



huu ay aht

ANCIENT SPIRIT, MODERN MIND

**PUBLIC NOTICE of
the LEGISLATURE**

(Government Act, s. 30)

March 2, 2026

To all Huu-ay-aht Citizens:

PUBLIC NOTICE is hereby given that:

The attached motions and Acts will be considered at the
Spring, 2026 Session of Legislature.





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ANCIENT SPIRIT, MODERN MIND

BUDGET ACT, 2026

The Huu-ay-aht Legislature enacts this law to establish spending authority and borrowing authority for the fiscal year beginning April 1, 2026 and ending March 31, 2027 and to retroactively amend spending authorities for the 2025 - 2026 fiscal year.

REGISTRY OF LAWS CERTIFICATION

I certify that the *Budget Act, 2026* was passed by Executive Council on:

Chief Councillor John Jack

I certify that the *Budget Act, 2026* is enacted as law on:

Ta'yii Hawilth Theresa Nookemus

I certify that the *Budget Act, 2026* came into force on:

Law Clerk Alexis Young

BUDGET ACT, 2026

Contents

PART 1 - GENERAL OPERATING FUND

- 1 General Operating Fund spending authority

PART 2 - INVESTED WEALTH FUND

- 2 Invested Wealth Fund spending authority

PART 3 - SPECIAL INVESTMENT BODIES FUND

- 3 Special Investment Bodies Fund spending authority

PART 4 - SPECIAL PROGRAMS FUND

- 4 Special Programs Fund spending authority

PART 5 - CAPITAL SPENDING

- 5 Capital spending authority

PART 6 - BORROWING

- 6 Borrowing authority
- 7 Investment in HUU-AY-AHT Business Enterprises

Note to Reader

The *Budget Act, 2026* establishes the authority of government to spend money from April 1, 2026 to March 31, 2027. 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 authorized general purpose spending of government for the 2026 – 2027 fiscal year.
- Part 2, Invested Wealth Fund, sets out the authorized spending from the Invested Wealth Fund.
- Part 3, Special Investment Bodies Fund, sets out the authorized spending for investment in special investment bodies for the 2026 – 2027 fiscal year.
- Part 4, Special Programs Fund, sets out the authorized spending for special programs for the 2026 – 2027 fiscal year.
- Part 5, Capital Spending, sets out the authorized capital spending of government for the 2026 – 2027 fiscal year.
- Part 6, Borrowing, sets out the authorized borrowings of government for the 2026 – 2027 fiscal year and the conditions under which Executive Council may 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, 2026 to March 31, 2027 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	ED Office & Public Affairs	To provide oversight of all government departments, public affairs and communication services as well as Executive Council operations.	\$2,017,863
2	Community & Citizenship Services	To provide for the services to all HUU-ay-aht 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.	\$4,200,246
3	Infrastructure	To provide the services needed to support construction, operation and maintenance of community infrastructure and administration and oversight.	\$2,331,664
4	Lands & Natural Resources	To provide the services needed to support the conservation of our natural resources to ensure	\$3,217,610

No.	Budget Line Item Name	Purpose	Amount
		self-sufficiency and sustainability within the Hahuufi.	
5	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 enterprises through the Governance and Fiscal Agreement.	\$1,629,204
6	Government, Treaty & Law	To provide the services needed to support government operations, engagement with HUU-ay-aht citizens and other stakeholders, committees, HAWIIF Council and Executive Council operations.	\$2,193,502
7	Finance	To provide the services needed to support financial management and controllership, records and administrative support, consultation and engagement with other government departments and institutions.	\$1,859,729
8	Children & Family Wellness	To provide for the services to all HUU-ay-aht citizens and non-citizens, in accordance with Jordan's Principle, including children and family support, culture, childcare and transition housing. Includes ?um?iiqsu Centre (Mother Centre).	\$6,214,571

No.	Budget Line Item Name	Purpose	Amount
9	Human Resources & Administration	To provide the services needed to support staff management, engagement, and reception & administration services for the Port Alberni and Anacla offices.	\$831,862
10	Emergency Department, Contingencies and New Programs	<p>To provide the services needed to support citizens in the event of natural disasters, emergency relief and the assistance of those in need as the result of an event that was not anticipated. The emergency department also focuses on prevention and risk management.</p> <p>This category also provides funding for new programs created after the beginning of the fiscal year or where the timing of the event was not known in advance.</p>	\$700,762
11	ma-As ta-kimlth Housing Society	To transfer to the ma-As ta-kimlth Housing Society for the purposes of fulfilling its obligations in accordance with Huu-ay-aht law, its mandate and the terms of the operating agreement between the society and Huu-ay-aht.	\$600,000
	Total General Operating Fund Spending Authority		\$25,797,012

PART 2 - INVESTED WEALTH FUND

Invested Wealth Fund spending authority

- 2 Spending from the Invested Wealth Fund from April 1, 2026 to March 31, 2027 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	\$135,200
13	Transfer to General Operating Fund	For transferring money to the general operating fund to support government	\$500,000
Total Invested Wealth Fund Spending Authority			\$635,200

PART 3 - SPECIAL INVESTMENT BODIES FUND

Special Investment Bodies Fund spending authority

- 3 Spending from the Special Investment Body Fund from April 1, 2026 to March 31, 2027 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	Huumiis Direct Cash Contribution	To provide for a transfer of cash to Huumiis Ventures Limited Partnership for the purposes of maintaining debt repayment and operating cashflow.	\$3,552,433
Total Special Investment Bodies Funds Spending Authority			\$3,552,433

PART 4 - SPECIAL PROGRAMS FUND

Special Programs Fund spending authority

- 4 Spending from the Special Programs Fund from April 1, 2026 to March 31, 2027 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
15	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.	\$10,000,000
Total Special Programs Fund Spending Authority			\$10,000,000

PART 5 - CAPITAL SPENDING

Capital spending authority

- 5 Spending for capital purposes from April 1, 2025 to March 31, 2026 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
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16	Capital Projects	For capital items included in the Capital Budget of the approved Financial Plan and the approved government infrastructure project list.	\$12,274,831
	Total Capital Spending Authority		\$12,274,831
	Total Consolidated Government Fund Spending Authority		\$49,549,488

PART 6 - BORROWING

Borrowing authority

- 6** Borrowing from April 1, 2025 to March 31, 2026 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	\$5,000,000
Total Borrowing Authority			\$15,000,000

Investment in Huu-ay-aht Business Enterprises

- 7** (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, 2026*

Whereas:

- a) Executive Council approved the proposed *Budget Act, 2026* for introduction to the Legislature.

