



huu ay aht

ANCIENT SPIRIT, MODERN MIND

**PUBLIC NOTICE of
the LEGISLATURE**

(Government Act, s. 30)

March 4, 2021

To all Huu-ay-aht Citizens:

PUBLIC NOTICE is hereby given that:

The attached motions and Acts will be considered at the Spring, 2021 Session of the Legislature.



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ANCIENT SPIRIT, MODERN MIND

BUDGET ACT, 2021

The Huu-ay-aht Legislature enacts this law to establish spending authority and borrowing authority for the fiscal year beginning April 1, 2021 and ending March 31, 2022, and to retroactively amend spending authorities and borrowing authorities for the 2021-2022 fiscal year.

REGISTRY OF LAWS CERTIFICATION

I certify that the *Budget Act, 2021* was passed by Executive Council on:

Chief Councillor, Robert Dennis

I certify that the *Budget Act, 2021* is enacted as law on:

Ta'yii Hawilth, Derek Peters

I certify that the *Budget Act, 2021* came into force on:

Law Clerk, Coraleah Bauer

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Note to Reader

The *Budget Act, 2021* establishes the authority of government to spend money from April 1, 2021 to March 31, 2022. A *Budget Act* is required by the *Financial Administration Act* each fiscal year. Government may only spend money if it has spending authority.

- Part 1, General Operating Fund, sets out the budget line items that provide spending authority for government from the general operating fund.
- Part 2, Invested Wealth Fund, sets out the amount of funds that may be spent from the Invested Wealth Fund.
- Part 3 sets out the authorized capital spending of government for the 2021 – 2022 fiscal year.
- Part 4 sets out the authorized general purpose spending of government for the 2021 – 2022 fiscal year.
- Part 5 sets out the authorized borrowings of government for the 2021 – 2022 fiscal year.
- Part 6, Special Programs Fund, sets out the authorized spending for special programs for the 2021 – 2022 fiscal year.
- Part 7 sets out the conditions for Executive Council to invest in HUU-ay-aht business enterprises by borrowing funds or guaranteeing loans.

The Legislature enacts as follows:

PART 1 – GENERAL OPERATING FUND

General operating fund spending authority

- 1 Spending from the general operating fund from April 1, 2021 to March 31, 2022 is authorized for the purpose and amount shown in the same row as each budget line item in the following table:

No.	Budget Line Item Name	Purpose	Amount
1	Community Services	To provide for the services to all HFN Citizens and non-citizens, in accordance with Jordan’s Principle, including children and family support, health and social services, education, culture and the delivery of Citizenship benefits including communications.	\$5,296,108
2	Infrastructure	To provide the services needed to support construction, operation and maintenance of community infrastructure and administration and oversight.	\$1,678,500
3	Lands & Natural Resources	To provide the services needed to support the conservation of our natural resources to ensure self-sufficiency and sustainability within the Hahuuhi.	\$2,043,235
4	Economic Development	To provide programs, services and support to implement the Economic Development Plan, actively seek, secure and promote economic initiatives, oversee the activities of HUU-ay-aht business entities through the Governance and Fiscal Agreement.	\$550,970
5	Government Services	To provide the services needed to support government operations, engagement with Citizens and other stakeholders, committee, Hawiik Council and Executive Council operations.	\$1,648,547

No.	Budget Line Item Name	Purpose	Amount
6	Finance and Administration	To provide the services needed to support financial management and comptrollership, records and administrative support, consultation and engagement with other government departments and institutions.	\$2,950,181
7	Implementation	To provide the services needed to support the implementation of obligations and opportunities in the Maa-Nulth Treaty and side agreements, and obligations and opportunities from any other agreements.	\$564,143
8	Human Resources	To provide the services needed to support staff management, communications and engagement, and local government services for the community of Anacla.	\$466,122
10	Depreciation	To allow for depreciation expenses related to capital assets	\$1,125,763
	Total General Operating Fund Spending Authority		\$16,323,569

PART 2 – INVESTED WEALTH FUND

Invested Wealth Fund spending authority

- 2 Spending from the Invested Wealth Fund from April 1, 2021 to March 31, 2022 is authorized for the purpose and amount shown in the same row as each budget line item in the following table:

No.	Budget Line Item Name	Purpose	Amount
12	Fund Management	For management of the investments of the Invested Wealth Fund	\$120,000
13	Transfer to General Operating Fund	For transferring money to the general operating fund to support government	\$600,000
	Total Invested Wealth Fund Spending Authority		\$720,000

	Total Consolidated Government FuNd Spending Authority	\$17,043,569
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PART 3 – SPECIAL PROGRAMS FUND

Special Programs Fund spending authority

- 3 Spending from the Special Programs Fund from April 1, 2021 to March 31, 2022 is authorized for the purposes and in the amounts shown in the same row as each budget line item in the following table:

No.	Budget Line Item Name	Purpose	Amount
S1	Special Programs	To provide for spending incurred for purposes specified in a contribution or funding agreement under which revenues are provided to the Huu- ay-aht by another government, organization or entity for expenditure on those specified purposes.	\$20,000,000
S2	HFN/WFP Employment & Training Agreement	To provide the budget authority to spend the restricted funds per the HFN/WFP Employment & Training Agreement.	\$500,000
	Total Special Programs Fund Spending Authority		\$20,500,000

PART 4 – CAPITAL SPENDING

Capital spending authority

- 4 Spending for capital purposes from April 1, 2021 to March 31, 2022 is authorized for the purpose and amount shown in the same row as each budget line item in the following table:

No.	Budget Line Item Name	Purpose	Amount
14	Capital Projects	For capital items included in the Capital Budget of the approved Financial Plan and the approved government infrastructure project list.	\$14,944,000
15	Capital Investments	For major capital investments other than in infrastructure and included in the Capital Budget of the approved Financial Plan.	\$100,000,000

		May include investments to be made through a HUU-AY-AHT business enterprise.	
	Total Capital Spending Authority		\$114,944,000

PART 5 – BORROWING

Borrowing authority

- 5 Borrowing from April 1, 2021 to March 31, 2022 is authorized for the purpose and amount shown in the same row as each borrowing authority item in the following table:

No.	Borrowing Authority	Purpose	Amount
B1	General Purpose Borrowing	For borrowing to meet the need for cash that may arise from time to time related to expenditures, infrastructure investment, and capital spending	\$10,000,000
B2	Borrowing to invest in HUU-AY-AHT business enterprises	For borrowing to invest in HUU-AY-AHT business enterprises or guaranteeing HUU-AY-AHT business enterprise loans to support business operations and economic	\$50,000,000
	Total Borrowing Authority		\$60,000,000

PART 6 – INVESTMENTS IN HUU-AY-AHT BUSINESS ENTERPRISES

Conditions for investment by way of loan or loan guarantee

- 6 (1) Executive Council may borrow funds to invest in a HUU-AY-AHT business enterprise in accordance with section 69 of the *Financial Administration Act* if
- (a) the purpose and amount is authorized by a borrowing authority,
 - (b) Executive Council has considered the recommendation of Finance Committee,
 - (c) loan conditions, including security, term and source of repayment, are approved by Executive Council,
 - (d) the term of the loan does not exceed 25 years, and

- (e) the loan will be repaid by a HUU-ay-aht business enterprise or from payments received from Canada or British Columbia.
- (2) Executive Council may guarantee a HUU-ay-aht business enterprise loan or obligation for the purpose of making an investment in a HUU-ay-aht business enterprise if
- (a) the purpose and amount is authorized by a borrowing authority,
 - (b) Executive Council has considered the recommendation of Finance Committee,
 - (c) the guarantee conditions, including security, term and discharge are approved by Executive Council,
 - (d) the term of the guarantee does not exceed 25 years, and
 - (e) the HUU-ay-aht business enterprise has the capacity to repay the loan or obligation and discharge the HUU-ay-aht guarantee.



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ANCIENT SPIRIT, MODERN MIND

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding First Reading of the *Budget Act, 2021*

Whereas:

- a) Executive Council approved the proposed *Budget Act, 2021* for introduction to the Legislature.

Be it resolved that the Legislature:

- 1) Hereby gives the proposed *Budget Act, 2021* first reading;
- 2) Will proceed with discussion of the proposed *Budget Act, 2021* in accordance with the *Government Act* section 93(1)(c); and
- 3) Will give the proposed *Budget Act, 2021* second reading at the sitting of the Legislature scheduled for March 30, 2021.

Appendices attached to Motion:

Written report prepared by Stephanie Long, CFO.

The following documents:

- The proposed *Budget Act, 2021*.

Introduced by:

MEMBER OF LEGISLATURE

Date: March 19, 2021

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MIND

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding Second Reading of the *Budget Act, 2021*

Whereas:

- a) The Legislature gave the *Budget Act, 2021* first reading at its sitting on March 19, 2021.

Be it resolved that the Legislature:

- 1) Hereby gives the *Budget Act, 2021* second reading; and
- 2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on the *Budget Act, 2021* at a meeting of the Legislature to be convened today, March 30, 2021.

Appendices attached to Motion:

Written report prepared by Stephanie Long, CFO.

