We welcome your questions and feedback on this presentation both before and during the People’s Assembly on Saturday November 17th.

Please contact Connie Waddell, Law Clerk, by e-mail or at 250–723–0100 if you have any questions or comments.
Purpose of Presentation

- Provide overview of proposed Huu–ay–aht Acts and key proposed Huu–ay–aht regulations
- Consult with Huu–ay–aht Citizens and obtain feedback on these proposed laws
- Seek approval of People’s Assembly, as required by law, for Amendments to *Financial Administration Act (FAA)* and other HFN Acts.

Please ask questions and provide feedback at any time during the presentation!
Spring 2013 Huu–ay–aht Laws

- **Budget Act, 2013**
- Amend Audit Deadline in FAA
- **Economic Development Act**
- Exempt HDC from Cash Management, Purchasing Policy, and Risk Management regulations.
- Governance and Fiscal Agreement Regulation
Budget Law & Audit Deadline

- **Budget Act, 2013** – Required by FAA. Please provide feedback on budget priorities to Executive Council and Finance Committee.

- **Amendment to Financial Administration Act (FAA).**
  - S. 25(1)(a) of the FAA states that the audit of the draft annual financial statements must be completed within 90 days of year end (June 30th).
  - This is not achievable due to the size and complexity of HFN operations.
  - People’s Assembly approval is sought to amend S. 25(1)(a) so that the audit deadline is 150 days after year-end (August 31st).
“BE IT RESOLVED to approve an amendment to Section 25(1)(a) of the Financial Administration Act to change the date for completion of the audit of draft financial statements to “within 150 days of the fiscal year end”, and further to recommend that Executive Council ensure that the remaining steps to enact this amendment and bring it into force are completed by March 31st, 2013.”
ECONOMIC DEVELOPMENT BACKGROUND


- On June 20\textsuperscript{th}, 2012 Executive Council approved the 8 recommendations made by Brent Lehmann and has directed that they be implemented by October 31\textsuperscript{st}, 2012.

- Before I outline the legislative amendments to implement the 8 recommendations, Brent is here to provide an overview of the 8 recommendations and the main elements of the new economic development legislation.
Legislation Required to Implement 8 Ec. Dev. Recommendations

Changes Where People’s Assembly Approval Required
2. Repeal provisions in FAA and other HFN Acts which are inconsistent with the new Economic Development Act.

Changes Where People’s Assembly Feedback Requested
3. New Governance and Fiscal Agreement.
“BE IT RESOLVED to approve amendments to the Financial Administration Act and other Huu–ay–aht Acts, as necessary and appropriate, to implement the 8 recommendations for economic development structuring set out in R. Brent Lehmann’s memorandum dated June 14th, 2012.”
Next Steps

- Committee review of Citizen and Ha’wiih Council feedback
- Develop formal drafting instructions
- Executive Council approval of formal drafting instructions
- Draft legislation
- Executive Council approval of legislation for introduction to the Legislature
- Introduction of legislation at March 2013 session of Legislature
DRAFT ADDENDUM – HDC

- HFN has borrowed $815,000 and invested those funds in Huu-ay-aht Development Corporation.

- HFN may borrow further funds and invest those funds in Huu-ay-aht Development Corporation.

- Section 69 1(b) of the Financial Administration Act requires that the borrowing terms be set out in a proposed Act reviewed at a session of the People’s Assembly before its enactment.

- Feedback from the People’s Assembly on the possible borrowing terms is therefore sought.
Proposed Budget Act Provisions on HDC Borrowing

The proposed provisions for HDC borrowing are as follows:

**Maximum amount to be borrowed** – $2 million (including current $815,000) subject to review and prior-approval by the HFN Government based on a recommendation of Finance Committee.

**Purpose of borrowing** – to provide equity investment in HDC to support business and economic development activities

**Security** – HFN guarantee of borrowings and other security as required by lender and approved by Executive Council

**Term** – As required by lender and approved by Executive Council but not to exceed 25 years

**Source of repayment** – payments from HDC and/or treaty payments received from Canada and British Columbia