Be it resolved that the Legislature:

- 1) Hereby gives the proposed *Budget Act, 2026* first reading;
- 2) Will proceed with discussion of the proposed *Budget Act, 2026* in accordance with the *Government Act* section 93(1)(c); and
- 3) Will give the proposed *Budget Act, 2026* second reading at the sitting of the Legislature scheduled for March 30, 2026.

Appendices attached to Motion:

Written report prepared by

The following documents:

- The proposed *Budget Act, 2026*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 17, 2026

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, 2026*

Whereas:

- a) The Legislature gave the *Budget Act, 2026* first reading at its sitting on March 17, 2026.

Be it resolved that the Legislature:

- 1) Hereby gives the *Budget Act, 2026* second reading; and
- 2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on the *Budget Act, 2026* at a meeting of the Legislature to be convened today, March 30, 2026.

Appendices attached to Motion:

Written report prepared by

The following documents:

- The draft *Budget Act, 2026*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2026

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, 2026*

Whereas:

- a) The Legislature gave the *Budget Act, 2026* second reading at its sitting earlier today, March 30, 2026; and
- b) In the event that the Ta'yii Hawilth is unable or unwilling to sign a Huu-ay-aht Act that has passed third reading by the Legislature, the Legislature must designate a Huu-ay-aht citizen to sign on their behalf (*Government Act, s. 93(6)*).

Be it resolved that the Legislature hereby:

- 1) In accordance with *Government Act s. 93(1)(g)*, adopts the *Budget Act, 2026* (the "Act");
- 2) Designates Thlut' as-aksup, Councillor Theresa Nookemus to sign the Act on behalf of the Ta'yii Hawilth;
- 3) Directs that the following actions be completed in compliance with the *Government Act* (s. 93 and 95):
 - a. The Chief Councillor will certify that the Act has passed third reading by signing it today, March 30, 2026 (s. 93(1)(h));
 - b. Thlut' as-aksup, on behalf of the Ta'yii Hawilth, will certify that the Act is enacted as Huu-ay-aht law by signing it today, March 30, 2026 (s. 93(1)(i)); and
 - c. The Law Clerk will:
 - i. Sign the Act into force today, March 30, 2026 (s. 95(5));
 - ii. Place the signed Act and a certified true copy in the registry no later than April 2, 2026 (s. 95(6)(a)); and
 - iii. Publish the Act no later than April 10, 2026 (s. 95(6)(b)).

Appendices attached to Motion:

Written report prepared by

The following documents:

- The *Budget Act, 2026*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2026

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MIND

COMMUNITY SAFETY ACT

**BLACKLINE SHOWING PROPOSED
AMENDMENTS SET OUT IN THE
COMMUNITY SAFETY ACT
AMENDMENT ACT, 2026**

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

Contents

PART 1 - PURPOSE, DEFINITIONS AND APPLICATION

- 1 Purpose
- 2 Definitions

PART 2 - EXCLUSION ORDERS

- 2.1 Definition
- 3 Exclusion of persons posing a risk to public safety
- 4 Confirmation of conviction
- 5 Criminal history information order
- 5.1 Initiating an investigation into excludable conduct
- 5.2 Conduct of investigation
- 5.3 Investigation – vulnerable witnesses
- 5.4 Investigation – parallel processes
- 5.5 When charges not substantiated
- 5.6 Investigation report
- 5.7 Annual Report
- 6 Exclusion order
- 7 Rescinding an exclusion order
- 8 Urgent temporary exemption

PART 3 - HEARINGS AND REVIEWS

- 9 [Repealed]
- 10 Application to Hāwīih Council
- 11 Determinations by Hāwīih Council
- 12 Timing
- 13 Mandatory review
- 14 Orders of the Hāwīih Council
- 15 Procedures for hearings
- 16 Temporary exemptions from exclusion orders
- 17 Form of temporary exemption
- 18 Implementation of orders

PART 4 - SERVICE OF DOCUMENTS

- 19 Service of documents

PART 5 - OFFENCES

- 20 Definition
- 21 Offences
- 22 Trespass
- 23 Powers of peace officers

PART 6 - GENERAL PROVISIONS

- 24 Prescribed offences
- 25 Exclusion order policy regulation
- 26 Hāwīih Council procedures
- 27 Power to make regulations
- 27.1 Registry
- 28 Amendments to this Act
- 29 Commencement

Note to Reader

| TO BE UPDATED

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:

“convicted” means being convicted, found guilty, or the subject of a verdict of not criminally responsible on account of mental disorder;~~“convicted”, for greater certainty, means convicted or found guilty of;~~

HFNA 4/2023, s. 1(a)

“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;

“excludable conduct” means any activity engaged in within the previous five (5) years that is prescribed by a regulation enacted under section 24 (2);

“excluded person” means a person who is the subject of an exclusion order;

“exclusion order” includes both interim and final exclusion orders;~~“exclusion order” means an order prohibiting a person from entering or remaining on Treaty Lands made under section 6;~~

HFNA 4/2023, s. 1(b)

~~“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;

“information order” means an order made under section 5 (1);

“member of the Huu-ay-aht community” means a person who lives or spends time on Treaty Lands or who regularly attends Huu-ay-aht events on or off Treaty Lands, or has indicated an intention to do any of these things;

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

“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;

“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;

“serve” means delivery of a document in accordance with section 19.