The following documents:

- The draft *Budget Act, 2021*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2021

DATE OF MEETING



huu ay aht

ANCIENT SPIRIT, MODERN MIND

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding Third Reading of the *Budget Act, 2021*

Whereas:

- a) The Legislature gave the *Budget Act, 2021* second reading at its sitting earlier today, March 30, 2021.

Be it resolved that:

- 1) The Legislature hereby, in accordance with *Government Act* s. 93(1)(g), adopts the *Budget Act, 2021*; and
- 2) The following actions will be completed in compliance with the *Government Act* (s. 93 and 95):
 - a. The Chief Councillor will certify that the *Budget Act, 2020* has passed third reading by signing it today, March 30, 2021 (s. 93(1)(h));
 - b. The Ta'yii Hawilth, will certify that the *Budget Act, 2020* is enacted as Huu-ay-aht law by signing it today, March 30, 2021 (s. 93(1)(i)); and
 - c. The Law Clerk will:
 - i. Sign the *Budget Act, 2021* into force today, March 30, 2021 (s. 95(5));
 - ii. Place the signed *Budget Act, 2021* and a certified true copy in the registry no later than April 5, 2021 (s. 95(6)(a)); and
 - iii. Publish the *Budget Act, 2021* no later than April 9, 2021 (s. 95(6)(b)).

Appendices attached to Motion:

Written report prepared by Stephanie Long, CFO.

The following documents:

- The *Budget Act, 2021*.

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2021

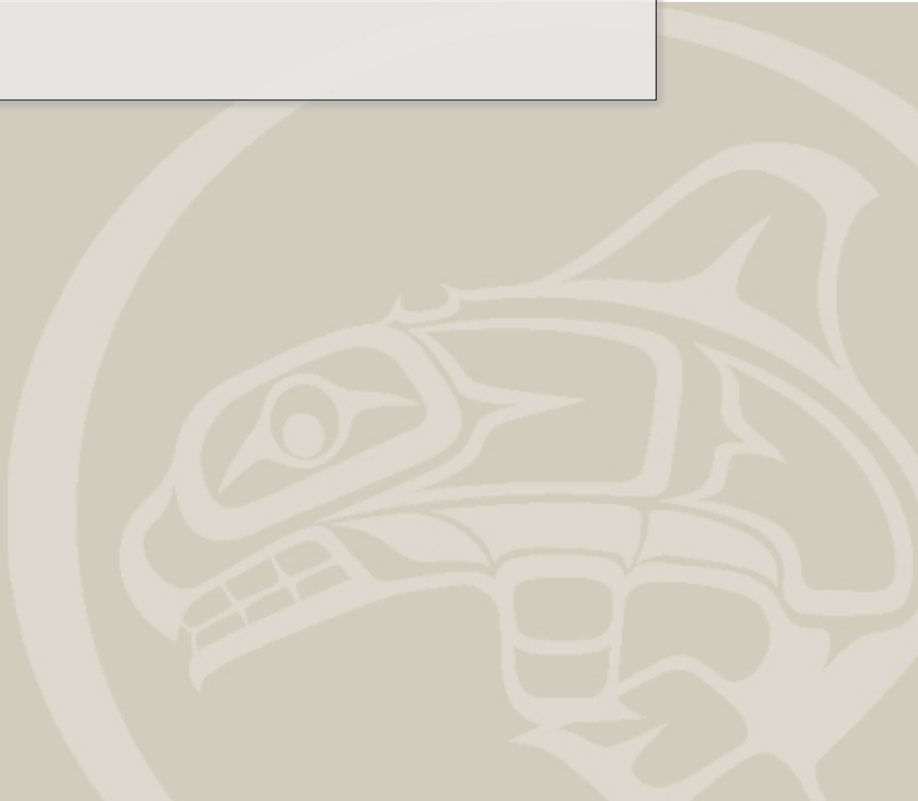
DATE OF MEETING



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ANCIENT SPIRIT, MODERN MIND

**FINANCIAL ADMINISTRATION ACT
AMENDMENT ACT, 2021**



REGISTRY OF LAWS CERTIFICATION

I certify that the *Financial Administration Act Amendment Act, 2021* was passed by Executive Council on:

Chief Councillor, Robert Dennis

I certify that the *Financial Administration Act Amendment Act, 2021* is enacted as law on:

Ta'yii Hawilth, Derek Peters

I certify that the *Financial Administration Act Amendment Act, 2021* came into force on:

Law Clerk, Coraleah Bauer

Financial Administration Act Amendment Act, 2021

Contents

- 1 Amendments
- 2 Commencement
- 3 Consolidation

Amendments

1 The *Financial Administration Act*, HFNA 7/2011 is amended:

(a) In section 16, by:

(i) following subsection 2(e), striking out “(f)” and substituting “(g)”;

(ii) adding the following paragraph after subsection (2) (e):

(f) a recommendation with respect to the minimum target value of the Invested Wealth Fund for the upcoming year;

(b) In section 18, by:

(i) adding the following paragraphs after paragraph (i):

(j) the minimum target value of the Invested Wealth Fund for the upcoming year;

(k) if the forecasted value of the Invested Wealth Fund is less than the minimum target value, a plan to increase the value of the Invested Wealth Fund to the minimum target value within 3 years;

(ii) striking out “(j)” and substituting “(l)”;

(iii) striking out “(k)” and substituting “(m)”;

(iv) striking out “(l)” and substituting “(n)”;

(c) By adding the following section:

Minimum Target Value of Invested Wealth Fund Requirement

- 19.1**
- (1) Executive Council may not plan to reduce the value of the Invested Wealth Fund below its minimum target value.
 - (2) If the value of the Invested Wealth Fund has fallen below its minimum target value, and such reduction is caused by fluctuations in the value of its investments, Executive Council in the financial plan must plan to increase the value of the Invested Wealth Fund to its minimum target value within 3 years.

- (3) Despite subsection (2), Executive Council may approve a financial plan in which the forecasted value of the Invested Wealth Fund does not meet the minimum target value if:
- (a) the Finance Committee prepares a draft report for Executive Council setting out all of the following:
 - (i) the reason for proposing an ongoing failure to meet the minimum target value;
 - (ii) the consequences of not approving the proposal;
 - (iii) a plan to replenish the Invested Wealth Fund over a longer period;
 - (b) Executive Council
 - (i) considers the draft report under paragraph (a) and approves the report, with or without changes, for consideration of the People's Assembly,
 - (ii) provides public notice of the report under subparagraph (i),
 - (iii) calls a session of the People's Assembly in accordance with the *Government Act*, presents the report to the People's Assembly and proposes a motion that
 - (A) specifies the maximum amount by which the value of the Invested Wealth Fund may be below the minimum target value in each year of the financial plan, and
 - (B) authorizes Executive Council to approve a financial plan that complies with clause (A);
 - (c) the People's Assembly passes the motion under paragraph (b) (iii); and
 - (d) the financial plan complies with the resolution of the People's Assembly under paragraph (c).
- (d) ***In section 21, by:***
- (i) ***in paragraph (a) (iii), by striking out “, and” and substituting “,;”;***
 - (ii) ***in paragraph (b), by striking out “.” and substituting “, and”; and***
 - (iii) ***adding the following paragraph:***
 - (c) any other information required by any other provision of this Act.
- (e) ***In section 59, by:***
- (i) ***striking out:***
 - ““**FDDIPI**” means the Final Domestic Demand Implicit Price Index for Canada, series D100466, published regularly by Statistics Canada in Matrix 10512: Implicit Price Indexes, Gross Domestic Product, or its replacement series as specified by Statistics Canada;”
 - (ii) ***adding the following definitions:***

“CPI” means the annual consumer price index for British Columbia published by Statistics Canada;

“Ongoing Activities” means the activities listed in paragraph D.3 of Schedule D to the Huu-ay-aht Fiscal Financing Agreement;

(f) *In section 60, by:*

(i) *repealing subsection (3) and replacing it with:*

- (a) The annual target revenue of the Invested Wealth Fund for the 2021 – 2022 fiscal year is \$600,000.
- (b) For each fiscal year after 2021 – 2022, Executive Council may set the annual target revenue for the Invested Wealth Fund at an amount that is in its view sufficient to support the Ongoing Activities, taking into consideration any recommendations received from the Finance Committee.
- (c) If the annual target revenue is not set by Executive Council in a particular year, it will be deemed to be the previous fiscal year’s annual target revenue multiplied by one (1) plus the CPI adjustment for all items for the most recently reported 12 month period.

(ii) *adding the following subsections:*

- (3.1) In deciding whether to approve the minimum target value of the Invested Wealth Fund as part of the financial plan for the upcoming fiscal year, Executive Council must consider the following:
 - (a) the annual target revenue of the Invested Wealth Fund;
 - (b) performance reviews of the Invested Wealth Fund for the most recent 3 fiscal years;
 - (c) any recommendations received from the Finance Committee;
 - (d) any other matters Executive Council considers advisable.
- (3.2) If the value of the Invested Wealth Fund is more than 20% below the minimum target value at any time, this information must be highlighted in the monthly report provided to Executive Council under section 21.
- (3.3) If the value of the Invested Wealth Fund is more than 10% below the minimum target value for a period of 3 consecutive months, this information must be highlighted in the monthly report provided to Executive Council under section 21.
- (3.4) The minimum target value for the 2021 – 2022 fiscal year is [\$ TO BE DETERMINED].

