. 22 | No
S. 22 |
| (d) | been charged with (where charges are still outstanding) or disciplined by any professional association or body? | Yes | No |
| (e) | had any improper dealings with government (e.g. improper solicitation of contracts, lobbying or representations? | Yes | No |
| (f) | been involved in any issue or controversy that has gone, or is now likely to go to litigation or public review? | Yes | No |

If you answered "Yes" to any of the above questions, please provide details below. S. 22

CANDIDATE PROFILE AND DECLARATION GOVERNING BOARD

20. Have you or any organization or group which you are associated with promoted or encouraged hatred against people or persons on the basis of ethnicity, language, colour, religion, culture, gender or sexual orientation?

S. 22

21. Have you had, or do you have any kind of disability (*example: substance abuse*) that may affect your ability to serve as a board member?

S. 22

22. Generally, are you aware of any facts or matters which, if publicly disclosed, could cause the government embarrassment or hinder your performance of your duties as a board member?

S. 22

23. BRDO is responsible for ensuring awareness of all relevant information related to potential appointees. As such, we are asking you use this section to disclose any issues that may be of public interest in the event you are appointed to a government agency, board or commission. Such issues can include criminal charges/convictions.

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CANDIDATE PROFILE AND DECLARATION GOVERNING BOARD

24. I understand that the Board Resourcing and Development Office and the Organization have an obligation to verify reference information with respect to all candidates for potential appointments, including myself.

By signing below, I authorize the Board Resourcing and Development Office to verify or obtain any personal information about me directly from me, from organizations or references referred to in this Profile and Declaration, or from the specific organization(s) listed below for the purpose of evaluating my suitability for appointment to the governing board of a British Columbia organization. I also consent to the disclosure of my personal information to such persons or organizations when such disclosure is necessary to evaluate my suitability for appointment to a British Columbia public sector organization. This authorization is valid for one year following the date of my signature.

Additional Organizations:

- a)
- b)
- c)

25. Birth Date (*Required only to verify background information*):

S. 22

REFERENCES

26. Please provide a minimum of three references.

S. 22

CANDIDATE PROFILE AND DECLARATION GOVERNING BOARD

S. 22

BIOGRAPHY

25. I agree that if I am appointed to the governing board of a British Columbia organization, the Board Resourcing and Development Office and the Organization may publish a biography of me that states the area of the Province in which I reside and contains some or all of the information provided in paragraphs 1 through 5 of this Profile and Declaration. *(If you wish, you may attach a short (i.e., 100 words) biography of yourself for publication purposes.)*

CANDIDATE PROFILE AND DECLARATION GOVERNING BOARD

ATTESTATION AND SIGNATURE

I, Alan M. Shuster

1. attest to the veracity of the information provided in this Profile and Declaration;
2. acknowledge and agree to adhere to the Charter of Expectations for Directors of Governing Boards; and
3. consent to a copy of this Profile being provided to the Organization.

Signature

DECEMBER 16, 2013
Date

CONFIDENTIALITY

The personal information requested on this form is collected under the authority of and used for the purpose of administering a variety of statutes which authorize the appointment of individuals to government's agencies, boards and commissions.

Information on the authority for a specific appointment is available on request. All information provided to us will be considered as supplied in confidence. Under certain circumstances some information may be released subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

If you have any questions about the collection and use of this information, please contact the Board Resourcing and Development Office at (604) 775 - 2084, Room 730 - 999 Canada Place, Vancouver, BC V6C 3E1.

This Profile and Declaration will be kept for a minimum of one year.

If you are appointed to the Organization, a copy of this Profile and Declaration will be provided to the Organization.

Schedule "A" to Governing Board Candidate Profile and Declaration

CHARTER OF EXPECTATIONS FOR DIRECTORS OF GOVERNING BOARDS

The Charter of Expectations for Directors of Governing Boards, as set out below, outlines for potential candidates the duties and expectations of board members generally.

Strategic Planning

- provide input to management on emerging trends and issues
- review and approve management's strategic plans, including significant capital allocations and expenditures

Performance Monitoring and Reporting

- monitor corporate performance against strategic and business plans
- evaluate corporate performance reporting
- evaluate performance of senior management

Risk Assessment

- identify principal risks of the Organization's operations and ensure that appropriate systems are in place to manage these risks

Public Policy

- appreciate the role of the Organization as an instrument of public policy
- monitor performance of Organization in relation to the strategic objectives of the shareholder

Senior Staff

- appoint, monitor and evaluate the performance of the CEO; replace if necessary
- ensure succession planning

Financial/Legal Integrity

- ensure ethical behaviour of entity and compliance with all laws and regulations:
- ensure accuracy of financial information and compliance with all accounting and audit principles

Personal Integrity

- ensure personal integrity in all dealings with and on behalf of the Organization, including ongoing responsibility to disclose conflict of interest

Governance

- establish appropriate governance structures to ensure efficient and prudent stewardship of the Organization
- assess board's own effectiveness including monitoring the effectiveness of individual board members

Material Transactions

- review and approve material transactions not in the ordinary course of business