PART 2 - EXCLUSION ORDERS

Definition

2.1 In this Part:

“documents” includes, without limitation, the following media: written, electronic, text, cellular, social media messaging, audiotape, videotape, digital reproductions, photographs, films, slides, maps, graphs, microfiche, metadata, and any data and information recorded or stored by means of any device;

“vulnerable witness” means a person who requires special measures or protections in order to testify safely and effectively, by reason of:

- (a) age, physical, or mental disability;
- (b) the nature of the evidence they are called to give;
- (c) fear of retaliation or intimidation;
- (d) a relationship of dependency or power imbalance; or
- (e) cultural or community circumstances.

Exclusion of persons posing a risk to public safety

3 (1) The Executive Director must issue an interim exclusion order in the prescribed form in respect of a member of the Huu-ay-aht community:

- (a) upon confirmation that the person is charged with a prescribed offence, and
- (b) upon notice that the Ethics Commissioner has made a preliminary finding that the person has engaged in excludable conduct.

(2) The Executive Director must issue a final exclusion order in the prescribed form in respect of any member of the Huu-ay-aht community upon confirmation that the person

- (a) has been convicted of an excludable offence in the past five (5) years, or
- (a)(b) has been finally determined by the Ethics Commissioner to have engaged in excludable conduct.

Confirmation of conviction

4 If the Executive Director receives credible information that a member of the Huu-ay-aht community has been charged with or convicted of an excludable offence, the Executive Director must seek confirmation of the charge or 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

- 25** (1) The Executive Director may issue an information order in the prescribed form for the purpose of confirming credible information that a member of the Huu-ay-aht community has been charged with or convicted of an excludable offence.
- (2) An information order must
- (a) name the person the Executive Director has reason to believe has been charged with or convicted of, as the case may be, 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 seven (7) days of service:
- (i) written acknowledgement in the prescribed form that the person has been charged with or convicted of, as the case may be, one or more excludable offences and the particulars of those charges or offences, or
- (ii) a solemn declaration in the prescribed form that the person has not been charged with or convicted, as the case may be, of any excludable offence in the past five (5) years.
- (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 fails to provide the required documentation within 10 working days of service, the Executive Director will consider the person to have been charged with or convicted of, as the case may be, the excludable offence set out in the information order.

HFNA 4/2023, s. 1(c), (d)

Initiating an investigation into excludable conduct

- 5.1** (1) If the Ethics Commissioner receives credible information that a member of the Huu-ay-aht community has engaged in excludable conduct that, in the view of the Ethics Commissioner, is indicative of a potential risk to the Huu-ay-aht community and that person is not charged with a prescribed offence with respect to substantially the same conduct, the Ethics Commissioner must commence an investigation.
- (2) Where the Ethics Commissioner has been asked in writing to consider commencing an investigation under subsection (1) and determines not to do so, they must provide written reasons for their decision to the Law Clerk and the person making the request.

- (3) Upon receipt of written reasons under subsection (2), the Law Clerk must, as soon as practicable, place the order in the registry.
- ~~(6)~~(4) The Ethics Commissioner must promptly give notice to the hawiih Council, Executive Council, and Executive Director upon commencing an investigation under subsection (1).

Conduct of investigation

- 5.2** (1) In conducting an investigation under this Part, the Ethics Commissioner has the authority to collect, receive, and assess evidence for the purpose of determining whether a person has engaged in excludable conduct.
- (2) The Ethics Commissioner must ensure that the subject of the investigation is afforded the opportunity to know and meet the case against them and to provide a meaningful response.
- (3) In conducting an investigation, the Ethics Commissioner may:
- (a) determine the processes by which they will receive information, which may include conducting interviews and receiving written submissions and documents;
 - (b) meet with and interview any person that the Ethics Commissioner believes may have information that is relevant to the investigation and necessary in order to make findings of fact;
 - (c) receive and accept such evidence as the Ethics Commissioner considers proper; and
 - (d) require the Executive Director to produce any documents in the possession or control of the Hui-ay-aht government that the Ethics Commissioner considers may be relevant to the investigation.
- (4) The Ethics Commissioner will not make findings that a subject has engaged in excludable conduct unless satisfied, on the whole of the evidence, that on a balance of probabilities those findings are established by clear, convincing, and cogent evidence.
- (5) The subject of an investigation may decline to participate in an investigation and request in writing that their participation in the investigation be delayed until such time as the subject is willing to participate.
- (6) If the subject of an investigation has declined to participate under subsection (5), the Ethics Commissioner will complete as much of the investigation as practicable without the participation of the subject of the investigation.

Investigation – vulnerable witnesses

- 5.3** (1) If the Ethics Commissioner determines that a person is a vulnerable witness, the Ethics Commissioner will take reasonable steps to ensure that the witness is able to provide full, candid, and reliable evidence in a manner that minimizes the risk of harm including trauma, intimidation, or retribution.
- (2) Without limiting the generality of subsection (1), the Ethics Commissioner may

- (a) receive testimony from a vulnerable witness in private or in a location where they feel safe.
 - (b) permit a vulnerable witness to provide information through written, recorded, or remote means.
 - (c) receive information from a vulnerable witness in confidence.
- (3) Where disclosure of all or part of their evidence would create a real and substantial risk of harm to a vulnerable witness, or would undermine the purposes of this Act, including by deterring vulnerable persons from coming forward, the Ethics Commissioner may withhold or redact such information.
- (4) Where evidence is withheld or redacted under subsection (3), the Ethics Commissioner will provide a written summary of the withheld information to the subject of the investigation that
 - (a) conveys the substance of the allegations or facts relied upon, and
 - (b) excludes those details that are in the view of the Ethics Commissioner reasonably necessary to protect the vulnerable witness from harm.
- (5) Where evidence is received in confidence from a vulnerable witness, the Ethics Commissioner may only rely on such evidence in circumstances where the subject of the investigation has been provided with sufficient disclosure of the substance of that evidence to allow them to know the case against them and to respond meaningfully.