(iii) repealing subsections (6) through (8) and replacing them with:

- (6) Funds may only be transferred out of the Invested Wealth Fund in accordance with subsection (7).
- (7) Subject to subsection (8), Executive Council may direct that funds be transferred from the Invested Wealth Fund to the general operating fund for the following purposes
 - (a) making expenditures in accordance with a spending authority established by a Budget Act, and
 - (b) investment in a Huu-ay-aht special investment body.
- (8) Executive Council may direct a transfer from the Invested Wealth Fund to the general operating fund of an amount less than or equal to the maximum amount, if any, that could be transferred, after which there would be a reasonable likelihood of achieving or maintaining the minimum target value set out in the approved financial plan.

(g) In section 62 by:

(i) in subsection (2) (i), by striking out “.” and replacing it with “;” and

(ii) adding the following paragraph:

- (j) limited partnership units.

(h) In section 62.1 by:

(i) repealing subsection (3) (b) and substituting:

- (b) a description of the purpose and the nature of the potential investment opportunity, including a description of the interests or investments to be held or controlled by such body;

(ii) repealing subsection (3) (e) and substituting:

- (e) an assessment of the possible risks facing the potential investment opportunity and action that could be taken to mitigate those risks;

(iii) striking out “(g)” and substituting “(h)”;

(iv) adding the following paragraph after (3) (f):

- (g) a description of the mechanisms by which reporting requirements set out in section 62.2 (4) will be imposed on the special investment body;

(v) repealing subsection (7) and substituting:

- (7) Government and other Huu-ay-aht bodies may guarantee the debt of a Huu-ay-aht body if the borrowing in respect of which the debt is incurred is set out in a regulation under subsection (6).

(vi) repealing subsection (9) and substituting:

- (9) A regulation under subsection (6) may provide that the indebtedness associated with some or all of the funds borrowed in accordance with the regulation will not count towards the aggregate amount specified under section 69 (6).

(vii) repealing subsection (10) and substituting:

- (10) Despite the *Government Act*, section 89 (2), Executive Council may direct that the report in respect of a regulation under subsection (1) or (6) presented for approval of the People's Assembly need not be provided to citizens at least 14 days in advance of consideration of the matter and may instead be provided to citizens at the session of the People's Assembly at which the matter is being considered.

(i) By adding the following section:

Invested Wealth Fund investment in a Huu-ay-aht special investment body

- 62.2** (1) Subject to subsection (5), Executive Council may prescribe the investment of money within the Invested Wealth Fund in a Huu-ay-aht special investment body following:
- (a) consultation with the H̄aw̄iih̄ Council,
 - (b) consideration of a recommendation of the Finance Committee, and
 - (c) approval of the investment by the People's Assembly.
- (2) The Finance Committee will make a recommendation to Executive Council in respect of a regulation under subsection (1) after it has reviewed a report that includes the following:
- (a) an assessment of the potential investment opportunity as compared to past performance of the Invested Wealth Fund;
 - (b) an assessment of the potential impact of the potential investment on the annual target revenue of the Invested Wealth Fund;
 - (c) an assessment of risks facing the investment opportunity and actions that could be taken to mitigate those risks;
 - (d) an outline of anticipated financial performance and other benefits from the potential investment opportunity for the first 5 years, as well as any longer-term considerations that may impact value for the years thereafter.
- (3) A regulation prescribing an investment under subsection (1) must specify:
- (a) the Huu-ay-aht special investment body in which the money will be invested;
 - (b) the maximum amount of money from the Invested Wealth Fund that will be invested in the Huu-ay-aht special investment body;
 - (c) the means by and circumstances in which the amount of the

investment may be reduced.

- (4) Money from the Invested Wealth Fund may be invested in a Huu-ay-aht special investment body only if the reporting requirements imposed on the Huu-ay-aht special investment body include, at a minimum, provision of quarterly financial statements, audited annual financial statements and material change reports.
- (5) The Executive Director may designate an individual to approve the payment of money for the purposes of an investment prescribed under subsection (1).
- (6) The maximum aggregate amount of money from the Invested Wealth Fund that Executive Council may direct be invested in Huu-ay-aht special investment bodies is 50% of the minimum target value set out in the financial plan approved under section 17 (3).
- (7) Despite the *Government Act*, section 89 (2), Executive Council may direct that the report in respect of an investment presented for approval by the People's Assembly under subsection (1) need not be provided to citizens at least 14 days in advance of consideration of the matter and may instead be provided to citizens at the session of the People's Assembly at which the matter is being considered.

(j) In section 75, by:

(i) repealing subsection (5) (b) and substituting:

- (b) a requirement to prepare a statement of investment policy, including fund goals, performance objectives, Huu-ay-aht tolerance for risk and target, minimum and maximum shares for defined asset classes, limitations on specific investments for each fund and any investment prescribed by Executive Council under subsection 62.2 (1);

(k) In section 93 (2), by:

(i) repealing subsections (h) and (i);

(ii) striking out “(e)” and substituting “(f)”;

(iii) striking out “(f)” and substituting “(g)”;

(iv) striking out “(g)” and substituting “(h)”;

(v) adding the following subsection after (d):

- (e) prescribing a government investment management policy for the purposes of section 75 (1);

(vi) adding the following subsection after (h):

- (i) prescribing a Huu-ay-aht special investment body in accordance with section 62.1 (1);

- (j) respecting borrowing for the purposes of investing in a Huu-ay-aht special investment body in accordance with section 62.1 (6); and
- (k) directing an investment of money within the Invested Wealth Fund in a Huu-ay-aht special investment body in accordance with section 62.2.

Commencement

2 This act comes into force by resolution of Executive Council.

Consolidation

3 The Law Clerk is directed to consolidate the *Financial Administration Act*, HFNA 7/2011.



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ANCIENT SPIRIT, MODERN MIND

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding First Reading of the *Financial Administration Act Amendment Act, 2021*

Whereas:

- a) Executive Council approved the proposed *Financial Administration Act Amendment Act, 2021* for introduction to the Legislature.

Be it resolved that the Legislature:

- 1) Hereby gives the proposed *Financial Administration Act Amendment Act, 2021* first reading;
- 2) Will proceed with discussion of the proposed *Financial Administration Act Amendment Act, 2021* in accordance with the *Government Act* section 93(1)(c); and
- 3) Will give the proposed *Financial Administration Act Amendment Act, 2021* second reading at the sitting of the Legislature scheduled for March 30, 2021.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The proposed *Financial Administration Act Amendment Act, 2021*
- A legal blackline showing the proposed amendments to the *Financial Administration Act*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 19, 2021

DATE OF MEETING



huu ayah't

ANCIENT SPIRIT, MODERN MIND

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding Second Reading of the *Financial Administration Act Amendment Act, 2021*

Whereas:

- a) The Legislature gave the *Financial Administration Act Amendment Act, 2021* first reading at its sitting on March 11, 2021.

Be it resolved that the Legislature:

- 1) Hereby gives the *Financial Administration Act Amendment Act, 2021* second reading; and
- 2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on the *Financial Administration Act Amendment Act, 2021* at a meeting of the Legislature to be convened today, March 30, 2021.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The draft *Financial Administration Act Amendment Act, 2021*.

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2021

DATE OF MEETING



huu ay aht

ANCIENT SPIRIT, MODERN MIND

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding Third Reading of the *Financial Administration Act Amendment Act, 2021*

Whereas:

- a) The Legislature gave the *Financial Administration Act Amendment Act, 2021* second reading at its sitting earlier today, March 30, 2021.

Be it resolved that:

- 1) The Legislature hereby, in accordance with *Government Act* s. 93(1)(g), adopts the *Financial Administration Act Amendment Act, 2021*; and
- 2) The following actions will be completed in compliance with the *Government Act* (s. 93 and 95):
 - a. The Chief Councillor will certify that the *Financial Administration Act Amendment Act, 2021* has passed third reading by signing it today, March 30, 2021 (s. 93(1)(h));
 - b. The Ta'yii Hawilth, will certify that the *Financial Administration Act Amendment Act, 2021* is enacted as Huu-ay-aht law by signing it today, March 30, 2021 (s. 93(1)(i)); and
 - c. The Law Clerk will, within 10 days, publish the act with a notation that it is not in force until Executive Council passes a resolution to bring it into force.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The *Financial Administration Act Amendment Act, 2021*.

