

HUU-AY-AHT FIRST NATIONS



Report of Executive Council on

- 1. Adoption of an HFN law regulating Alcohol Consumption in public places.**
 - 2. Adoption of an HFN law against intoxication in public places.**
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**For consideration at the session of the
Huu-ay-aht First Nations People's Assembly
on Saturday, November 17th, 2012**

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Date: October 22, 2012

BACKGROUND

The following Citizen's Motions will be presented by John Jack for consideration of the Assembly:

1. BE IT RESOLVED that the Huu-ay-aht People's Assembly supports the adoption of any law and policy that will regulate the consumption of alcohol on Huu-ay-aht public lands.
2. BE IT RESOLVED that the Huu-ay-aht People's Assembly supports the adoption of any law and policy that prohibits intoxication by alcohol or other means on Huu-ay-aht public lands.

DISCUSSION

Law vs. Policy

The Huu-ay-aht Government could implement policies a) regarding consumption of alcohol and/or b) prohibiting intoxication by alcohol or other means on Huu-ay-aht public lands. However, it may be difficult to enforce such policies.

Alternatively, the Huu-ay-aht Government could develop and enact laws in these two areas that are enforceable. It is also important to note Section 50 (1) of the *Land Act* which states:

Treaty Lands prohibition

- 50** (1) A person must not do anything that constitutes, or may constitute, a nuisance, a trespass, a danger to public health or a threat to public order, peace or safety on Treaty Lands.

The proposed motion does not specify the nature and timing of any follow-up action to be taken. It is therefore a resolution which records the views of the People's Assembly on these matters.

OPTIONS

There are three options for each motion:

Option 1 – Approve the motion.

Option 2 – Approve the motion with amendments.

Option 3 – Not approve the motion.

IMPLICATIONS

Financial, social and other implications will depend on the motions passed and the policy and legislation enacted by the Huu-ay-aht government.