



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

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

FORM A2

APPLICATION # 2014-007
(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.
<p>DECISION – Failure of the Executive Director to implement the September 27, 2013 Executive Council resolution regarding Social Services Jurisdiction (Resolution 2013-155).</p> <p>February 28, 2014 DATE OF DECISION</p>	
RESPONDENT	Who made the decision you are appealing?
James Edwards NAME	Executive Director POSITION
RELIEF SOUGHT	What outcome are you requesting?
<p>A declaration, pursuant to s. 24(a) of the <i>Tribunal Act</i>, that the Executive Director's has breached his legal duty to implement Resolution 2013-155.</p>	
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 <i>Tribunal Act</i> , s. 26
<p>Under s. 55(1) of the <i>Government Act</i> and s. 87(1)(f) of the <i>Government Act</i>, the Executive Director must implement the resolutions of the Executive Council in accordance with their terms.</p> <p>Resolution 2013-155 reiterated the decision of the Executive Council of February 20, 2013 to take the first steps towards assuming its jurisdiction over social services. Under the resolution of February 20, 2013, the Executive Director was required to ensure that these steps were taken by June 30, 2013. The Executive Director did not meet this deadline and on September 27, 2013, the Executive Council reaffirmed its decision of February 20, 2013 with a new resolution and directed the Executive Director to implement the resolution by February 28, 2013. The Executive Director has failed to do this.</p>	

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