Introduced by:	Date: March 30, 2021
MEMBER OF LEGISLATURE	DATE OF MEETING



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ANCIENT SPIRIT, MODERN MIND

**ENFORCEMENT FRAMEWORK
AMENDMENT ACT, 2021**

*The Huu-ay-aht Legislature enacts this law to amend various enactments
relating to the enforcement of Huu-ay-aht laws*

REGISTRY OF LAWS CERTIFICATION

I certify that the *Enforcement Framework Amendment Act, 2021* passed Third Reading in the Legislature on:

Chief Councillor, Robert Dennis

I certify that the *Enforcement Framework Amendment Act, 2021* is enacted as law on:

Ta'yii Hawilth, Derek Peters

I certify that the *Enforcement Framework Amendment Act, 2021* came into force on:

Law Clerk, Coraleah Bauer

Enforcement Framework Amendment Act, 2021

Contents

Section

- 1 Offence and Law Enforcement Act amendments
- 2 Tribunal Act amendments
- 3 Commencement
- 4 Consolidation

The Legislature enacts as follows:

Offence and Law Enforcement Act amendments

- 1 The *Offence and Law Enforcement Act*, HFN 12/2011 is amended as follows:

- (a) *in the preamble, by adding the following as the 4th paragraph:*

Peace officers may seize anything they reasonably believe was obtained through, used in or provides evidence of the commission of an offence. Seized items will be held until the matter is resolved by a court, at which point they may be ordered to be forfeited to the HUU-ay-aht or they may be returned. If the person lawfully entitled to the seized item is not brought to court in respect of the related offence within the required time frame, the seized item will be returned to that person;

- (b) *in section 2, by inserting a definition for “Maa-nulth First Nation” as the following:*

“Maa-nulth First Nation” has the same meaning as under the Treaty;

- (c) *in section 2, by substituting the definition for “named person” with the following:*

“named person” means a person or entity to whom a compliance notice, ticket or seizure record is issued;

- (d) *in section 2, by inserting a definition for “seizure record” as the following:*

“seizure record” means the document prepared by a peace officer under section 32.2 to record a seizure;

- (e) *in section 4(1), by adding the following after paragraph (g):*

(g.1) upon an arrest authorized by this subsection, search that person and his or her belongings if there is a reasonable prospect of securing evidence of that offence, and seize anything found during that search that the peace officer believes on reasonable grounds

- (i) was obtained in the commission of an offence,
- (ii) was or is being used in the commission of an offence, or

(iii) may provide evidence of the commission of an offence;

(f) *by striking out section 5 and substituting it with the following:*

Regulatory inspection by peace officers

- 5** (1) A peace officer who does not have reasonable grounds to believe that a contravention of HUU-AY-AHT legislation has occurred may, for the purpose of ensuring compliance with HUU-AY-AHT legislation, make any reasonable inspection of any person, place or thing involved in an activity that is regulated by HUU-AY-AHT legislation.
- (2) In exercising the powers under subsection (1), a peace officer may enter any place or thing
- (a) at any reasonable time, if it is not a dwelling house, or
- (b) with the consent of the owner or occupant, if it is a dwelling house.
- (3) In addition to exercising powers under subsection (1), a peace officer may at any time during an inquiry or inspection
- (a) require to be produced any licences, books, bills, records or other documents, and
- (b) take a sample of any substance
- related to an activity that is regulated by HUU-AY-AHT legislation.

(g) *by striking out section 6 and substituting it with the following:*

Seizure of evidence by peace officers

- 6** During an inspection under section 5, a peace officer may seize anything that he or she believes on reasonable grounds
- (a) was obtained in the commission of an offence,
- (b) was or is being used in the commission of an offence, or
- (c) may provide evidence of the commission of an offence.

(h) *by striking out section 7(1) and substituting it with the following:*

- 7** (1) Subject to subsection (2), all provisions of the Offence Act (British Columbia) relating to offences punishable on summary conviction apply in respect of offences under HUU-AY-AHT law, including, for greater certainty, section 133 of that Act [Application of Criminal Code (Canada)].

(i) *in section 7(2), by striking out the word “specified” and substituting it with the words “referred to”;*

-
- (j) **in section 16(1)(c), by striking out the words “regulation, control or prohibition of the actions or activities” and substituting them with the words “applicable section of the Huu-ay-aht legislation that regulates, controls or prohibits the action or activity”;**
- (k) **in section 16(1), by adding the following after paragraph (c):**
- (c.1) by delivering a copy of the compliance notice
 - (i) to the last known residential or business address of the named person, or
 - (ii) if the named person is a corporation, to the registered office shown in the records of the applicable government;
- (l) **in section 16, by striking subsection (2) and substituting it with the following:**
- (2) A compliance notice served under subsection (1) (d.1) is deemed to have been received by the named person on the day following the day on which it is delivered to the address.
- (m) **in section 17(3), by adding the following after paragraph (b):**
- (b.1) by delivering a copy of the compliance notice
 - (i) to the last known residential or business address of the named person, or
 - (ii) if the named person is a corporation, to the registered office shown in the records of the applicable government;
- (n) **in section 17, by striking out subsection (4) and substituting it with the following:**
- (4) A compliance notice served under subsection (3) (b.1) is deemed to have been received by each registered owner on the day following the day on which it is delivered to the address.
- (o) **in section 22(4) after the words “person entitled to them”, by inserting the words “payable on demand within 14 days, if that demand is delivered to the Executive Director in accordance with Huu-ay-aht law”;**
- (p) **in section 27(d) after the words “prescribed surcharge”, by adding the word “penalty”;**
- (q) **in section 28(1), by adding the following after paragraph (c):**
- (c.1) by delivering a copy of the ticket
 - (i) to the last known residential or business address of the named person, or
 - (ii) if the named person is a corporation, to the registered office shown in the records of the applicable government;
- (r) **in section 28, by striking out subsection (2) and substituting it with the following:**

- (2) A ticket served under subsection (1) (c.1) is deemed to have been received by the named person on the day following the day on which it is delivered to the address;
- (s) *in section 31(1)(b) after the words “ticket is served”, by adding the words “under section 28”;*
- (t) *between Division 3 and Division 4, by inserting the following:*

Division 3.1 – Seizures

Definition

- 32.1** In this Division, “**responsible authority**” means the person responsible for administering and enforcing the Huu-ay-aht legislation under which the offence related to the seizure occurred.

Seizure record

- 32.2** The peace officer that conducts a seizure under section 4 or 6 must prepare a seizure record in the prescribed form as soon as possible after the seizure has been conducted, which specifies
- (a) the thing seized,
 - (b) the grounds for the seizure,
 - (c) the time and place that the seizure occurred,
 - (d) the name of the person from whom the thing was seized,
 - (e) the name and signature of the peace officer who conducted the seizure,
 - (f) how to appeal the seizure, and
 - (g) any other prescribed information.

Serving seizure record

- 32.3** (1) A seizure record prepared under section 32.2 must be served
- (a) on the person from whom the thing was seized, and
 - (b) any other person whom the peace officer has reason to believe may have an interest in the thing seized,
- all of whom are “**named persons**” in relation to that seizure record.
- (2) A seizure record prepared under section 32.2 may be served as follows:
- (a) by a peace officer or another authority on the named person,

- (b) by mailing a copy of the seizure record
 - (i) to the last known residential or business address of the named person, or
 - (ii) if the named person is a corporation, to the registered office shown in the records of the applicable government;
 - (c) by delivering a copy of the seizure record
 - (i) to the last known residential or business address of the named person, or
 - (ii) if the named person is a corporation, to the registered office shown in the records of the applicable government;
 - (d) by another prescribed method.
- (3) A seizure record served under subsection 2(c) is deemed to have been received by the named person on the day following the day on which it is delivered to the address.

If seizure record not served

- 32.4** If a seizure record is not served under section 32.3, a proceeding or action in relation to the seizure is not invalidated if
- (a) the content of the seizure record was known by the named persons within the time allowed for service,
 - (b) the named person consents, or
 - (c) the failure to serve under section 32.3 does not result in any substantial injustice.

Appealing a seizure

- 32.5** (1) In this section, “**receiving a seizure record**” in relation to a named person, means
- (a) being served, or being deemed to be served, with a seizure record under section 32.3, or
 - (b) not being served, but the proceeding or action in relation to the seizure record is not invalidated under section 32.4.
- (2) A named person may, within 30 days of receiving a seizure record or becoming aware of the content of the seizure record, appeal the seizure

by filing a notice of appeal with the tribunal in accordance with Part 3 of the *Tribunal Act*.

- (3) If the tribunal varies or sets aside a seizure on an appeal under subsection (2), the tribunal may order a named person to be compensated by the HUU-ay-aht for any action taken in relation to that seizure.

Custody

- 32.6**
- (1) The peace officer that conducts a seizure under section 4 or 6 must deliver the seized thing to the responsible authority.
 - (2) The responsible authority must retain custody and ensure the safekeeping of anything seized under section 4 or 6.
 - (3) The responsible authority may deliver the seized thing into the custody of any person he or she considers appropriate, prior to the conclusion of the proceedings for the offence related to that seizure, subject to an undertaking by that person to ensure the safekeeping of that thing.
 - (4) The responsible authority may require the person given custody under subsection (2) to do one or both of the following:
 - (a) provide the responsible authority with security for the seized thing in a manner and form that is satisfactory to the responsible authority; or
 - (b) make the seized thing available for inspection by or deliver it into the custody of the responsible authority at any reasonable time.

Special items

- 32.7**
- (1) A peace officer or responsible authority may make copies of any documents seized under section 4 or 6.
 - (2) A peace officer or responsible authority may release any wild animal seized under section 4 or 6.
 - (3) The responsible authority who has custody of any perishable thing seized under section 4 or 6 may dispose of it in any manner he or she considers appropriate and any proceeds realized from its disposition shall be held in place of that thing.

Return of seized property

- 32.8**
- (1) The responsible authority must deliver a seized thing to the person lawfully entitled to be in possession of that thing if

- (a) an information is not laid for the offence related to the seizure within the time period specified in section 32.2 of the *Tribunal Act*, or
 - (b) that person is not named in the information that is laid for the offence related to the seizure of that thing and the proceedings for that offence are concluded.
- (2) The responsible authority must deliver a seized thing to the person lawfully entitled to be in possession of the thing, if that person is named in the information laid for the offence related to the seizure and is found not guilty of that offence.

