



huu ayaht

ANCIENT SPIRIT, MODERN MIND

**RULE OF PRACTICE AND PROCEDURE
FOR CONSIDERATION AND STORAGE
OF CONFIDENTIAL DOCUMENTS**

**Pursuant to Resolution No. EC2017-092
of Executive Council**

Provisions of the *Government Act*, HFNA 3/2011 relevant to the enactment of this regulation: section 50(2).

RULE OF PRACTICE AND PROCEDURE
FOR CONSIDERATION AND STORAGE OF CONFIDENTIAL DOCUMENTS

RULE 1

***Rule of Practice and Procedure for
Consideration and Storage of Confidential Documents***

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Definition

- 1** In this Rule, “**confidential information**” includes legal advice, sensitive commercial information that has been provided to the Huu-ay-aht First Nations in confidence, information that is subject to a non-disclosure agreement to which the Huu-ay-aht First Nations is a party and confidential information within the meaning of the *Human Resources Policy Regulation*, HFNR 17/2011.

Confidential Information Discussed *In-Camera*

- 2** Confidential information shall be discussed *in camera* at meetings of Executive Council (under *Government Act*, s. 54(2));

Report Delivery Requirement Waived

- 3** The requirement that reports containing confidential information be delivered 4 working days before an Executive Council meeting is presumptively waived, however, Executive Council may consider a motion for an adjournment to allow members sufficient time to review such materials (under *Government Act*, s. 56(4)(c));

Law Clerk Responsibilities

- 4** The Law Clerk shall ensure that:
 - (a) All legal and business advisors to the Huu-ay-aht First Nations, who do or may have access to confidential information or who may generate confidential information, are made aware of this Rule of Procedure;
 - (b) Unless the Executive Director directs otherwise, materials containing confidential information will be provided at the meeting of Executive Council at which it is to be discussed;

- (c) Unless the Executive Director directs otherwise, materials containing confidential information will normally be collected from each Council Member at the end of the *in camera* discussion;
- (d) Records of proceedings of the *in camera* discussion of confidential information, minutes, *in camera* resolutions and any associated materials will:
 - (i) be marked “confidential”; and
 - (ii) in accordance s. 106 of the *Government Act*, will not be made available for public inspection;
- (e) Where a public resolution of Executive Council is made following an *in camera* discussion of confidential information, the written report and any other materials containing confidential information will be stored in the Registry with the *in camera* records of Executive Council and will not become part of the records available for public inspection;
- (f) Where confidential information has inadvertently been included in materials considered at the public portions of Executive Council meetings, the confidential document or portion of the document containing confidential information will be stored with the *in camera* records of Executive Council and will not be made available for public inspection;
- (g) Confidential materials considered at meetings of Executive Council prior to the date this Rule was made will be stored with the *in camera* records and will not be made available for public inspection.