Investigation – parallel processes

- 5.4** (1) Where the Ethics Commissioner has commenced an investigation under section 5.1 (1) and subsequently becomes aware that the subject of the investigation is charged with a prescribed offence with respect to substantially the same conduct as gave rise to the investigation, the Ethics Commissioner will consider whether to delay the completion of the investigation until the criminal process has come to an end.
- (2) In determining whether and at what point to delay the completion of the investigation under subsection (1), the Ethics Commissioner will consider
- (a) the seriousness of the excludable conduct under investigation.
 - (b) the potential risk to community safety posed by the subject of the investigation.
 - (c) what steps are appropriate in the totality of the circumstances to preserve potentially relevant evidence.
- (3) Where the Ethics Commissioner is investigating excludable conduct and a conviction occurs with respect to substantially the same conduct, the Ethics Commissioner will give notice to the Executive Director and cease the investigation.

When charges not substantiated

- 5.5** (1) In this section “no longer charged” refers to circumstances where charges are withdrawn or dismissed, there is a prosecutorial or judicial stay of proceedings, or the person has been acquitted of the charges.
- (2) In circumstances where an excluded person is no longer charged with a prescribed offence, the Ethics Commissioner must determine in accordance with this section whether to commence or continue an investigation into any excludable conduct with respect to substantially the same conduct that gave rise to the charges.
- (3) An excluded person who is subject to an interim exclusion order and who is no longer charged with any prescribed offence giving rise to the exclusion order may notify the Ethics Commissioner in writing of the change in circumstances.
- (4) Upon receipt of a notification under subsection (3), the Ethics Commissioner will give public notice that an interim exclusion order may be subject to cancellation.
- (5) A notice under subsection (4) must include
- (a) the name of the excluded person,
 - (b) the details of the prescribed offence and excludable conduct,
 - (c) the date and manner by which interested parties may provide submissions to the Ethics Commissioner.
- (6) The Ethics Commissioner will give the excluded person an opportunity to respond to any matters under consideration by the Ethics Commissioner in determining whether to commence or continue an investigation.
- (7) In determining whether it is in the best interests of the Huv-ay-aht to commence or continue an investigation under this section, the Ethics Commissioner will consider:
- (a) the seriousness of the excludable conduct under investigation,
 - (b) the time elapsed since the excludable conduct is alleged to have taken place,
 - (c) any submissions of the excluded person and other interested parties,
 - (d) in an investigation that has been delayed, the nature and strength of any evidence received to date.
- (8) If the Ethics Commissioner decides not to commence or continue an investigation under this section, they must do all of the following
- (a) immediately give written notice to the Executive Director and the subject of the investigation,
 - (b) prepare written reasons for the decision,
 - (c) provide a copy of the written reasons to the Law Clerk.

(9) The Law Clerk must place any written reasons prepared under this section in the registry.

Investigation report

- 5.6** (1) At the conclusion of an investigation, the Ethics Commissioner will prepare a final investigation report that includes all of the following
- (a) a summary of allegations of excludable conduct engaged in by the subject of the investigation;
 - (b) the Ethics Commissioner's findings as to whether, on a balance of probabilities, the subject of the investigation engaged in any excludable conduct;
 - (c) the evidentiary basis for the Ethics Commissioner's findings;
 - (d) copies of any documents relied on by the Ethics Commissioner in reaching their conclusion;
 - (e) details in respect of the receipt of evidence from any vulnerable witness, including the reasons for the decision to classify them as such, any protective measures adopted, the scope of any information withheld, and why less protective measures were not sufficient.
- (2) Despite subsection (1) (d), the Ethics Commissioner may direct that confidentiality be maintained over any documents or portions of documents that the Ethics Commissioner has directed should be withheld or redacted under section 5.3 (3).
- (3) A final investigation report may include such findings as in the view of the Ethics Commissioner are or may be relevant in determining whether the subject of the investigation poses an unreasonable risk to community safety.
- (4) Where an investigation has been partially completed in accordance with section 5.2 (6), upon completion of as much of the investigation as the Ethics Commissioner considers practicable they will prepare an interim report.
- (5) Where an investigation discloses an immediate and compelling risk to public safety, the Ethics Commissioner may prepare an interim report.
- (6) An interim report must include all of the following:
- (a) a summary of allegations of excludable conduct engaged in by the subject of the investigation;
 - (b) a summary of the Ethics Commissioner's preliminary findings as to whether, on a balance of probabilities, the subject of the investigation engaged in any excludable conduct;
 - (c) the evidentiary basis for the Ethics Commissioner's findings;
 - (d) copies of any documents relied on by the Ethics Commissioner in reaching their conclusion;

- (e) details in respect of the receipt of evidence from any vulnerable witness, including the reasons for the decision to classify them as such, any protective measures adopted, the scope of any information withheld, and why less protective measures were not sufficient.
- (7) Despite subsection (6) (d), the Ethics Commissioner may direct that confidentiality be maintained over any documents or portions of documents that the Ethics Commissioner has directed should be withheld or redacted under section 5.3 (3).
- (8) An interim report may include such additional findings as in the view of the Ethics Commissioner are or may be relevant in determining whether the subject of the investigation poses an unreasonable risk to community safety.
- (9) If the Ethics Commissioner has not issued a report within three (3) months of commencing an investigation or reporting to Executive Council under this subsection, they must report to Executive Council with respect to the circumstances of the investigation and why a report has not been prepared.
- (10) Upon completion of any report under this section, the Ethics Commissioner must provide a copy of the report to the hāwiih Council, the subject of the investigation, the Executive Director, and the Law Clerk.
- (11) The Law Clerk must store copies of all reports received from the Ethics Commissioner under this section in the registry.

Annual Report

- 5.7** (1) Each year the Ethics Commissioner will provide a report to the People’s Assembly in respect of community safety.
- (2) The report under subsection (1) will include all of the following:
- (a) summary of the Ethics Commissioner’s decisions with respect to whether to pursue potential investigations during the previous year;
 - (b) a summary of the investigations conducted and interim and final reports prepared by the Ethics Commissioner during the previous year;
 - (c) a summary of interim and final exclusion orders issued in the previous year, including whether the excluded individuals are Hūu-ay-aht citizens and the basis for the orders;
 - (d) a summary of the orders of the hāwiih Council with respect to exclusion orders made during the previous year;
 - (e) any recommendations on support services or other measures to support the safety and well-being of the Hūu-ay-aht community, including services for victims and others impacted by excludable offences and conduct;
 - (f) any recommendations on services and measures to promote the rehabilitation and reintegration of excluded individuals into the Hūu-ay-aht community.