Forfeiture

- 32.9** (1) If the person lawfully entitled to be in possession of a seized thing is convicted of the offence related to the seizure, the court may order that person to forfeit that thing to the Huu-ay-aht.
- (2) If the person lawfully entitled to be in possession of the seized thing is convicted of the offence related to the seizure, and the court imposes a fine to be paid to the Huu-ay-aht but does not order forfeiture, the responsible authority may retain custody of the thing until the fine is paid.
- (3) If the person lawfully entitled to be in possession of the seized thing is convicted of the offence related to the seizure, and the court does not order forfeiture or a fine to be paid to the Huu-ay-aht, the responsible authority must return the thing to that person.

Recovery of costs

- 32.10** If a person is convicted of an offence related to a seizure, the court may order that person to compensate the Huu-ay-aht for any costs incurred by the Huu-ay-aht for the seizure, storage, maintenance or disposition of that thing.

Application for possession

- 32.11** Any person at any time may apply to court to have a seized thing delivered into their possession, notwithstanding the right to appeal a seizure to the tribunal.

If owner of thing unknown

- 32.12** (1) If the responsible authority cannot identify any person who is lawfully entitled to possession of a seized thing by the date on which he or she is required to deliver that thing to a person under this Division, the responsible authority may dispose of that thing and provide the Huu-ay-aht with the proceeds.

- (2) If a seized thing is disposed under subsection (1) and a person subsequently proves that he or she is lawfully entitled to possession of that thing, the Huu-ay-aht shall pay that person the proceeds of sale of the thing.

(u) *in subsection 43(2), by striking out paragraph (a) and substituting it with the following:*

- (a) prescribing a method of service for compliance notices, tickets and seizure records in addition to the methods described in this Act and prescribing a period within which a person is deemed to have received documents served in that way;

(v) *after section 43, by inserting the following:*

Huu-ay-aht representatives

- 43.1** (1) Subject to subsection (2), if the Huu-ay-aht enter into an agreement with an external enforcement agency for the enforcement of Huu-ay-aht law, Executive Council must appoint at least one but not more than three individuals to represent the Huu-ay-aht under that agreement.
- (2) If the Huu-ay-aht and one or more other Maa-nulth First Nations enter into an agreement with an external enforcement agency for the enforcement of Maa-nulth First Nation laws, and those Maa-nulth First Nations establish a joint enforcement advisory committee to represent them under that agreement, Executive Council must appoint at least one but not more than two individuals to represent the Huu-ay-aht on that committee.
- (3) An individual appointed under subsection (1) or (2)
- (a) has the power to make any decision on behalf of the Huu-ay-aht in relation to the agreement with the applicable external enforcement agency, except a decision to amend or terminate that agreement, and
- (b) must report to Executive Council at least quarterly on any compliance activities of the applicable external enforcement agency within Huu-ay-aht lands and any concerns regarding the applicable external enforcement agency's enforcement of Huu-ay-aht law.

Tribunal Act amendments

2 The *Tribunal Act*, HFNA 13/2011 is amended:

- (a) *in section 20(3)(b), by striking out the words “compliance notice or ticket” and substituting them with the words “compliance notice, ticket or seizure record”;*

(b) *in section 25, by striking out the words “ticket or compliance notice” and substituting them with the words “compliance notice, ticket or seizure record”;*

(c) *by striking out section 32 and substituting it with the following:*

- 32 (1) For the purpose of section 17 (1) (f) the tribunal may, upon receiving the necessary information from Executive Council, a peace officer or another authority of an offence under Huu-ay-aht law, lay an information in the manner and form prescribed under the Offence Act (British Columbia).
- (2) Subject to subsection (3), all provisions of the Offence Act (British Columbia) relating to laying an information apply in respect of the laying of an information by the tribunal under subsection (1).
- (3) The provisions referred to in subsection (2) apply to the extent that they are not inconsistent with this Act and the regulations made under it.

(d) *after section 32, by inserting the following:*

Considerations when laying an information

32.1 In determining whether or not to lay an information, and if the tribunal decides to do so, the content of that information, the tribunal must consider

- (a) all relevant information and documents relating to the offence,
- (b) whether there is a substantial likelihood of conviction of the offence,
- (c) the seriousness of the offence,
- (d) the vision, values and sacred principles of the Huu-ay-aht,
- (e) the integrity and independence of the Huu-ay-aht enforcement system,
- (f) any recommendation of Executive Council relating to the offence,
- (g) the public interest, and
- (h) any other factors the tribunal considers relevant.

Limitation period for prosecutions

32.2 An information must not be laid under section 32 more than three years after the day on which the alleged offence in relation to which the information is laid has been discovered by the Huu-ay-aht government.

Commencement

- 3** (1) Subject to subsection (2), this Act comes into force by resolution of Executive Council.

- (2) Subsection (1) (m) of this Act is deemed to have come into force on January 1, 2014 and is retroactive to the extent necessary to give it effect on and after that date.

Consolidation

- 4 The Law Clerk is directed to consolidate *the Offence and Law Enforcement Act*, HFNA 12/2011, and the *Tribunal Act*, HFNA 13/2011, to include the amendments contained in this Act.



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ANCIENT SPIRIT, MODERN MIND

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding First Reading of the *Enforcement Framework Amendment Act, 2021*

Whereas:

- a) Executive Council approved the proposed *Enforcement Framework Amendment Act, 2021* for introduction to the Legislature.

Be it resolved that the Legislature:

- 1) Hereby gives the proposed *Enforcement Framework Amendment Act, 2021* first reading;
- 2) Will proceed with discussion of the proposed *Enforcement Framework Amendment Act, 2021* in accordance with the *Government Act* section 93(1)(c); and
- 3) Will give the proposed *Enforcement Framework Amendment Act, 2021* second reading at the sitting of the Legislature scheduled for March 30, 2021.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The proposed *Enforcement Framework Amendment Act, 2021*
- Legal blacklines showing the proposed amendments to the *Offence and Law Enforcement Act* and *Tribunal Act*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 19, 2021

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MIND

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding Second Reading of the *Enforcement Framework Amendment Act, 2021*

Whereas:

- a) The Legislature gave the *Enforcement Framework Amendment Act, 2021* first reading at its sitting on March 19, 2021.

Be it resolved that the Legislature:

- 1) Hereby gives the *Enforcement Framework Amendment Act, 2021* second reading; and
- 2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on the *Enforcement Framework Amendment Act, 2021* at a meeting of the Legislature to be convened today, March 30, 2021.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The draft *Enforcement Framework Amendment Act, 2021.*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2021

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MIND

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding Third Reading of the *Enforcement Framework Amendment Act, 2021*

Whereas:

- a) The Legislature gave the *Enforcement Framework Amendment Act, 2021* second reading at its sitting earlier today, March 30, 2021.

Be it resolved that:

- 1) The Legislature hereby, in accordance with *Government Act* s. 93(1)(g), adopts the *Enforcement Framework Amendment Act, 2021*; and
- 2) The following actions will be completed in compliance with the *Government Act* (s. 93 and 95):
 - a. The Chief Councillor will certify that the *Enforcement Framework Amendment Act, 2021* has passed third reading by signing it today, March 30, 2021 (s. 93(1)(h));
 - b. The Ta'yii Hawilth, will certify that the *Enforcement Framework Amendment Act, 2021* is enacted as Huu-ay-aht law by signing it today, March 30, 2021 (s. 93(1)(i)); and
 - c. The Law Clerk will, within 10 days, publish the act with a notation that it is not in force until Executive Council passes a resolution to bring it into force.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The *Enforcement Framework Amendment Act, 2021*.

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2021

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MIND

COMMUNITY SAFETY ACT

The Huu-ay-aht Legislature enacts this law to promote public order, peace and safety on Treaty Lands by authorizing the exclusion from Treaty Lands of individuals who pose a risk to public safety.

REGISTRY OF LAWS CERTIFICATION

I certify that the *Community Safety Act* was passed by Executive Council on:

Chief Councillor, Robert Dennis

I certify that the *Community Safety Act* is enacted as law on:

Ta'yii Hawilth, Derek Peters

I certify that the *Community Safety Act* came into force on:

Law Clerk, Coraleah Bauer

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Note to Reader

The *Community Safety Act* sets out the legal framework to promote community safety on Treaty Lands.

Under this framework, the Executive Director will, for the purposes of promoting public safety, issue an order to exclude a person from entering or remaining on Treaty Lands under certain circumstances. Specifically, a person who has been convicted within the past five years of certain criminal offences, for which they have not received a pardon or record suspension, is subject to an order excluding them from Treaty Lands for five years from the date on which they were convicted.

The framework also includes an important role for the Hāwiih Council. A person subject to an exclusion order has the right to apply to the Hāwiih Council for a determination that they do not pose an unreasonable risk to public safety. In making its determination, the Hāwiih Council will consider relevant factors, including any submissions made by the individual subject to the order. The Hāwiih Council may also hear submissions from the person's family, dependents, victims and other impacted or potentially impacted community members. If the Hāwiih Council determines that a person subject to an exclusion order does not pose an unreasonable risk to public safety, the exclusion order will be rescinded or varied in accordance with Hāwiih Council's direction.