Committees

- participate as appropriate on board committees including: Audit and Risk Management, Governance, Human Resources

ALAN M. SHUSTER

S. 22

EDUCATION

S. 22

Faculty of Law, McGill University, Montreal, Canada
Bachelor of Laws (LL.B.) and Bachelor of Civil Law (BCL), April 1997
National Program - joint Common Law and Civil Law degrees

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BAR/LAW SOCIETY ADMISSION

New York State Bar Association (non-practicing)
British Columbia Law Society (non-practicing)

EXPERIENCE (Professional)

WHATSNEXX MARKETING AUTOMATION INC. (May 2013 – Present) WhatsNexx supports leading brands in delivering the right marketing message, to the right customer, on the right screen at the right time during the customer journey. WhatsNexx's SaaS marketing platform leverages the world's leading marketing applications, consolidating campaign management across channels and applications to build intuitive customer experiences. The WhatsNexx platform and solutions empower marketers to collect and integrate raw customer data into profiles and segments, to design and manage sophisticated, automated campaigns, and to visualize and optimize the customer journey in real-time.

CHIEF EXECUTIVE OFFICER -

S. 22

S. 22

S. 22

BLAST RADIUS INC. (June 2000 – January 2013) Blast Radius worked with leading global companies (Nike, Starbucks, BMW) to improve business efficiency by helping to automate marketing, sales and customer service through the seamless integration of business strategy, user experience design and technological expertise. Company had over 400 professionals with offices in New York, Los Angeles, Amsterdam, London, Toronto and Vancouver. Blast Radius corporate awards/recognition included: Canada's Top 100 Employers (2003), Canadian New Media Awards - Company of the Year (2003), Technology Fast 500, annual list of the fastest growing companies in North America: Blast Radius ranked 64th (2003), Marketing Magazine's 2002 Digital Agency of the Year (2002), BCTIA Emerging Company of the Year (2002), Canada's 50 Best Managed Companies (2002, 2001).

EXECUTIVE VICE-PRESIDENT, CORPORATE AFFAIRS and EXECUTIVE VICE-PRESIDENT, CLIENT SERVICES

S. 22

S. 22

Page 38 redacted for the following reason:

S. 22

Brodie, Natalya BRDO:EX

From: Brodie, Natalya BRDO:EX
Sent: Wednesday, January 30, 2013 3:25 PM
To: Fung, Kenneth
Subject: Re: Provincial boards

Good day Dr. Fung,

Thank you for sending me your résumé. I have a question for you - are you currently employed at UBC?

Kind regards,

Natalya

Sent from iPhone

On 2013-01-29, at 9:49 PM, "Fung, Kenneth" S. 22 wrote:

Hi Natalya,
Attached please find my 2013 resume.
I am interested in the Provincial Government appointment to the UBC Board of Governors.
Please go to the following web page and you can find Mr. Ross. Smith's appointment expires on February 2013
http://bog.ubc.ca/?page_id=84
Appreciate and thank you for your follow up on this request
Regards,
Dr. Fung

From: Brodie, Natalya BRDO:EX [Natalya.Brodie@gov.bc.ca]
Sent: January-29-13 4:57 PM
To: Fung, Kenneth
Subject: Provincial boards

Good afternoon Dr. Fung,

Hope this note finds you well.

I understand that you are interested in being considered to serve on provincial boards. We have close to 300 boards that our office is responsible for. It would be best if you could let me know which sector interests you the most. I am able to access some of your credentials online, however, it would be best if you could send me your resume.

Look forward to hearing from you,

Natalya Brodie

Board Resourcing and Development Office

Tel: 604.775.1683

Cell: S. 17

Fax: 604.775.0158

Email: natalya.brodie@gov.bc.ca
www.gov.bc.ca/brdo

<Ken-Fung Resume 2013.pdf>

Brodie, Natalya BRDO:EX

From: Brodie, Natalya BRDO:EX
Sent: Wednesday, November 6, 2013 4:47 PM
To: Fung, Kenneth
Subject: Re: meeting

13:30 on Nov 7.

Kindly bring a complete copy of your resume with dates, an identification document listing your legal name (driver's license or a passport).

I will have some forms for you to complete.

We are located at 730-999 canada place. Please let reception know that you are meeting with me.

On Nov 6, 2013, at 4:02 PM, "Fung, Kenneth" S. 22 wrote:

Hello Ms. Brodie,
I am available to-morrow Nov 7th or 8th, preferrably after 13:00 hrs.
Regards
Dr. Fung

p.s. where is your office?

From: Brodie, Natalya BRDO:EX [Natalya.Brodie@gov.bc.ca]
Sent: November-06-13 2:46 PM
To: Fung, Kenneth
Subject: test email

Brodie, Natalya BRDO:EX

From: Brodie, Natalya BRDO:EX
Sent: Sunday, November 17, 2013 4:53 PM
To: Facey, Nick AVED:EX
Cc: Mentzelopoulos, Athana GCPE:EX; MacKenzie-Ast, Larkin BRDO:EX
Subject: CBNs for Nov 20 Cabinet
Attachments: Northern Lights (Powell, Watson).doc; University - Simon Fraser University (Kim).doc; University - UBC (Merrifield, Fung).doc; University - University - UVic (Mackenzie).doc

Good afternoon Nick,

Hope this note finds you well. I am pleased to enclose 4 CBNs for Nov 20 Cabinet. Kindly note that the items are split up between the agenda that went out last week and the Addendum that will go out tomorrow. Please have your Minister review these orders and sign and sinc via the iPad to ensure that Cabinet Operations has signed copies on Monday.

