



HUU-AY-AHT TRIBUNAL NOTICE OF APPLICATION APPEAL OF ADMINISTRATIVE DECISION

TRIBUNAL ACT (s.17(a)&(b), 20, 26).

FORM A2

APPLICATION # **2014-001**
(for registry use only)

NOTES: For appeals of tickets or compliance notices please use Form A1, unless your appeal is based on a challenge to the validity of a law.

If there is not sufficient space on this form for any of the information required, you may attach a schedule and reference it in the space provided.

Where a fee is payable, it must accompany this form. It is the responsibility of the person filing to pay any prescribed fee. Information about any Tribunal fees payable is available on the HUU-ay-aht website: www.huuayaht.org

The Applicant is responsible for ensuring that the Application is brought within the time limit set out in the applicable legislation. Administrative decisions must be appealed within 60 days, unless otherwise specified.

DECISION APPEALED Describe the decision you are appealing.

DECISION: No evidence of Executive Council resolution in place or Finance Committee review for \$25,000+ expenditure on HFN staff training by Anita Wolfe-Environment for Change. In addition, it is unclear whether or not the purchasing policy regulation was followed.

No date
_____ DATE OF DECISION

RESPONDENT Who made the decision you are appealing?

James Edwards _____ Executive Director
NAME POSITION

RELIEF SOUGHT What outcome are you requesting?

Tribunal to order something to be done under s. 23 of the Act
Issue a declaration that the decision was illegal
Breach of law was done while under probation. I requested in a council meeting that the ED probation be extended and for several other positions the ED was holding to be removed to focus solely on the ED duties. This did not occur even though council was informed that this law had been broken. The LOE process for the ED position was sped up and complete before the end date of the probation.

GROUND(S) FOR APPEAL Briefly set out the reason(s) why the decision should be changed as requested above.
If this is a challenge to the validity of a HUU-ay-aht law, see *Tribunal Act*, s. 26

Purchasing Policy Section 4 sub section 1.B of the Government Act Section 56
The HUU-ay-aht First Nation puts great faith in our Executive Director to make sure our finances are being looked after correctly and that our laws that we spent a great deal writing be respected and followed. If we can't see while the ED was under probation laws being followed how can we trust that laws will be followed in the future?

**THIS FORM HAS TWO SIDES
YOU MUST COMPLETE BOTH**



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APPEAL OF ADMINISTRATIVE DECISION**
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APPLICANT

LAST NAME: Charles GIVEN NAME(S) Sheila

MAILING ADDRESS: 2111 Rita Rd. CITY/TOWN: Port Alberni B.C P.C. V9Y-1A4

PHONE: 250-735-3552 FAX N/A EMAIL ADDRESS: sheila.c@huyuayaht.org

APPLICANT'S AGENT

To be completed only if an agent will be acting on behalf of the Applicant.

LAST NAME _____ GIVEN NAME(S) _____

MAILING ADDRESS _____ CITY/TOWN _____ POSTAL CODE _____

PHONE _____ FAX _____ EMAIL ADDRESS _____

ADDRESS FOR DELIVERY

This will be used to deliver any notices in relation to the Application.
Note: the Tribunal's preferred means of communication is through email.

CHECK ONE: Applicant's Email Applicant's Fax Applicant's Mailing Address
 Agent's Email Agent's Fax Agent's Mailing Address Use Email or Fax or Address **provided in space below:**

email

SIGNATURE

This notice of application must be signed by the Applicant or Applicant's agent.

FIRST AND LAST NAMES OF APPLICANT OR AGENT _____

DATE _____

SIGNATURE _____

For Registry Use Only

Date Received: January 9, 2014