Exclusion order

~~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)(g) 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.~~

6 (1) An exclusion order must do all of the following

- (a) name the person to whom the order applies,
 - (b) set out the excludable offence or excludable conduct giving rise to the order,
 - (c) indicate the date on which the order becomes effective,
 - (d) indicate how the recipient may seek to correct or update any information with respect to the charge or conviction that is the subject of the order, if applicable,
 - (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,
 - (f) make clear that the excluded person is not permitted on Treaty Lands or to attend any event organized or hosted by the Huu-ay-aht government regardless of location, unless the excluded person is granted a temporary exemption or the order is varied or rescinded.
- (2) Unless otherwise ordered by the hawiih Council, an exclusion order becomes effective 21 days after it is issued.
- (3) Despite subsection (2), where a final exclusion order is issued to a person that is the subject of an interim exclusion order in respect of the same conduct giving rise to the interim order, the final exclusion order will replace the interim order and will become effective immediately, unless otherwise ordered by the hawiih Council.
- (4) Unless rescinded or varied, an exclusion order expires on the later of five (5) years from the date of conviction for the offence giving rise to the order or the finding of the Ethics Commissioner with respect to excludable conduct, as the case may be, 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 cause the excluded person to be served with the order.~~
- ~~(4)(6) Upon issuance of an exclusion order, the Law Clerk must, as soon as practicable, place the order in the registry.~~
- ~~(5) Unless rescinded or varied, an exclusion order becomes effective 21 days after it is issued.~~
- ~~(6) 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.~~
- ~~(7) 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.~~
- ~~(8)(7) 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, a record suspension, or acquittal following appeal in respect of the prescribed offence giving rise to an exclusion order, the Executive Director will, in writing, immediately rescind the exclusion order.
- (2) If the Ethics Commissioner gives notice under section 5.5 (8) (a), the Executive Director will, in writing, immediately rescind the exclusion order.
- (3) If the Executive Director is provided with a report under section 5.6 (10) that concludes that an excluded person did not engage in any excludable conduct, the Executive Director will, in writing, immediately rescind the exclusion order.
- (4) Upon rescission of an exclusion order, the Law Clerk must, as soon as practicable, make best efforts to serve the excluded person with notice of the rescinded order.
- (5) Upon rescission of an exclusion order, the Law Clerk must, as soon as practicable, place the document rescinding the order in the registry.

~~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.~~

~~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.~~

~~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

- 38** (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 places and events from which they are excluded on compassionate grounds. ~~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 ~~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. ~~the purpose for which the exemption is sought,~~
 - (a) ~~the impact of granting the exemption on impacted individuals,~~
 - (b) ~~the potential risks to public safety, and~~
~~any other factors they consider relevant.~~

PART 3 - HEARINGS AND REVIEWS**Definitions**

4-~~[Repealed]~~ 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~~Hawiih~~ Council

- 10** (1) An excluded person may apply, using the prescribed form, to the hawiih~~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~~Hawiih Council, an application under subsection (1) may not be made ~~more than once every 12 months~~within 12 months of a decision of the ~~hawiih~~ Council in respect of an application under subsection (1).
- (3) Upon application made under subsection (1), the ~~hawiih~~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~~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~~Hawiih Council

- 11** In making a determination with respect to whether an excluded person poses an unreasonable risk to public safety, the ~~hawiih~~Hawiih Council must consider:
- (a) the time that has elapsed since the actions giving rise to the ~~conviction~~issuance of the order 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 excluded person in a restorative program;
 - (h) any supports put in place by the excluded person's Huu-ay-aht Maht Mahs;
 - (i) whether the excluded person has a criminal history ~~beyond the commission of the excludable 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.

HFNA 4/2023, s. 1(e), (f)

Timing

- 12 (1) Subject to subsection (2), unless otherwise agreed by the applicant, the ~~hawiih~~Hawiih Council must commence a hearing of an application under section 10 (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 ~~hawiih~~Hawiih 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 ~~hawiih~~Hawiih Council must issue a determination and provide written reasons for its determination.

Mandatory review

- 13 (1) The ~~hawiih~~Hawiih 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 ~~hawiih~~Hawiih Council must consider the factors set out in section 11.

Orders of the ~~hawiih~~Hawiih Council

- 14 (1) The ~~hawiih~~Hawiih Council may make an interim order in ~~an application~~respect of a matter before it under this Act.
- (2) Subject to subsection (3), at the conclusion of a hearing, the ~~hawiih~~Hawiih 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 of the excluded person from Treaty Lands of the excluded person.
- (3) If, at the conclusion of a review hearing, the ~~hawiih~~Hawiih Council determines that the excluded person continues to pose an unreasonable risk to public safety, the ~~hawiih~~Hawiih Council must extend the exclusion order for a period not to exceed 5 years that it considers appropriate in the circumstances.
- (4) 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 ~~hawiih~~Hawiih Council's discretion, a hearing may be conducted orally or in writing, or a combination of both.

- (2) In conducting a hearing, the ~~hawiihHawiih~~ 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 ~~hawiihHawiih~~ Council may
 - (a) provide notice of the hearing to any impacted individuals or to any other person the ~~hawiihHawiih~~ 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 ~~hawiihHawiih~~ 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 Huu-ay-aht election or participate in other political activities, and
 - (e) in any other circumstances in which the ~~hawiihHawiih~~ Council considers it just and appropriate to do so.
- (2) In determining whether to order a temporary exemption under subsection (1), the ~~hawiihHawiih~~ 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 ~~hawiih~~Hawiih Council considers advisable.