Here are the items that your Minister will need to speak to:

AVED BRDO O725 O697	To the University of British Columbia: <ul style="list-style-type: none">• appoints Lane Merrifield for a term ending July 31, 2015; and,• effective February 27, 2014, appoints Kenneth Kai Yan Fung for a term ending February 27, 2015.	<i>University Act,</i> R.S.B.C. 1996, ss. 19 (1) (d), 20 (1.1) and 21 Approval requested at Cabinet's earliest opportunity.
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Not Responsive

Not Responsive

I will be reaching out to you by phone tomorrow/Tuesday to provide you with more details. Alternatively, please call my cell any time with any questions.

Kind regards,

Natalya Brodie

BRDO

Direct line: 604-775-1683

Cell: S. 17

www.gov.bc.ca/brdo

**Recommended Speaking Points:****Board:**

University of British Columbia (UBC)

This OIC is for the appointment of 2 members to the board of the University of British Columbia.

New:

Lane Merrifield

Dr. Kenneth Kai Yan Fung

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Due diligence has been completed by BRDO.

Cabinet Briefing Material**# of Appointments:** 2 of 11 appointments**Candidate – See Biography Below:**

<u>Name</u>	<u>Residence</u>	<u>Original Appt. Date</u>	<u>Effective Date of this Appointment</u>	<u>Term</u>
Lane Merrifield	Kelowna	NEW	Pronouncement	To Jul 31/15
Dr. Kenneth Kai Yan Fung	Vancouver	NEW	Feb 27/14	To Feb 27/15

Board Composition: Pursuant to *the University Act*:

19 (2) The board of the University of British Columbia is composed of 21 members, as follows:

- (a) the chancellor;
- (b) the president;
- (c) a faculty member who works through a part specified under section 3.1, elected by the faculty members who work through the part;
- (d) 2 faculty members who work through a part not specified under section 3.1, elected by the faculty members who work through the part;
- (e) 11 persons, appointed by the Lieutenant Governor in Council, 2 of whom are to be appointed from among persons nominated by the alumni association;
- (f) a student who studies through a part specified under section 3.1, elected from the students who
 - (i) are members of an undergraduate student society or a graduate student society, and
 - (ii) study through any part specified under section 3.1;
- (g) 2 students who study through a part not specified under section 3.1, elected from the students who
 - (i) are members of an undergraduate student society or a graduate student society, and
 - (ii) study through any part not specified under section 3.1;
- (h) one person who must work through a part specified under section 3.1, elected by and from the employees of the university who
 - (i) are not faculty members, and
 - (ii) work through any part specified under section 3.1;
- (i) one person who must work through a part not specified under section 3.1, elected by and from the employees of the university who
 - (i) are not faculty members, and
 - (ii) work through any part not specified under section 3.1.

Term Limits: Pursuant to *the University Act*:

20 (1.1) Each member of the board appointed underPage 45
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section 19 (1) (d) and (2) (e) holds office for a term of up to 3 years and after that until a successor is appointed.

21 The appointed members of the board are eligible for reappointment and the elected members are eligible for re-election, but those members must not hold office for more than 6 consecutive years.

Remuneration:

No compensation is paid to OIC members of the Board; however, approved expenses are reimbursed according to University policy.

Existing Board Membership:

Name	Position	Location	Appointed	Expiry/Terminate*
Alice D. Laberge	Alumni Member	VANCOUVER	4 Feb 2010 Re-4 Feb 2011	4 Feb 2014
Douglas H. Mitchell, Q.C.	Alumni Member	VANCOUVER	4 Feb 2010 Re-4 Feb 2011	4 Feb 2014
Gerald W. Karr	Governor	PENTICTON	16 Feb 2012	16 Feb 2014
Jason D.D. McLean	Governor	VANCOUVER	16 Feb 2012	16 Feb 2014
Theresa M. Arsenault	Chair	WESTBANK	27 Feb 2008 Re-31 Jul 2012	27 Feb 2014
Robert A. Fung	Governor	VANCOUVER	27 Feb 2008 Re-31 Jul 2013	27 Feb 2014
John S. Montalbano	Governor	VANCOUVER	1 Feb 2013	1 Feb 2015
Maureen E. Howe	Governor	VANCOUVER	1 Jun 2009 Re-22 Jun 2012	1 Jun 2015
Gregory J. Peet	Governor	SURREY	31 Jul 2012	31 Jul 2015

Candidate – Biography:

2 New:

Lane Merrifield – Kelowna

Lane Merrifield is co-founder of Club Penguin, one of the largest virtual worlds and digital brands for children. As CEO, Mr. Merrifield worked to develop and launch Club Penguin in 2005, playing an integral role in its phenomenal growth and continued success. Commitment to creating a safe and ad-free online playground helped propel the Kelowna, British Columbia based studio to international acclaim, and a partnership with the Walt Disney Company which acquired it for \$350M in August of 2007. Recently, Mr. Merrifield left his role at Disney to pursue a new startup in the field of Education. His team is working to bring state of the art assessment software into the classroom and provide teachers, parents, and students with new visibility into a child's learning. Mr. Merrifield has always maintained a passion for utilizing technology as a way to connect people in new and innovative ways. He and the Club Penguin team have been recipients of a BAFTA Award, several People's Choice Awards, Parents' Choice Awards, and a Webby Award. Mr. Merrifield has received an Honorary Fellows Award and several leadership awards.

