



HUU-AY-AHT TRIBUNAL
NOTICE OF REPLY TO NOTICE OF RESPONSE

FORM C1

APPLICATION # 2015-002 (for registry use only)

NOTES: An Applicant may file a Notice of Reply using this form when the Response to the Applicant's Application raises new issues of fact or law, or includes a claim by the Respondent against the Applicant.

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.

A Notice of Reply must be filed in the Tribunal Registry within 14 days of the delivery of the Notice of Response to the Applicant.

RESPONSE REPLIED TO
This Reply is in respect of the Response of <u>Huu-ay-aht Executive Council</u>
to Application # <u>2015-002</u>
POSITION OF APPLICANT Briefly set out your position on the new issues or claims raised by the Respondent.
<ol style="list-style-type: none">1) The issue is a live issue, if the Tribunal grants the relief sought the applicant would be the Executive Director until an independent investigation is completed and the facts are known.2) Executive Council did not meet its legal obligations under Huu-ay-aht Law, including the Code of Conduct and Conflict of Interest Act (COCCOIA) s. 12(3) and s. 25(1). The Huu-ay-aht Executive Council took specific and punitive action in regards to the Executive Director.3) The decision of Executive Council to not demonstrate its consideration of how it met the provisions of the Government Act does not meet the standards of a lawful decision of Government. The decision and process followed give rise to breach in both procedure and principle of law.4) In its decision, Executive Council did not demonstrate either the procedure or the principal of Huu-ay-aht Law and gave rise to a breach of the COCCOIA s. 12(3) and s. 25(1). Further Executive Council did not act in accordance with the principals of lisaak or Hishuk Tsawak.5) The Chief Councilor did not meet the obligations imposed under the Government Act s. 13(1)(i), or the responsibilities under Huu-ay-aht Law, additionally as the Chair of Executive Council, the Chief Councilor demonstrated a significant breach of the procedures and principals of Huu-ay-aht law and demonstrated a significant breach of the COCCOIA s. 12.(3) and 25(1).6) The Chief Councilor did not meet either the procedure or principal of Huu-ay-aht Legislation and did not act in accordance with the Huu-ay-aht Oath or the principles of lisaak and Hishuk Tsawak. The Chief Councilor demonstrated specific and punitive behavior against the Executive Director in direct contravention of the COCCOIA s. 12(3) and s. 25(1).

SIGNATURE This Reply must be signed by the Applicant or Applicant's agent.

James Edwards

AND LAST NAMES OF APPLICANT OR AGENT

25 Aug 15

DATE


SIGNATURE

For Registry Use Only

Date Received: Aug 26/15