Implementation of orders

- 18 (1) The ~~hawiih~~Hawiih 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 Huu-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

Definition

20 In this Part:

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

HFNA 4/2023, s. 1(g)

Offences

- 21** (1) 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.
- (2) Any person who provides false information in a solemn declaration under section 5 (2) (c) (ii) 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 and conduct~~Prescribed offences~~

24 (1) 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.~~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.~~

~~(1)~~(2) Within 3 months of the coming into force of the Community Safety Act Amendment Act, 2026, Executive Council must enact a regulation setting out the activities that, if engaged in by a member of the Hui-ay-aht community will give rise to an exclusion order under this Act.

Mitigation and restorative justice regulation~~Exclusion order policy regulation~~

225 (1) Within six (6) months of the coming into force of the Community Safety Act Amendment Act, 2026, , Executive Council must, by regulation, adopt a policy with the purpose of mitigating the negative impacts of exclusion orders on the Hui-ay-aht community and promoting public safety and the reintegration of citizens into the Hui-ay-aht community through restorative justice and other measures.~~Within one year after the enactment of this Act, Executive Council must, by regulation, adopt an exclusion order policy with the purpose of 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), Executive Council must consider any input of the Law and Policy Development Committee, Citizen Development Committee, hawiih Council, Child and Family Wellness Department, Community Services Department, Nananiqsu and citizens.~~Before a regulation is enacted under subsection (1), the Law and Policy Development Committee must consult with the Citizen Development Committee, Hawiih Council, Child and Family Wellness Department, Community Services Department, Nananiqsu and citizens.~~

(3) A regulation under subsection (1) must address all of the following:~~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,~~the provision of support to families impacted by exclusion orders,~~
- (b) the development and implementation of mitigation plans,~~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 restorative programs,~~the development and implementation of mitigation plans, and~~
- (d) ~~the development and implementation of restorative programs.~~

HFNA 4/2023, s. 1(h)

~~hawaii~~**Hawaii Council procedures**

326 The ~~hawaii~~**Hawaii** 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

- 427** (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~~ a mitigation and restorative justice policy for the purposes of section 25, and
 - (c) prescribing forms for the purposes of this Act.

Registry

27.1 All documents required to be stored in the registry under this Act are to be made available for public inspection on the same terms as the documents referred to in the *Government Act*, section 106 (3), subject to the Ethics Commissioner's authority direct that confidentiality be maintained over certain evidence related to vulnerable witnesses.

Amendments to this Act

528 An amendment of this Act made after March 31, ~~2023~~ 2028 must be approved by the People's Assembly before that amendment is brought into force.

Commencement

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



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ANCIENT SPIRIT, MODERN MIND

GOVERNMENT ACT

**BLACKLINE SHOWING PROPOSED
AMENDMENTS SET OUT IN THE
COMMUNITY SAFETY ACT
AMENDMENT ACT, 2026**

The Huu-ay-aht Legislature enacts this law to establish an effective system of government where decisions are made in the best interests of present and future generations of Huu-ay-aht citizens.

- (c) in the best interests of present and future generations of Hui-ay-aht citizens.
- (4) The Ha'wiih Council must not by name or office give direction to a government employee or contractor without the prior approval of the Executive Director.

Ha'wiih Councillor appointment

- 75**
- (1) As soon as practicable after a general election, the Ha'wiih Council, in accordance with Hui-ay-aht customary law, must appoint an individual to be a Ha'wiih Councillor on Hui-ay-aht Council under section 4 (3).
 - (2) An individual appointed under this section must also have the same qualifications to hold office as an elected Councillor, with the exception of being elected to office under the *Election Act*.
 - (3) If the office of Ha'wiih Councillor becomes vacant for any reason, the Ha'wiih Council must appoint another qualified individual to that office as soon as practicable.

PART 7.1 – ETHICS COMMISSIONER

Ethics Commissioner appointment

- 75.1**
- (1) Executive Council must, after seeking the advice of the hawiih Council, appoint a qualified individual as Ethics Commissioner within thirty (30) days of the coming into force of the Community Safety Act Amendment Act, 2026.
 - (2) Subject to this Act, Executive Council must, after seeking the advice of the hawiih Council, specify an application process and the terms of reference for the Ethics Commissioner, including remuneration and expenses.
 - (3) If the role of Ethics Commissioner becomes vacant, Executive Council must, as soon as practicable, make another appointment to the role.
 - (4) The appointment of an Ethics Commissioner is effective once the individual
 - (a) accepts the appointment in writing and delivers the written acceptance to Executive Council, and
 - (b) takes the Oath of Office of the Ethics Commissioner the hawiih Councillor.
 - (5) Section 5 of the Code of Conduct and Conflict of Interest Act does not apply to the Ethics Commissioner.

Ethics Commissioner qualifications

- 75.2** In addition to being qualified to be a public officer under Hui-ay-aht law, the Ethics Commissioner must
- (a) have at least 10 years of experience as a practising lawyer or judge,

- (b) have demonstrated competence in conducting investigations or inquiries of a quasi-judicial or administrative nature,
- (c) be knowledgeable in the principles of procedural fairness, evidence, and natural justice,
- (d) have a demonstrable ability to provide clear and precise reasons for decisions, and
- (e) demonstrate an understanding of Indigenous governance, cultural safety, and a trauma-informed approach to conducting investigations.

Ethics Commissioner role and duties

- 75.3** (1) The role of the Ethics Commissioner is to conduct investigations, make determinations, and perform other functions assigned under Huu-ay-aht law.
- (2) The Ethics Commissioner must faithfully, honestly, and impartially perform their duties to the best of their judgment, skill, and abilities, and must not, except in the proper performance of those duties, disclose to any person any information obtained in the course of their duties.

Remedy

- 75.4** Cause for terminating an Ethics Commissioner includes, but is not limited to, contravention of section 75.3 (2) of this Act and sections 12, 13, 21, 22 (1), and 22 (2) of the *Code of Conduct and Conflict of Interest Act*.

Term of office

- 75.5** (1) The term of office of the Ethics Commissioner is five (5) years.
- (2) An Ethics Commissioner may be reappointed without limit.