Dr. Kenneth Kai Yan Fung – Vancouver/Quilchena

Dr. Kenneth Fung is a former Clinical Associate Professor at the School of Public & Population Health and Internship Administrator for the Master of Health Administration Program within the Faculty of Medicine at the University of British Columbia. As an active agent in his community, Dr. Fung is the Chair of British Columbia's Premier's Chinese Community Advisory Council, Honorary President of the Vancouver Multicultural Society and serves as a Member on the

Board of Directors for the Section of Clinical Faculty and the Society of General Practice for the British Columbia Medical Association (BCMA). In addition, Dr. Fung is a Visiting Professor at the Guangzhou University of Chinese Medicine and an MD-Member of the Parliament Liaison Program for BCMA. Some of his many past contributions to his community include serving as a Member of the Canada Pension Plan & Disability Review Tribunal, as a Senator for the University of Manitoba Senate, as Board Director and District Nominator for BCMA, and as President of the Chinese Canadian Medical Society (British Columbia).

Dr. Fung holds his Doctor of Medicine, Master Science in Medical Microbiology & Biochemistry, Master of Immunology & Biostatistics and Bachelor of Science in Biochemistry and Microbiology from the University of Manitoba. He also obtained his Master of Health Administration from the University of British Columbia (UBC) and Certificate of Health Law from the Osgood Hall Law School within York University. Dr. Fung is a proud recipient of the Queen Elizabeth II Diamond Jubilee Medal as well has a Fellowship from the Canadian Academy of Health Sciences.

Addresses:

Lane Merrifield
Address to follow

Dr. Kenneth Fung

S. 22

Brodie, Natalya BRDO:EX

From: Brodie, Natalya BRDO:EX
Sent: Monday, November 18, 2013 10:39 AM
To: Henuset, Gillian PREM:EX
Cc: Anderson, Steve PREM:EX; Mentzelopoulos, Athana GCPE:EX; MacKenzie-Ast, Larkin BRDO:EX
Subject: RE: BRDO Addendum
Attachments: BRDO_APPT_OIC_Summary_2013_11_20 Addendum.docx

Good morning Gillian,

Kindly see attached.

Thank you,

Natalya Brodie
BRDO
Direct line: 604-775-1683
Cell: S. 17
www.gov.bc.ca/brdo

From: Henuset, Gillian PREM:EX
Sent: November-18-13 10:24 AM
To: Brodie, Natalya BRDO:EX
Cc: Anderson, Steve PREM:EX
Subject: BRDO Addendum

Good Morning Natalya,

Just wondering whether you have an idea of timing for providing a final BRDO Addendum for this week's meeting. Do you know how many items you will have on it?

GH

Order In Council Coordinator
Cabinet Operations, Office of the Premier
Phone: 250-387-5503 Cell: S. 17 Fax: 250-387-7392

ORDERS IN COUNCIL
Annotated Summary ADDENDUM
 Prepared for Cabinet Review
November 20, 2013

APPOINTMENTS			
Tab #	MIN	PURPOSE OF ORDER	STATUTE
1.	AVED BRDO O725 O697	<p>To the University of British Columbia:</p> <ul style="list-style-type: none"> • appoints Lane Merrifield for a term ending July 31, 2015; and, • effective February 27, 2014, appoints Kenneth Kai Yan Fung for a term ending February 27, 2015. 	<p><i>University Act</i>, R.S.B.C. 1996, ss. 19 (1) (d), 20 (1.1) and 21</p> <p>Approval requested at Cabinet's earliest opportunity.</p>

Not Responsive

Not Responsive

Not Responsive

Brodie, Natalya BRDO:EX

From: Brodie, Natalya BRDO:EX
Sent: Wednesday, December 4, 2013 5:41 PM
To: Shaw, Brea BRDO:EX
Subject: Re: UBC Board Appointments

Wait for his CPD please.

On Dec 4, 2013, at 3:03 PM, "Shaw, Brea BRDO:EX" <Brea.Shaw@gov.bc.ca> wrote:

Per Paula's email below. Is it ok for me to call or email him for his home address?

Brea Shaw

Board Resourcing and Development Office

Tel: 604.660.1170

Fax: 604.775.0158

Suite 730, 999 Canada Place

Vancouver BC V6C 3E1

Email: brea.shaw@gov.bc.ca

www.fin.gov.bc.ca/brdo

From: McHerron, Paula J AVED:EX
Sent: December-04-13 2:32 PM
To: Shaw, Brea BRDO:EX
Subject: RE: UBC Board Appointments

Thanks, do you have his mailing address. I did not get this info with the drafting instructions – need it for appointment letter?

