



HUU-AY-AHT TRIBUNAL NOTICE OF RESPONSE RESPONSE OF ADMINISTRATIVE DECISION MAKER

FORM B1

NOTES: This form is to be used for a Response by or on behalf of an administrative decision maker responding to an Application.

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. You may also attach documents if necessary.

Responses must be filed with the Tribunal within 14 days of service of the Notice of Application.

APPLICATION RESPONDED TO

This is a Response to Application # **2014-007**

RESPONSE TO GROUNDS

Briefly set out your position on the Grounds for Appeal advanced in the application, including any relevant additional facts.

1. The Respondent has complied with the requirements of the *Government Act*, s. 55(2) by reporting on the matter to Executive Council. Executive Council then passed a resolution extending the deadline.
2. Executive Council has considered the matter and determined that no disciplinary action against the Respondent is necessary or appropriate.

RESPONSE TO RELIEF SOUGHT

Set out your position on the relief sought in the Application.

The Respondent objects to all relief sought on the following bases:

1. The time limit to appeal the decision at issue has expired and the Applicant has presented no information with respect to special circumstances to justify an extension.
2. Further, to the extent that the decision appealed from was the decision in September 2013 to amend the resolution, it was not a decision of the Respondent, but of Executive Council. The Applicant, as a public officer, has an obligation to uphold this lawful decision of Executive Council (*Code of Conduct and Conflict of Interest Act*, s. 4(1)(c)).
3. Further, to the extent it is alleged the Respondent failed to comply with the requirements of *Government Act*, s. 55(2), it is Executive Council, as the Respondent's employer and not the tribunal to which the Respondent is answerable (*Financial Administration Act*, s. 86(2)). Executive Council has determined no disciplinary action is necessary or appropriate.

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

00813260



HUU-AY-AHT TRIBUNAL NOTICE OF RESPONSE
RESPONSE OF ADMINISTRATIVE DECISION MAKER

FORM B1

RESPONDENT		
Edwards	James	Executive Director
LAST NAME	GIVEN NAME(S)	POSITION
MAILING ADDRESS	CITY/TOWN	POSTAL CODE
PHONE	FAX	EMAIL ADDRESS
RESPONDENT'S AGENT		
To be completed only if an agent will be acting on behalf of the Respondent.		
Skeels	Melinda	
LAST NAME	GIVEN NAME(S)	
Suite 500 – 221 West Esplanade	North Vancouver	V7M 3J3
MAILING ADDRESS	CITY/TOWN	POSTAL CODE
(604) 988-5201	(604) 988-1452	mskeels@ratcliff.com ccraighead@ratcliff.com
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: <input type="checkbox"/> Applicant's Email <input type="checkbox"/> Applicant's Fax <input type="checkbox"/> Applicant's Mailing Address <input checked="" type="checkbox"/> Agent's Email <input type="checkbox"/> Agent's Fax <input type="checkbox"/> Agent's Mailing Address <input type="checkbox"/> Use Email or Fax or Address provided in space below:		
SIGNATURE		
This notice must be signed by the Respondent or Respondent's agent.		
FIRST AND LAST NAMES OF PERSON SIGNING		
January 22, 2014		
DATE	SIGNATURE	
For Office Use Only	Date Received: <u>January 22, 2014</u>	

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