



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 # <u>2015-001</u> .	
RESPONSE TO GROUNDS	Briefly set out your position on the Grounds for Appeal advanced in the application, including any relevant additional facts.
<ol style="list-style-type: none">1) In response to the application in its entirety, the Applicant lacks standing to bring the appeal, as he is not a person whose interest is affected by the decision appealed from (<i>Tribunal Act</i>, s. 20(1)).2) Further, circumstances have changed since the decision that was rescinded was made. Executive Council is not bound by decisions of a previous Executive Council. It acted reasonably and within the bounds of its authority in taking into account current circumstances and reaching the decision that it did, which included but was not limited to rescinding the previous decision at issue.3) In response to grounds 1-2, failure by Executive Council to demonstrate its consideration of the provisions of the <i>Government Act</i> referred to by the Applicant in making a decision does not give rise to the right to appeal that decision.4) In further response to ground 2, section 11 of the <i>Government Act</i> does not apply to the decision appealed from.5) In further response to grounds 1 -2 and in specific response to grounds 4-9, Executive Council conducted itself in accordance all applicable legislation, including <i>Government Act</i>, s.10, 11, 50 and 56.6) In response to ground 3, failure by the Chief Councillor to demonstrate how he or she met his or her responsibilities under the <i>Government Act</i>, s. 13(1)(i), in the course of consideration of a particular matter does not invalidate Executive Council's decision in respect of that matter.7) In further response to ground 3, the Chief Councillor conducted himself in accordance with all applicable legislation, including <i>Government Act</i>, s. 13(1)(i).	
RESPONSE TO RELIEF SOUGHT	Set out your position on the relief sought in the Application.
The Respondent opposes all relief sought.	

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



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

FORM B1

RESPONDENT

Huu-ay-aht First Nations Executive Council

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

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: Applicant's Email Applicant's Fax Applicant's Mailing Address

Agent's Email Agent's Fax Agent's Mailing Address Use Email or Fax or Address provided in space below:

SIGNATURE

This notice must be signed by the Respondent or Respondent's agent.

Melinda Skeels

FIRST AND LAST NAMES OF PERSON SIGNING

August 18, 2015

DATE

SIGNATURE

For Office Use Only

Date Received: _____

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YOU MUST COMPLETE BOTH