Best,

Paula McHerron, Coordinator
Board Appointments and Negotiation Support
Governance and Quality Assurance Branch
Sector Strategy and Quality Assurance Division
Ministry of Advanced Education
PO Box 9883, STN PROV GOVT
Victoria BC V8W 9T6
Telephone: 250-356-8696 / Facsimile: 250-387-3750

From: Shaw, Brea BRDO:EX
Sent: Wednesday, December 4, 2013 2:31 PM
To: McHerron, Paula J AVED:EX
Subject: RE: UBC Board Appointments

Hi Paula,

Lane's contact info:

Thank you,

Brea Shaw

Board Resourcing and Development Office

Tel: 604.660.1170

Fax: 604.775.0158

Suite 730, 999 Canada Place

Vancouver BC V6C 3E1

Email: brea.shaw@gov.bc.ca

www.fin.gov.bc.ca/brdo

From: McHerron, Paula J AVED:EX

Sent: December-03-13 1:43 PM

To: Shaw, Brea BRDO:EX

Subject: FW: UBC Board Appointments

Any word on Merrifield contact information?

From: Shaw, Brea BRDO:EX

Sent: Monday, December 2, 2013 11:38 AM

To: McHerron, Paula J AVED:EX; MacKenzie-Ast, Larkin BRDO:EX

Subject: RE: UBC Board Appointments

Hello Paula,

Per your request:

Kenneth Fung:

S. 22

Mr. Merrifield's info to follow.

Brea Shaw

Board Resourcing and Development Office

Tel: 604.660.1170

Fax: 604.775.0158

Suite 730, 999 Canada Place

Vancouver BC V6C 3E1

Email: brea.shaw@gov.bc.ca

www.fin.gov.bc.ca/brdo

From: McHerron, Paula J AVED:EX

Sent: December-02-13 11:02 AM

To: MacKenzie-Ast, Larkin BRDO:EX

Cc: Shaw, Brea BRDO:EX

Subject: FW: UBC Board Appointments

Hi Larkin,

Further to Reny's request...

I have Mr. Fung's mailing address, but would appreciate his telephone number along with address/telephone for Mr. Merrifield?

With thanks,

Paula McHerron, Coordinator
*Board Appointments and Negotiation Support
Governance and Quality Assurance Branch
Sector Strategy and Quality Assurance Division
Ministry of Advanced Education
PO Box 9883, STN PROV GOVT
Victoria BC V8W 9T6
Telephone: 250-356-8696 / Facsimile: 250-387-3750*

From: Kahlon, Reny [<mailto:rkahlon@mail.ubc.ca>]
Sent: Monday, December 2, 2013 10:22 AM
To: McHerron, Paula J AVED:EX
Subject: RE: UBC Board Appointments

Will I get their respective contact information?

From: McHerron, Paula J AVED:EX [<mailto:Paula.McHerron@gov.bc.ca>]
Sent: Monday, December 02, 2013 8:41 AM
To: Kahlon, Reny
Subject: RE: UBC Board Appointments

Yes, Mr. Merrifield's appointment is effective November 27, 2013, for a term ending July 31, 2015.

From: Kahlon, Reny [<mailto:rkahlon@mail.ubc.ca>]
Sent: Saturday, November 30, 2013 1:25 PM
To: McHerron, Paula J AVED:EX
Subject: RE: UBC Board Appointments

Thanks, Paula. I'm a little confused on the terms:

Is Lane Merrifield appointed effective immediately (November 27/13) as there's no indication in the Order of start date.

Reny

From: McHerron, Paula J AVED:EX [<mailto:Paula.McHerron@gov.bc.ca>]
Sent: Friday, November 29, 2013 4:56 PM
To: Kahlon, Reny
Cc: 'Theresa Arsenault, Board Chair'; Toope, Stephen; Thiessen-Wale, Katherine AVED:EX
Subject: UBC Board Appointments

Good afternoon Reny:

Pursuant to sections 19(2)(e), 20(1.1) and 21 of the *University Act*, Orders in Council #519 and #522 (attached) were approved and ordered on November 27, 2013, appointing Mr. Lane Merrifield and Mr. Kenneth Kai Yan Fung to the Board of the University of British Columbia.

FYI, the Board Resourcing and Development Office will be contacting Mr. Merrifield and Mr. Fung to advise them of their appointments shortly. Additionally, a Ministerial letter and a certificate of appointment will be sent to each appointee in the very near future.

Should you have any questions regarding these appointments, please do not hesitate to contact me at 250-356-8696.