The Hāwiih Council can also make other orders, such as shortening the period of the exclusion order or requiring the person subject to the order to participate in a traditional healing process before they can return to the community.

The Hāwiih Council may also extend the period of an exclusion order if it determines that the person subject to the order continues to pose an unreasonable risk to public safety. The Hāwiih Council must provide written reasons for its decisions.

The Act also allows for the issuance of temporary exemptions from exclusion orders to enable a person subject to an exclusion order to enter Treaty Lands for specific purposes, such as to vote or for compassionate reasons.

The Legislature enacts as follows:

PART 1 - PURPOSE, DEFINITIONS AND APPLICATION

Purpose

- 1 The purpose of this Act is to promote public order, peace and safety on Treaty Lands by authorizing the exclusion of individuals from Treaty Lands in a manner that is fair, balanced and consistent with the Huu-ay-aht vision, values and sacred principles.

Definitions

- 2 In this Act:
 - “**excludable offence**” means a prescribed offence in respect of which a person has been sentenced as an adult and for which they have not received a pardon or a record suspension;
 - “**exclusion order**” means an order prohibiting an individual from entering or remaining on Treaty Lands made under section 6;
 - “**excluded person**” means a person who is the subject of an exclusion order;
 - “**information order**” means an order made under section 5 (1);
 - “**impacted individual**” includes a victim of an excluded person and an excluded person’s family and dependents;
 - “**prescribed offence**” means any offence prescribed by a regulation enacted under section 24;
 - “**registry**” means the Registry of Laws and Official Records established under the *Government Act*, HFNA 3/2011, s. 106;
 - “**serve**” means delivery of a document in accordance with section 19.

PART 2 - EXCLUSION ORDERS

Exclusion of persons posing a risk to public safety

- 3 The Executive Director must issue an exclusion order in accordance with this Part in respect of any person who has been convicted of an excludable offence in the past 5 years and who lives or spends time on Treaty Lands, or has indicated an intention to do so.

Confirmation of conviction

- 4 If the Executive Director receives credible information that a person has been convicted of an excludable offence, the Executive Director must seek confirmation of the conviction in the manner they deem appropriate, which may include
 - (a) obtaining court records, or
 - (b) issuing and serving an information order.

Criminal history information order

- 5
- (1) The Executive Director may issue an information order in the prescribed form for the purpose of confirming credible information that a person has been convicted of an excludable offence.
 - (2) An information order must
 - (a) name the person the Executive Director has reason to believe has committed a prescribed offence,
 - (b) set out the nature of the prescribed offence giving rise to the order,
 - (c) require the named person to provide to the Executive Director, within 7 days of service:
 - (i) written acknowledgement in the prescribed form that the person has been convicted of one or more excludable offences and the particulars of those convictions, or
 - (ii) written consent in the prescribed form authorizing the Executive Director to conduct a criminal record check.
 - (3) Upon issuance of an information order, the Law Clerk must, as soon as practicable, serve the excluded person with the order in accordance with section 19.
 - (4) Upon issuance of an information order, the Law Clerk must, as soon as practicable, place the order in the registry.
 - (5) If a person upon whom an information order is served in accordance with section 19 fails to provide the required documentation within 7 days of service, the Executive Director will consider the person to have been convicted of the excludable offence set out in the information order.

Exclusion order

- 6
- (1) Upon confirmation under section 4 that a person has been convicted of an excludable offence, the Executive Director must issue an exclusion order in the prescribed form.
 - (2) An exclusion order must
 - (a) name the person to whom the order applies,
 - (b) set out the excludable offence giving rise to the order,
 - (c) indicate the date on which the exclusion order becomes effective,
 - (d) indicate how the recipient may seek to correct or update any information with respect to the excludable offence that is the subject of the order, and
 - (e) provide information with respect to how an excluded person may apply for a determination that they do not pose an unreasonable risk to public safety.

- (3) Unless rescinded or varied, an exclusion order becomes effective 21 days after it is issued.
- (4) Unless rescinded or varied, an exclusion order expires on the later of 5 years from the date of conviction for the offence giving rise to the order and one year from the date of issuance of the order.
- (5) Upon issuance of an exclusion order, the Law Clerk must, as soon as practicable, make best efforts to serve the excluded person with the order.
- (6) Upon issuance of an exclusion order, the Law Clerk must, as soon as practicable, place the order in the registry.

Rescinding an exclusion order

- 7 (1) If at any time the Executive Director becomes aware that an excluded person was not convicted or has received a pardon or a record suspension in respect of the prescribed offence giving rise to an exclusion order, the Executive Director will, in writing, immediately rescind the exclusion order.
- (2) Upon rescindment of an exclusion order, the Law Clerk must, as soon as practicable, make best efforts to serve the excluded person with the order.
- (3) Upon rescindment of an exclusion order, the Law Clerk must, as soon as practicable, place the document rescinding the order in the registry.

Urgent temporary exemption

- 8 (1) On the application of an excluded person, the Executive Director may, in urgent circumstances, grant an urgent temporary exemption from the terms of an exclusion order to enable the excluded person to access Treaty Lands on compassionate grounds.
- (2) In determining whether to issue an urgent temporary exemption, the Executive Director must consider
 - (a) the purpose for which the exemption is sought,
 - (b) the impact of granting the exemption on impacted individuals,
 - (c) the potential risks to public safety, and
 - (d) any other factors they consider relevant.

PART 3 - HEARINGS AND REVIEWS

Definitions

9 In this Part:

“**hearing**” means a hearing of an application under section 10 (3);

“**mitigation plan**” means a plan proposed by an excluded person and developed in consultation with an applicable government department to mitigate risks the excluded person may pose to public safety;

“**restorative program**” means a restorative justice program, healing circle or other program designed to promote the excluded person’s safe reintegration into their community, whether rooted in HUU-AY-AHT’s traditional laws or otherwise.

Application to HAWIIH Council

- 10
- (1) An excluded person may apply, using the prescribed form, to the HAWIIH Council for a determination that they do not pose an unreasonable risk to public safety.
 - (2) Subject to a contrary order of the HAWIIH Council, an application under subsection (1) may not be made more than once every 12 months.
 - (3) Upon application made under subsection (1), the HAWIIH Council must conduct a hearing to determine whether the applicant poses an unreasonable risk to public safety.
 - (4) Upon application made under subsection (1), the Executive Director must provide to the HAWIIH Council all information and documents generated or collected in association with the issuance of the exclusion order that is the subject of the application.

Determinations by HAWIIH Council

- 11 In making a determination with respect to whether an excluded person poses an unreasonable risk to public safety, the HAWIIH Council must consider:
- (a) the time that has elapsed since the actions giving rise to the conviction and the excluded person’s behaviour during that time;
 - (b) the role of substance use in the offence and the excluded person’s current status with respect to substance use, including participation in any treatment program;
 - (c) the excluded person’s ties to the HUU-AY-AHT community;
 - (d) the potential impacts of the exclusion order on the excluded person, impacted individuals, and the HUU-AY-AHT community;
 - (e) the nexus between the offence and the potential risk posed by the person to people on Treaty Lands and to the HUU-AY-AHT community;
 - (f) any proposed mitigation plan;

- (g) participation of the individual in a restorative program;
- (h) any supports put in place by the excluded person's Hūu-ay-aht Maht Mahs;
- (i) whether the excluded person has a criminal history beyond the commission of the prescribed offence giving rise to the exclusion order;
- (j) whether the excluded person has a history of non-compliance with court orders;
- (k) any expressions of remorse or attempts to make restitution undertaken by the person; and
- (l) any other factors it considers relevant.

Timing

- 12**
- (1) Subject to subsection (2), unless otherwise agreed by the applicant, the Hāwiih Council must commence a hearing of an application under section **Error! Reference source not found.** (1) within 3 months of the date of the application.
 - (2) If there is substantial delay on the part of the applicant at any stage in the process or if exceptional circumstances exist, the Hāwiih Council may set the commencement of a hearing for a date later than 3 months after the date of application.
 - (3) Within 60 days of the conclusion of a hearing under subsection (1), the Hāwiih Council must issue a determination and provide written reasons for its determination.

Mandatory review

- 13**
- (1) The Hāwiih Council must conduct a hearing to review an exclusion order within the year prior to when the order is set to expire and determine whether the excluded person continues to pose an unreasonable risk to public safety.
 - (2) In reviewing an exclusion order under subsection (1), the Hāwiih Council must consider the factors set out in section 11.

Orders of the Hāwiih Council

- 14**
- (1) The Hāwiih Council may make an interim order in an application under this Act.
 - (2) Subject to subsection (3), at the conclusion of a hearing, the Hāwiih Council may, by written order
 - (a) affirm the exclusion order,
 - (b) rescind the exclusion order,
 - (c) vary the exclusion order, and
 - (d) make any other order it considers just in relation to the exclusion from Treaty Lands of the excluded person.

- (2) If, at the conclusion of a review hearing, the Hāwiih Council determines that the excluded person continues to pose an unreasonable risk to public safety, the Hāwiih Council must extend the exclusion order for a period not to exceed 5 years that it considers appropriate in the circumstances.
- (3) For greater certainty, an exclusion order extended under subsection (2) is subject to further review under section 13 and extension under subsection (1).