Termination

- 75.6** Executive Council may, after seeking the advice of the hawiih Council, terminate the appointment of the Ethics Commissioner for cause or incapacity.

PART 8 - PEOPLE'S ASSEMBLY

Division 1 - Framework

Definition

- 76** In this Part, “**session**” means a session of the People’s Assembly held in accordance with section 77.

People’s Assembly

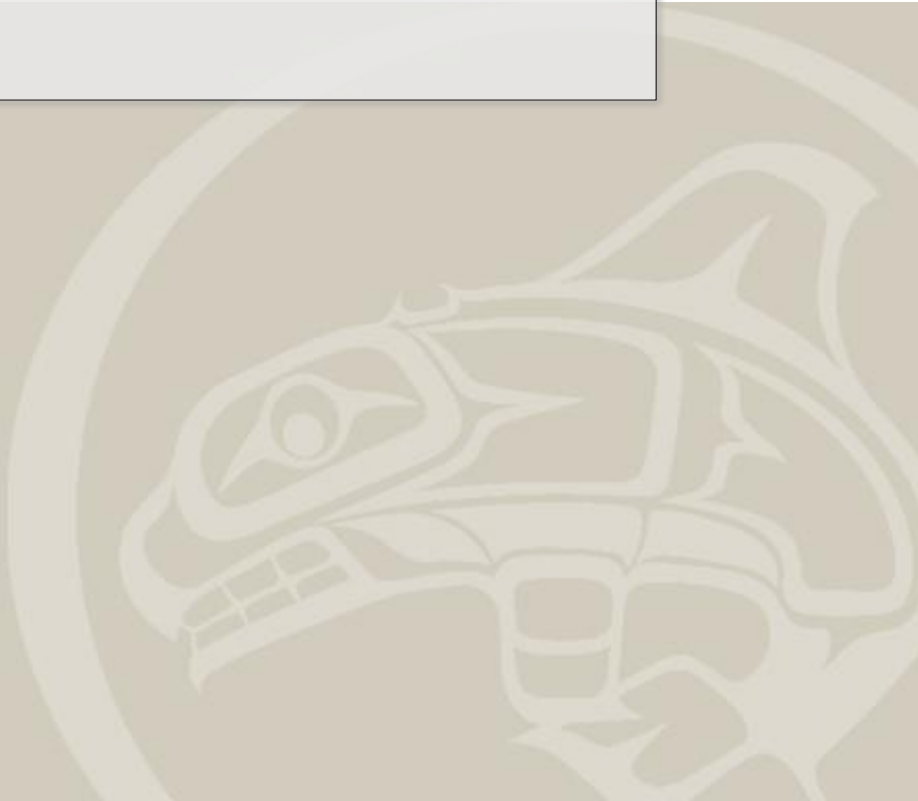
- 77** Huu-ay-aht citizens may only conduct the business of the People’s Assembly when all of the following conditions are met:



huu ay aht

ANCIENT SPIRIT, MODERN MIND

**COMMUNITY SAFETY ACT
AMENDMENT ACT, 2026**



REGISTRY OF LAWS CERTIFICATION

I certify that the *Community Safety Act Amendment Act, 2026* was passed by Executive Council on:

Chief Councillor John Jack

I certify that the *Community Safety Act Amendment Act, 2026* is enacted as law on:

taayii ḥawil

I certify that the *Community Safety Act Amendment Act, 2026* came into force on:

Law Clerk Coraleah Bauer

Community Safety Act Amendment Act, 2026

Contents

- 1 *Community Safety Act amendments*
- 2 *Consequential amendments*
- 3 *Commencement*
- 4 *Consolidation*

The Legislature enacts as follows:

Community Safety Act amendments

1 *The Community Safety Act is amended*

- (a) *in section 2,*
 - (i) *by repealing the definition of “convicted” and replacing it with*
“convicted” means being convicted, found guilty, or the subject of a verdict of not criminally responsible on account of mental disorder;
 - (ii) *by repealing the definition of “exclusion order” and replacing it with*
“exclusion order” includes both interim and final exclusion orders;
 - (iii) *by adding the following definitions*
“excludable conduct” means any activity engaged in within the previous five (5) years that is prescribed by a regulation enacted under section 24 (2);
“member of the Huu-ay-aht community” means a person who lives or spends time on Treaty Lands or who regularly attends Huu-ay-aht events on or off Treaty Lands, or has indicated an intention to do any of these things;
“mitigation plan” means a plan proposed by an excluded person and developed in consultation with an applicable government department or other service provider 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;
 - (iv) *by putting the definitions in alphabetical order;*
- (b) *by striking the word “Hawiih” each time it appears and replacing it with the word “ḥawiih”;*
- (c) *by repealing Part 2 and replacing it with the following*

PART 2 - EXCLUSION ORDERS

Definition

- 2.1** In this Part:

“**documents**” includes, without limitation, the following media: written, electronic, text, cellular, social media messaging, audiotape, videotape, digital reproductions, photographs, films, slides, maps, graphs, microfiche, metadata, and any data and information recorded or stored by means of any device;

“**vulnerable witness**” means a person who requires special measures or protections in order to testify safely and effectively, by reason of:

- (a) age, physical, or mental disability;
- (b) the nature of the evidence they are called to give;
- (c) fear of retaliation or intimidation;
- (d) a relationship of dependency or power imbalance; or
- (e) cultural or community circumstances.

Exclusion of persons posing a risk to public safety

- 3 (1) The Executive Director must issue an interim exclusion order in the prescribed form in respect of a member of the HUU-ay-aht community:
- (a) upon confirmation that the person is charged with a prescribed offence, and
 - (b) upon notice that the Ethics Commissioner has made a preliminary finding that the person has engaged in excludable conduct.
- (2) The Executive Director must issue a final exclusion order in the prescribed form in respect of any member of the HUU-ay-aht community upon confirmation that the person
- (a) has been convicted of an excludable offence in the past five (5) years, or
 - (b) has been finally determined by the Ethics Commissioner to have engaged in excludable conduct.