Best,

Paula McHerron, Coordinator
Board Appointments and Negotiation Support
Governance and Quality Assurance Branch
Sector Strategy and Quality Assurance Division
Ministry of Advanced Education
PO Box 9883, STN PROV GOVT
Victoria BC V8W 9T6
Telephone: 250-356-8696 / Facsimile: 250-387-3750

Brodie, Natalya BRDO:EX

From: Brodie, Natalya BRDO:EX
Sent: Thursday, December 5, 2013 12:46 PM
To: McHerron, Paula J AVED:EX
Cc: MacKenzie-Ast, Larkin BRDO:EX; Thiessen-Wale, Katherine AVED:EX
Subject: RE: URGENT: UBC Appointment - Dr. Kenneth Fung

Our understanding is that Dr. Fung had resigned from his position at UBC earlier this year.

From: McHerron, Paula J AVED:EX
Sent: December-05-13 12:42 PM
To: Brodie, Natalya BRDO:EX
Cc: MacKenzie-Ast, Larkin BRDO:EX; Thiessen-Wale, Katherine AVED:EX
Subject: URGENT: UBC Appointment - Dr. Kenneth Fung

FYI, Dr. Kenneth Fung has a conflict of interest in being a board member and a UBC employee. Questions may be raised on subject!

From: McHerron, Paula J AVED:EX
Sent: Thursday, November 7, 2013 3:05 PM
To: MacKenzie-Ast, Larkin BRDO:EX
Subject: FW: Please Initiate Drafting - UBC

Larkin,

I note that Dr. Kenneth Fung's appointment would fill vacancy created by board member Robert A. Fung on February 27, 2014. That said, I question whether Dr. Kenneth Fung's term should be on pronouncement to fill one immediate vacancy on the UBC Board. When you have a moment, please call and we can discuss the current number of LGIC appointments on the UBC Board of Governors.

FYI, I note there is one tagged OIC underway for Mr. Lane Merrifield.

Let's talk,
Paula

From: McHerron, Paula J AVED:EX
Sent: Thursday, November 7, 2013 2:13 PM
To: Brodie, Natalya BRDO:EX
Cc: MacKenzie-Ast, Larkin BRDO:EX; Shaw, Brea BRDO:EX; Lu, Barbara BRDO:EX; Thiessen-Wale, Katherine AVED:EX
Subject: FW: Please Initiate Drafting - UBC

Hi Natalya,

Further to our telephone conversation, thank you for confirmation that Dr. Fung is "former" not "current" Clinical Associate Professor at UBC. I will update the biography to reflect the same and draft Order in Council for review by Legislative Counsel.

FYI...

University Act
Persons not eligible

23 (1) *The following persons are not eligible to be or to remain members of the board:*

(g) a person who is an employee of the university and who is a voting member of the executive body of, or an officer of, an academic or non-academic staff association of the university who has the responsibility, or joint responsibility with others, to

(i) negotiate with the board, on behalf of the academic or non-academic staff association of that university, the terms and conditions of service of members of that association, or

(ii) adjudicate disputes regarding members of the academic or non-academic staff association of that university.

Best,

Paula McHerron, Coordinator
Board Appointments and Negotiation Support
Governance and Quality Assurance Branch
Sector Strategy and Quality Assurance Division
Ministry of Advanced Education
PO Box 9883, STN PROV GOVT
Victoria BC V8W 9T6
Telephone: 250-356-8696 / Facsimile: 250-387-3750

From: MacKenzie-Ast, Larkin BRDO:EX
Sent: Thursday, November 7, 2013 1:45 PM
To: McHerron, Paula J AVED:EX
Cc: Brodie, Natalya BRDO:EX; Shaw, Brea BRDO:EX; Lu, Barbara BRDO:EX
Subject: Please Initiate Drafting - UBC

For Nov 20 Cab

1 NEW: Dr. Kenneth Kai Yan Fung 27 Feb 2014 to 27 Feb 2015

Dr. Kenneth Kai Yan Fung – Vancouver/Quilchena

Dr. Kenneth Fung is currently a former Clinical Associate Professor at the School of Public & Population Health and Internship Administrator for the Master of Health Administration Program within the Faculty of Medicine at the University of British Columbia. As an active agent in his community, Dr. Fung is the Chair of British Columbia's Premier's Chinese Community Advisory Council, Honorary President of the Vancouver Multicultural Society and serves as a Member on the Board of Directors for the Section of Clinical Faculty and the Society of General Practice for the British Columbia Medical Association (BCMA). In addition, Dr. Fung is a Visiting Professor at the Guangzhou University of Chinese Medicine and an MD-Member of the Parliament Liaison Program for BCMA. Some of his many past contributions to his community include serving as a Member of the Canada Pension Plan & Disability Review Tribunal, as a Senator for the University of Manitoba Senate, as Board Director and District Nominator for BCMA, and as President of the Chinese Canadian Medical Society (British Columbia).

Dr. Fung holds his Doctor of Medicine, Master Science in Medical Microbiology & Biochemistry, Master of Immunology & Biostatistics and Bachelor of Science in Biochemistry and Microbiology from the University of Manitoba. He also obtained his Master of Health Administration from the University of British Columbia (UBC) and Certificate of Health Law from the Osgood Hall Law School within York University. Dr. Fung is a proud

BRD-2015-00001

recipient of the Queen Elizabeth II Diamond Jubilee Medal as well has a Fellowship from the Canadian Academy of Health Sciences.