Procedures for hearings

- 15**
- (1) At the Hāwiih Council's discretion, a hearing may be conducted orally or in writing, or a combination of both.
 - (2) In conducting a hearing, the Hāwiih Council must
 - (a) serve notice of the hearing on the excluded person,
 - (b) direct the Law Clerk to provide public notice of the hearing, and
 - (c) allow the excluded person and any impacted individuals to make submissions.
 - (3) In conducting a hearing, the Hāwiih Council may
 - (a) provide notice of the hearing to any impacted individuals or to any other person the Hāwiih Council considers appropriate, and
 - (b) allow any other person it considers appropriate to make submissions.

Temporary exemptions from exclusion orders

- 16**
- (1) Upon application in the prescribed form, the Hāwiih Council may order a temporary exemption from an exclusion order
 - (a) on compassionate grounds,
 - (b) to enable the excluded person to attend a cultural event,
 - (c) to enable the excluded person to have contact with a child pursuant to a court order or agreement made under the *Child, Family and Community Services Act* (British Columbia),
 - (d) for the purposes of voting in a Hūu-ay-aht election, and
 - (e) in any other circumstances in which the Hāwiih Council considers it just and appropriate to do so.
 - (2) In determining whether to order a temporary exemption under subsection (1), the Hāwiih Council must consider
 - (a) the purpose for which the exemption is sought,
 - (b) the impact of granting the exemption on impacted individuals,

- (c) the potential risks to public safety, and
- (d) any other factors it considers relevant.

Form of temporary exemption

- 17** A temporary exemption order under section 16 must be in writing and must include the following information:
- (a) the duration of the exemption, including any specific date(s) on which the exemption is valid,
 - (b) the specific area(s) of Treaty Lands that the excluded person is permitted to access, and
 - (c) any other conditions and restrictions that the Hāwīih Council considers advisable.

Implementation of orders

- 18**
- (1) The Hāwīih Council may give direction to the Executive Director in orders made under this Part.
 - (2) Upon issuance of an order or written reasons under this Part, the Law Clerk must, within 5 days,
 - (a) place the document in the registry, and
 - (b) arrange for service of the document on the person that is the subject of the order.

PART 4 - SERVICE OF DOCUMENTS**Service of documents**

- 19**
- (1) A document required to be served under this Act may be served as follows:
 - (a) by personal service on the named person;
 - (b) by mailing a copy to the last known residential or business address of the named person;
 - (c) by delivering a copy to the last known residential or business address of the named person;
 - (d) if the person is represented by legal counsel and legal counsel consents to accept service on behalf of the person, by delivery to the person's legal counsel;
 - (e) if the person has provided the Hūu-ay-aht government with an email address, by emailing the document to that address;

- (f) if, after making reasonable efforts, the Huu-ay-aht government does not have an address or last known address for the person, by giving public notice of the document; and
 - (g) by another prescribed method.
- (2) A document delivered under subsection (1) (c) or (d) is deemed to have been received by the named person on the day following the day on which it is delivered.
 - (3) A document sent by email under subsection (1) (e) is deemed to have been received by the named person on the day following the day on which it is sent.
 - (4) A document of which public notice is given under subsection 1 (f) is deemed to have been received by the named person 3 days after public notice is given.

PART 5 - OFFENCES

Offences

20 In this Part:

“**exigent circumstances**” has the meaning assigned to it in section 529.3 (2) of the *Criminal Code* (Canada).

Offences

21 Any excluded person with knowledge that an exclusion order has been issued against them who fails to comply with the terms of the exclusion order commits an offence punishable on summary conviction.

Trespass

22 An excluded person who enters or remains on Treaty Lands contrary to the terms of an exclusion order is in trespass.

Powers of peace officers

- 23**
- (1) A peace officer may arrest without warrant a person whom the peace officer finds committing an offence under this Act.
 - (2) A peace officer in the performance of their duties under this Act may enter a dwelling house without a warrant for the purposes of arresting or apprehending a person if
 - (a) the peace officer has reasonable grounds to believe that an excluded person is present in the dwelling house, contrary to an exclusion order, and
 - (b) exigent circumstances make it impracticable to obtain a warrant.

- (3) For greater certainty, nothing in this Part limits the powers of peace officers authorized under the *Offence and Law Enforcement Act*, HFNA 12/2011.

PART 6 - GENERAL PROVISIONS

Prescribed offences

- 24 Within 3 months after the enactment of this Act, Executive Council must enact a regulation setting out the offences that will, in the absence of a pardon or a record suspension, give rise to an exclusion order under this Act.

Exclusion order policy regulation

- 25 (1) Within one year after the enactment of this Act, Executive Council must, by regulation, adopt an exclusion order policy with the purpose mitigating the negative impacts of exclusion orders on the Hui-ay-aht community and to promote both public safety and the reintegration of citizens into the Hui-ay-aht community.
- (2) Before a regulation is enacted under subsection (1), the Law and Policy Development Committee must consult with the Citizen Development Committee, Hui Council, Child and Family Wellness Department, Community Services Department, Nananiqsu and citizens.
- (3) Consultation under subsection (2) will address the potential inclusion of the following matters in the exclusion order policy regulation:
- (a) the provision of support to families impacted by exclusion orders,
 - (b) requirements for regular reporting by government to citizens on the impacts of exclusion orders on the Hui-ay-aht community,
 - (c) the development and implementation of mitigation plans, and
 - (d) the development and implementation of restorative programs.

Hui Council procedures

- 26 The Hui Council has the power to control its own processes and may make rules respecting practice and procedure in respect of its consideration of matters under this Act.

Power to make regulations

- 27 (1) Executive Council may make regulations referred to in section 39 of the *Interpretation Act*, HFNA 14/2011.
- (2) Without limiting subsection (1), Executive Council may make regulations
- (a) prescribing offences for the purposes of section 24,
 - (b) adopting an exclusion order policy for the purposes of section 25, and

(c) prescribing forms for the purposes of this Act.

Amendments to this Act

28 An amendment of this Act made after March 31, 2023 must be approved by the People's Assembly before that amendment is brought into force.

Commencement

29 This Act comes into force on the date of its enactment.



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ANCIENT SPIRIT, MODERN MIND

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding First Reading of the *Community Safety Act*

Whereas:

- a) Executive Council approved the proposed *Community Safety Act* for introduction to the Legislature.

Be it resolved that the Legislature:

- 1) Hereby gives the proposed *Community Safety Act* first reading;
- 2) Will proceed with discussion of the proposed *Community Safety Act* in accordance with the *Government Act* section 93(1)(c); and
- 3) Will give the proposed *Community Safety Act* second reading at the sitting of the Legislature scheduled for March 30, 2021.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The proposed *Community Safety Act*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 19, 2021

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MIND

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding Second Reading of the *Community Safety Act*

Whereas:

- a) The Legislature gave the *Community Safety Act* first reading at its sitting on March 19, 2021.

Be it resolved that the Legislature:

- 1) Hereby gives the *Community Safety Act* second reading; and
- 2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on the *Community Safety Act* at a meeting of the Legislature to be convened today, March 30, 2021.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The draft *Community Safety Act*.

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2021

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MIND

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding Third Reading of the *Community Safety Act*

Whereas:

- a) The Legislature gave the *Community Safety Act* second reading at its sitting earlier today, March 30, 2021.

Be it resolved that:

- 1) The Legislature hereby, in accordance with *Government Act* s. 93(1)(g), adopts the *Community Safety Act*; and
- 2) The following actions will be completed in compliance with the *Government Act* (s. 93 and 95):
 - a. The Chief Councillor will certify that the *Community Safety Act* has passed third reading by signing it today, March 30, 2021 (s. 93(1)(h));
 - b. The Ta'yii Hawilth, will certify that the *Community Safety Act* is enacted as Huu-ay-aht law by signing it today, March 30, 2021 (s. 93(1)(i)); and
 - c. The Law Clerk will:
 - i. Sign the *Community Safety Act* into force today, March 30, 2021 (s. 95(5));
 - ii. Place the signed *Community Safety Act* and a certified true copy in the registry no later than April 5, 2021 (s. 95(6)(a)); and
 - iii. Publish the *Community Safety Act* no later than April 9, 2021 (s. 95(6)(b)).

