

Note: This Act is not in force until Executive Council passes a resolution bringing it into force.



huu ay aht

ANCIENT SPIRIT, MODERN MIND

**CODE OF CONDUCT AND
CONFLICT OF INTEREST ACT
AMENDMENT ACT, 2023**

*The Huu-ay-aht Legislature enacts this law
to amend the Code of Conduct and Conflict of Interest Act.*

REGISTRY OF LAWS CERTIFICATION

I certify that the *Code of Conduct and Conflict of Interest Act Amendment Act, 2023* was passed by Executive Council on:

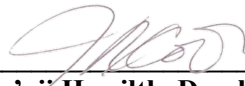
March 30,2023



Chief Councillor, Robert Dennis

I certify that the *Code of Conduct and Conflict of Interest Act Amendment Act, 2023* is enacted as law on:

March 30,2023



Ta'yii Hawilth, Derek Peters

I certify that the *Code of Conduct and Conflict of Interest Act Amendment Act, 2023* came into force on:

Law Clerk, Coraleah Bauer

Code of Conduct and Conflict of Interest Act Amendment Act, 2023

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The Legislature enacts as follows:

Amendments

- 1 The *Code of Conduct and Conflict of Interest Act*, HFNA 4/2011 is amended as follows:
 - (a) ***in section 6 (6), by replacing “are disqualified” with “may be disqualified”.***
 - (b) ***by repealing section 6 (7) and replacing it with:***
 - (7) A government member who is found at the conclusion of a disciplinary process in Part 4 to be, in the professional opinion of a medical practitioner, incapacitated and unable to perform their official duties, must be disqualified from holding his or her position.
 - (c) ***by repealing section 12 (4) and replacing it with:***
 - (4) A public officer who is found at the conclusion of a disciplinary process in Part 4 to have contravened this section must be disqualified from holding his or her position.
 - (d) ***by repealing section 13 (2) and replacing it with:***
 - (2) A public officer who is found at the conclusion of a disciplinary process in Part 4 to have knowingly contravened this section must be disqualified from holding his or her position.
 - (e) ***in section 15,***
 - (i) ***by adding the following immediately after the definition of “common law”:***

“biological uncle or aunt” refers to a sibling of an individual’s parent;
 - (ii) ***by repealing items (i) and (j) in the list in the definition of immediate family member and replacing them with the following:***
 - (i) biological uncle or aunt,
 - (j) biological nephew or niece, and
 - (k) any other relative who resides permanently in the public officer’s household or with whom the public officer permanently resides;
 - (iii) ***by adding the following immediately after the definition of “indirect private interest”:***

“nephew or niece” refers to the son or daughter of an individual’s sibling.

- (f) *in section 20 (3), by replacing “\$50 in value” with “the prescribed amount”.*
- (g) *in section 20 (4), by replacing “\$500 in value” with “the prescribed amount”.*
- (h) *by repealing section 21 (2) and replacing it with:*
 - (2) A public officer who is found at the conclusion of a disciplinary process in Part 4 to have contravened subsection (1) must be disqualified from holding his or her position.
- (i) *by repealing section 22 (6) and replacing it with:*
 - (6) A public officer who is found at the conclusion of a disciplinary process in Part 4 to have contravened subsection (1) or (2) and who does not comply with subsection (3), must be disqualified from holding his or her position.
- (j) *in section 24 (1), by replacing “,or may be, disqualified” with “subject to disqualification”.*
- (k) *in section 24 (2), by replacing “under this section” with “in relation to a disqualification under section 6 (7), 12 (4), 13 (2), 21 (2) or 22 (6)”.*
- (l) *in section 29 (3), by replacing “, is, or may be, disqualified” with “is subject to disqualification”.*
- (m) *in section 36, by repealing subsection (h) and replacing it with:*
 - (h) prescribing the threshold values of gifts or personal benefits for the purposes of sections 20 (3) and (4);
 - (i) for any other purpose for which regulations are contemplated by this Act.

Commencement

- 2 This Act comes into force by resolution of Executive Council.

Consolidation

- 3 The Law Clerk is directed to consolidate the *Code of Conduct and Conflict of Interest Act*, HFNA 4/2011 to include the amendments contained in this Act.