Address:

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Brodie, Natalya BRDO:EX

From: Brodie, Natalya BRDO:EX
Sent: Friday, December 6, 2013 3:08 PM
To: Kahlon, Reny
Cc: McHerron, Paula J AVED:EX
Subject: Re: Dr. Kenneth Fung

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On Dec 6, 2013, at 3:06 PM, "Kahlon, Reny" <rkahlon@mail.ubc.ca> wrote:

Hi Natalya and Paula: I'm desperately looking for Dr. Fung's contact number. As the contact provided below is wrong. Thanks. Reny

From: McHerron, Paula J AVED:EX [<mailto:Paula.McHerron@gov.bc.ca>]
Sent: Wednesday, December 04, 2013 1:37 PM
To: Kahlon, Reny
Subject: Dr. Kenneth Fung

Hi Reny,

As requested, I understand Natalya Brodie, BRDO, has been in touch with your office; however, please see information below:

Dr. Kenneth Kai Yan Fung was appointed to the board of the University of British Columbia effective February 27, 2014, for a term ending February 27, 2015. Refer to attached OIC 522/2013.

Dr. Kenneth Kai Yan Fung is former Clinical Associate Professor at the School of Public & Population Health and Internship Administrator for the Master of Health Administration Program within the Faculty of Medicine at the University of British Columbia. As an active agent in his community, Dr. Fung is the Chair of British Columbia's Premier's Chinese Community Advisory Council, Honorary President of the Vancouver Multicultural Society and serves as a Member on the Board of Directors for the Section of Clinical Faculty and the Society of General Practice for the British Columbia Medical Association (BCMA). In addition, Dr. Fung is a Visiting Professor at the Guangzhou University of Chinese Medicine and an MD-Member of the Parliament Liaison Program for BCMA. Some of his many past contributions to his community include serving as a Member of the Canada Pension Plan & Disability Review Tribunal, as a Senator for the University of Manitoba Senate, as Board Director and District Nominator for BCMA, and as President of the Chinese Canadian Medical Society (British Columbia).

Dr. Fung holds his Doctor of Medicine, Master Science in Medical Microbiology & Biochemistry, Master of Immunology & Biostatistics and Bachelor of Science in Biochemistry and Microbiology from the University of Manitoba. He also obtained his Master of Health Administration from the University of British Columbia (UBC) and Certificate of Health Law from the Osgood Hall Law School within York University. Dr. Fung is a proud recipient of the Queen Elizabeth II Diamond Jubilee Medal as well as a Fellowship from the Canadian Academy of Health Sciences.

FYI:
Kenneth Fung

S. 22

<OIC 522-2013.pdf>

Brodie, Natalya BRDO:EX

From: Brodie, Natalya BRDO:EX
Sent: Friday, December 13, 2013 10:00 AM
To: Shaw, Brea BRDO:EX
Subject: RE: CPD to collect

His number is s 22 right now.

From: Brodie, Natalya BRDO:EX
Sent: December-13-13 10:00 AM
To: Shaw, Brea BRDO:EX
Subject: CPD to collect

Alan Shuster

S. 22

Brodie, Natalya BRDO:EX

From: Brodie, Natalya BRDO:EX
Sent: Monday, December 16, 2013 9:38 AM
To: Henuset, Gillian PREM:EX
Cc: Anderson, Steve PREM:EX; Mentzelopoulos, Athana GCPE:EX; MacKenzie-Ast, Larkin BRDO:EX
Subject: BRDO OIC Summary for Cabinet on December 17, 2013
Attachments: BRDO_APPT_OIC_Summary_2013_12_17.docx

Good morning,

I am pleased to enclose BRDO OIC Summary for Cabinet on Dec 17. Leg Council is still in the process of tagging orders, estimated completion time is by noon today. There are no anticipated holds on orders listed in this agenda, pending approval, all can proceed for the LG signature as planned.

Thank you,

Natalya Brodie
Director
BRDO
Direct line: 604-775-1683
Cell: S. 17
www.gov.bc.ca/brdo

ORDERS IN COUNCIL
BRDO Revised Summary
 Prepared for Cabinet Review
December 17, 2013

APPOINTMENTS			
Tab #	MIN	PURPOSE OF ORDER	STATUTE
Not Responsive			
3.	AVED BRDO ○ ○ ○	Appoints to the University of British Columbia: <ul style="list-style-type: none"> • Celeste Haldane, for a term ending December 31, 2014; and, • effective December 31, 2013, David Sidoo, for a term ending December 31, 2014; and, • effective February 27, 2014, Alan Shuster, for a term ending February 27, 2015. 	<i>University Act</i> , R.S.B.C. 1996, ss. 19 (1) (d), 20 (1.1) and 21 Approval requested at Cabinet's earliest opportunity.