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The *Community Safety Act*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2021

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MIND

**CITIZENSHIP AND TREATY
ENROLMENT ACT
AMENDMENT ACT, 2021**

*The Huu-ay-aht Legislature enacts this law to amend the
Citizenship and Treaty Enrolment Act.*

REGISTRY OF LAWS CERTIFICATION

I certify that the *Citizenship and Treaty Enrolment Act Amendment Act, 2021* was passed by Executive Council on:

Chief Councillor, Robert Dennis

I certify that the *Citizenship and Treaty Enrolment Act Amendment Act, 2021* is enacted as law on:

Ta'yii Hawilth, Derek Peters

I certify that the *Citizenship and Treaty Enrolment Act Amendment Act, 2021* came into force on:

Law Clerk, Coraleah Bauer

Citizenship and Treaty Enrolment Act Amendment Act, 2021

Contents

- 1 Amendments
- 2 Commencement
- 3 Consolidation

The Legislature enacts as follows:

Amendments

- 1** The *Citizenship and Treaty Enrolment Act*, HFNA 2/2011 is amended:

(a) By adding the following section after section 6:

Review of Maht Mahs membership

- 6.1 (1) Each member of a Maht Mahs must maintain a significant ongoing attachment to the Huu-ay-aht.
- (2) A citizen who fails to maintain a significant ongoing attachment to the Huu-ay-aht is subject to removal from the Maht Mahs of which they are a member.
- (3) At least once a year, the Ha'wiih Council must review the membership of each Maht Mahs taking into consideration whether each member meets prescribed standards for demonstrating ongoing significant attachment to the Huu-ay-aht.
- (4) Following a review under subsection (3), the Ha'wiih Council may determine an individual has not demonstrated an ongoing significant attachment to the Huu-ay-aht.
- (5) If the Ha'wiih Council makes a determination under subsection (4), it must provide the individual with written notice of the determination including
- (a) reasons for the determination, and
 - (b) a description of one or more actions that, if undertaken by the individual to the satisfaction of the Ha'wiih Council by a specified date, would avoid removal from their Maht Mahs.
- (6) After the date specified in the notice under subsection (5), the Ha'wiih Council must meet and determine whether the individual should be removed from their Maht Mahs.
- (7) If the Ha'wiih Council makes a determination to remove an individual from a Maht Mahs under subsection (6), the Ha'wiih Council must provide the individual and the committee with written notice of its decision, including the reasons for the decision.

(b) In section 8, by:

(i) repealing subsection (1) and replacing it with the following:

(1) If the committee

(a) has reason to believe that a Huu-ay-aht citizen

(i) is not qualified for citizenship under section 5, or

(ii) is a citizen of another First Nation contrary to section 3 (3), or

(b) receives notice under section 6.1 (7) that a Huu-ay-aht citizen who became eligible for enrolment under the Treaty under section 25 has been removed from their Maht Mahs, and the committee has reason to believe the individual

(i) is no longer married to a Huu-ay-aht treaty participant, or

(ii) has ceased, for a period of at least 2 years, to live and cohabit in a marriage-like relationship with a Huu-ay-aht treaty participant,

the committee must investigate and determine whether the individual's citizenship should be revoked.

(ii) in subsection (3), by striking out “subsection (1)” and substituting “paragraph (1) (a)”;

(iii) by striking out subsection (4);

(iv) adding the following subsections after subsection (3):

(4) If the committee investigates a Huu-ay-aht citizen under paragraph (1) (b), it must consider whether that citizen meets prescribed standards for demonstrating ongoing significant attachment to the Huu-ay-aht.

(5) As part of the investigation under paragraph (1) (b), the committee must

(a) provide the subject of the investigation with an opportunity to make written submissions,

(b) consider any written submissions made by the subject of the investigation, and

(c) consider the reasons of the Ha'wiih Council for removing the subject of the investigation from the Maht Mahs of which they were a member.

(6) As part of the investigation under paragraph (1) (b), the committee may consider any other evidence that it considers relevant.

(7) If, after the investigation, the committee determines that the citizenship of a Huu-ay-aht citizen should be revoked, the committee must deliver written reasons for its decision to that individual.

(c) In section 18, by:

- (i) in the section title, by adding “and removal” after the word “Naming”;**
- (ii) in subsection (1) by adding “or has been removed from their Maht Mahs under section 6.1” after the words “under Section 6”;**

(d) In section 34, by:

(i) repealing subsection (1) and replacing it with the following:

(1) If the committee

(a) has reason to believe that a Huu-ay-aht treaty participant

- (i) does not satisfy the Treaty enrolment requirements under this Act, or
- (ii) is barred from enrolment under the Chapter 26 provisions of the Treaty incorporated by reference in section 50, or

(b) receives notice under section 6.1 (7) that a Huu-ay-aht treaty participant who became eligible for enrolment under section 25 and has been removed from their Maht Mahs, and the committee has reason to believe the individual

- (i) is no longer married to a Huu-ay-aht treaty participant, or
- (ii) has ceased, for a period of at least 2 years, to live and cohabit in a marriage-like relationship with a Huu-ay-aht treaty participant,

the committee must investigate and determine whether the enrolment of the Huu-ay-aht treaty participant should be revoked.

(ii) repealing subsection (2) and replacing it with the following:

- (2) The committee may require a Huu-ay-aht treaty participant being investigated under paragraph 1 (a) to provide the committee with any information or records the committee considers necessary.

(iii) by striking out subsection (3);

(iv) adding the following subsections after subsection (2):

- (3) If the committee investigates a Huu-ay-aht treaty participant under paragraph (1) (b), it must consider whether that individual meets prescribed standards for demonstrating ongoing significant attachment to the Huu-ay-aht.
- (4) As part of the investigation under paragraph (1) (b), the committee must
 - (a) provide the subject of the investigation with an opportunity to make written submissions,
 - (b) consider any written submissions made by the subject of the investigation, and
 - (c) consider the reasons of the Ha’wiih Council for removing the subject of the investigation from the Maht Mahs of which they were a member.
- (5) As part of the investigation under paragraph (1) (b), the committee may consider any other evidence that it considers relevant.

- (6) If, after investigating, the committee decides to revoke the enrolment of a HUU-ay-aht treaty participant, the committee must deliver written reasons for its decision to that individual.

(e) In section 55, by adding the following subsection:

- (g.1) prescribing standards for demonstrating ongoing significant attachment to the HUU-ay-aht;

Commencement

- 2 The act comes into force by resolution of Executive Council.

Consolidation

- 3 The Law Clerk is directed to consolidate the *Citizenship and Treaty Enrolment Act*, HFNA 2/2011 to include the amendments contained in this act.



For ease of reference, this motion may be referred to as:

Motion Regarding First Reading of the *Citizenship and Treaty Enrolment Act Amendment Act, 2021*

Whereas:

- a) Executive Council approved the proposed *Citizenship and Treaty Enrolment Act Amendment Act, 2021* for introduction to the Legislature.

Be it resolved that the Legislature:

- 1) Hereby gives the proposed *Citizenship and Treaty Enrolment Act Amendment Act, 2021* first reading;
- 2) Will proceed with discussion of the proposed *Citizenship and Treaty Enrolment Act Amendment Act, 2021* in accordance with the *Government Act* section 93(1)(c); and
- 3) Will give the proposed *Citizenship and Treaty Enrolment Act Amendment Act, 2021* second reading at the sitting of the Legislature scheduled for March 30, 2021.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The proposed *Citizenship and Treaty Enrolment Act Amendment Act, 2021*
- A legal blackline showing the proposed amendments to the *Citizenship and Treaty Enrolment Act*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 19, 2021

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MIND

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding Second Reading of the *Citizenship and Treaty Enrolment Act Amendment Act, 2021*

Whereas:

- a) The Legislature gave the *Citizenship and Treaty Enrolment Act Amendment Act, 2021* first reading at its sitting on March 19, 2021.

Be it resolved that the Legislature:

- 1) Hereby gives the *Citizenship and Treaty Enrolment Act Amendment Act, 2021* second reading; and
- 2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on the *Citizenship and Treaty Enrolment Act Amendment Act, 2021* at a meeting of the Legislature to be convened today, March 30, 2021.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The draft *Citizenship and Treaty Enrolment Act Amendment Act, 2021.*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2021

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MIND

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding Second Reading of the *Citizenship and Treaty Enrolment Act Amendment Act, 2021*

Whereas:

- a) The Legislature gave the *Citizenship and Treaty Enrolment Act Amendment Act, 2021* second reading at its sitting earlier today, March 30, 2021.

Be it resolved that:

- 1) The Legislature hereby, in accordance with *Government Act* s. 93(1)(g), adopts the *Citizenship and Treaty Enrolment Act Amendment Act, 2021*; and
- 2) The following actions will be completed in compliance with the *Government Act* (s. 93 and 95):
 - a. The Chief Councillor will certify that the *Citizenship and Treaty Enrolment Act Amendment Act, 2021* has passed third reading by signing it today, March 30, 2021 (s. 93(1)(h));
 - b. The Ta'yii Hawilth, will certify that the *Citizenship and Treaty Enrolment Act Amendment Act, 2021* is enacted as Huu-ay-aht law by signing it today, March 30, 2021 (s. 93(1)(i)); and
 - c. The Law Clerk will, within 10 days, publish the act with a notation that it is not in force until Executive Council passes a resolution to bring it into force.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The *Citizenship and Treaty Enrolment Act Amendment Act, 2021*.

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2021

DATE OF MEETING



huu ayaht

ANCIENT SPIRIT, MODERN MIND

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding Approval of Economic Development Plan

Whereas:

- a) The Economic Development Committee has prepared an Economic Development Plan in accordance with the *Economic Development Act*, s. 10(b); and
- b) Executive Council recommends the Economic Development Plan for approval by the Legislature in accordance with the *Economic Development Act*, s. 6(d).

Be it resolved that the Legislature hereby approves the Economic Development Plan, in accordance with section 5(2)(b) of the *Economic Development Act*.

Appendices attached to Motion:

Written report prepared by _____.

The following documents:

- Economic Development Plan

Introduced by: _____

 MEMBER OF LEGISLATURE

Date: March 30, 2021

 DATE OF MEETING