NB

Not Responsive



11B

Brodie, Natalya BRDO:EX

From: Brodie, Natalya BRDO:EX
Sent: Monday, December 16, 2013 12:27 PM
To: Facey, Nick AVED:EX
Cc: MacKenzie-Ast, Larkin BRDO:EX; Mentzelopoulos, Athana GCPE:EX
Subject: CBNs for Dec 17 Cabinet
Attachments: College - Camosun (Gyles).doc; University - Simon Fraser University (Sahota, Earthy, Robin).doc; University - UBC (Dec 2013).doc

Good afternoon Nick,

Hope this note finds you well. I am pleased to enclose 3 CBNs for your Minister for tomorrow's Cabinet. I have already connected with your Minister last week, however, am always available if needed to provide an additional briefing.

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AVED BRDO O O O	Appoints to the board of University of British Columbia: <ul style="list-style-type: none"> • Celeste Haldane, for a term ending December 31, 2014; and, • effective December 31, 2013, David Sidoo, for a term ending December 31, 2014; and, • effective February 27, 2014, Alan Shuster, for a term ending February 27, 2015. 	<i>University Act</i> , R.S.B.C. 1996, s. 19 (1) (d), 20 (1.1) and 21 Approval requested at Cabinet's earliest convenience
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Kind regards,

Natalya Brodie

Director

BRDO

Direct line: 604-775-1683

Cell: S. 17

www.gov.bc.ca/brdo

Brodie, Natalya BRDO:EX

From: Brodie, Natalya BRDO:EX
Sent: Monday, December 16, 2013 1:18 PM
To: Facey, Nick AVED:EX
Cc: MacKenzie-Ast, Larkin BRDO:EX; Mentzelopoulos, Athana GCPE:EX
Subject: Re: CBNs for Dec 17 Cabinet

I am still waiting on the Leg Council on the orders.

Natalya

On Dec 16, 2013, at 1:00 PM, "Facey, Nick AVED:EX" <Nick.Facey@gov.bc.ca> wrote:

Are these uploaded to MAV's iPad for signing ?

Sent from my iPad

On Dec 16, 2013, at 12:27 PM, "Brodie, Natalya BRDO:EX" <Natalya.Brodie@gov.bc.ca> wrote:

Good afternoon Nick,

Hope this note finds you well. I am pleased to enclose 3 CBNs for your Minister for tomorrow's Cabinet. I have already connected with your Minister last week, however, am always available if needed to provide an additional briefing.

Not Responsive

Not Responsive

AVED BRDO O O O	Appoints to the board of University of British Columbia: <ul style="list-style-type: none">• Celeste Haldane, for a term ending December 31, 2014; and,• effective December 31, 2013, David Sidoo, for a term ending December 31, 2014; and,• effective February 27, 2014, Alan Shuster, for a term ending February 27, 2015.	<i>University Act</i> , R.S.B.C. 1996, s. 19 (1) (d), 20 (1.1) and 21 Approval requested at Cabinet's earliest convenience
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Kind regards,

Natalya Brodie

Director

BRDO

Direct line: 604-775-1683

Cell: S. 17

www.gov.bc.ca/brdo

<College - Camosun (Gyles).doc>

<University - Simon Fraser University (Sahota, Earthy, Robin).doc>

<University - UBC (Dec 2013).doc>

Brodie, Natalya BRDO:EX

From: Brodie, Natalya BRDO:EX
Sent: Tuesday, December 17, 2013 2:56 PM
To: Gleeson, Kelly T GCPE:EX
Cc: Mentzelopoulos, Athana GCPE:EX; MacKenzie-Ast, Larkin BRDO:EX
Subject: Biographies from today's Cabinet - as requested

Not Responsive

Not Responsive

Alan Shuster is the Chief Executive Officer of WhatsNexx, a North American based company that provides a Software-as-a-Service (SaaS) marketing suite and solutions to companies of all sizes for their cross-channel campaign automation and analytics. Previously, he was an Executive Vice President at Blast Radius for 12 years. Mr. Shuster has years of corporate, commercial and securities law experience at one of Canada's leading law firms. He holds his Common Law and Civil Law Degree from McGill University and is a Member of the New York bar and British Columbia bar.

Not Responsive

Not Responsive

Natalya Brodie

Director

BRDO

Direct line: 604-775-1683

Cell: S. 17

www.gov.bc.ca/brdo

Brodie, Natalya BRDO:EX

From: Brodie, Natalya BRDO:EX
Sent: Tuesday, December 17, 2013 3:58 PM
To: 'arsenault@pushormitchell.com'
Subject: Follow up on our conversation

Good afternoon Theresa,

Thank you for taking the time to connect with me this afternoon. I am pleased to enclose biographies and contact information for the individuals we have discussed. Kindly note that this is not public information yet, orders are currently receiving final signatures and will likely be public sometime next week.

Not Responsive

Alan Shuster is the Chief Executive Officer of WhatsNexx, a North American based company that provides a Software-as-a-Service (SaaS) marketing suite and solutions to companies of all sizes for their cross-channel campaign automation and analytics. Previously, he was an Executive Vice President at Blast Radius for 12 years. Mr. Shuster has years of corporate, commercial and securities law experience at one of Canada's leading law firms. He holds his Common Law and Civil Law Degree from McGill University and is a Member of the New York bar and British Columbia bar.

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Not Responsive

Natalya Brodie
Director
BRDO
Direct line: 604-775-1683