Confirmation of conviction

- 4 If the Executive Director receives credible information that a member of the HUU-ay-aht community has been charged with or convicted of an excludable offence, the Executive Director must seek confirmation of the charge or 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 member of the HUU-ay-aht community has been charged with or convicted of an excludable offence.

- (2) An information order must
 - (a) name the person the Executive Director has reason to believe has been charged with or convicted of, as the case may be, 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 seven (7) days of service:
 - (i) written acknowledgement in the prescribed form that the person has been charged with or convicted of, as the case may be, one or more excludable offences and the particulars of those charges or offences, or
 - (ii) a solemn declaration in the prescribed form that the person has not been charged with or convicted, as the case may be, of any excludable offence in the past five (5) years.
- (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 fails to provide the required documentation within 10 working days of service, the Executive Director will consider the person to have been charged with or convicted of, as the case may be, the excludable offence set out in the information order.

Initiating an investigation into excludable conduct

- 5.1**
- (1) If the Ethics Commissioner receives credible information that a member of the HUU-ay-aht community has engaged in excludable conduct that, in the view of the Ethics Commissioner, is indicative of a potential risk to the HUU-ay-aht community and that person is not charged with a prescribed offence with respect to substantially the same conduct, the Ethics Commissioner must commence an investigation.
 - (2) Where the Ethics Commissioner has been asked in writing to consider commencing an investigation under subsection (1) and determines not to do so, they must provide written reasons for their decision to the Law Clerk and the person making the request.
 - (3) Upon receipt of written reasons under subsection (2), the Law Clerk must, as soon as practicable, place the order in the registry.
 - (4) The Ethics Commissioner must promptly give notice to the hawiih Council, Executive Council, and Executive Director upon commencing an investigation under subsection (1).

Conduct of investigation

- 5.2**
- (1) In conducting an investigation under this Part, the Ethics Commissioner has the authority to collect, receive, and assess evidence for the purpose of determining whether a person has engaged in excludable conduct.
 - (2) The Ethics Commissioner must ensure that the subject of the investigation is afforded the opportunity to know and meet the case against them and to provide a meaningful response.
 - (3) In conducting an investigation, the Ethics Commissioner may:
 - (a) determine the processes by which they will receive information, which may include conducting interviews and receiving written submissions and documents;
 - (b) meet with and interview any person that the Ethics Commissioner believes may have information that is relevant to the investigation and necessary in order to make findings of fact;
 - (c) receive and accept such evidence as the Ethics Commissioner considers proper; and
 - (d) require the Executive Director to produce any documents in the possession or control of the Huu-ay-aht government that the Ethics Commissioner considers may be relevant to the investigation.
 - (4) The Ethics Commissioner will not make findings that a subject has engaged in excludable conduct unless satisfied, on the whole of the evidence, that on a balance of probabilities those findings are established by clear, convincing, and cogent evidence.
 - (5) The subject of an investigation may decline to participate in an investigation and request in writing that their participation in the investigation be delayed until such time as the subject is willing to participate.
 - (6) If the subject of an investigation has declined to participate under subsection (5), the Ethics Commissioner will complete as much of the investigation as practicable without the participation of the subject of the investigation.

Investigation - vulnerable witnesses

- 5.3**
- (1) If the Ethics Commissioner determines that a person is a vulnerable witness, the Ethics Commissioner will take reasonable steps to ensure that the witness is able to provide full, candid, and reliable evidence in a manner that minimizes the risk of harm including trauma, intimidation, or retribution.
 - (2) Without limiting the generality of subsection (1), the Ethics Commissioner may
 - (a) receive testimony from a vulnerable witness in private or in a location where they feel safe,

- (b) permit a vulnerable witness to provide information through written, recorded, or remote means,
 - (c) receive information from a vulnerable witness in confidence.
- (3) Where disclosure of all or part of their evidence would create a real and substantial risk of harm to a vulnerable witness, or would undermine the purposes of this Act, including by deterring vulnerable persons from coming forward, the Ethics Commissioner may withhold or redact such information.
- (4) Where evidence is withheld or redacted under subsection (3), the Ethics Commissioner will provide a written summary of the withheld information to the subject of the investigation that
 - (a) conveys the substance of the allegations or facts relied upon, and
 - (b) excludes those details that are in the view of the Ethics Commissioner reasonably necessary to protect the vulnerable witness from harm.
- (5) Where evidence is received in confidence from a vulnerable witness, the Ethics Commissioner may only rely on such evidence in circumstances where the subject of the investigation has been provided with sufficient disclosure of the substance of that evidence to allow them to know the case against them and to respond meaningfully.

Investigation – parallel processes

- 5.4**
- (1) Where the Ethics Commissioner has commenced an investigation under section 5.1 (1) and subsequently becomes aware that the subject of the investigation is charged with a prescribed offence with respect to substantially the same conduct as gave rise to the investigation, the Ethics Commissioner will consider whether to delay the completion of the investigation until the criminal process has come to an end.
 - (2) In determining whether and at what point to delay the completion of the investigation under subsection (1), the Ethics Commissioner will consider
 - (a) the seriousness of the excludable conduct under investigation,
 - (b) the potential risk to community safety posed by the subject of the investigation,
 - (c) what steps are appropriate in the totality of the circumstances to preserve potentially relevant evidence.
 - (3) Where the Ethics Commissioner is investigating excludable conduct and a conviction occurs with respect to substantially the same conduct, the Ethics Commissioner will give notice to the Executive Director and cease the investigation.

When charges not substantiated

- 5.5**
- (1) In this section “no longer charged” refers to circumstances where charges are withdrawn or dismissed, there is a prosecutorial or judicial stay of proceedings, or the person has been acquitted of the charges.
 - (2) In circumstances where an excluded person is no longer charged with a prescribed offence, the Ethics Commissioner must determine in accordance with this section whether to commence or continue an investigation into any excludable conduct with respect to substantially the same conduct that gave rise to the charges.
 - (3) An excluded person who is subject to an interim exclusion order and who is no longer charged with any prescribed offence giving rise to the exclusion order may notify the Ethics Commissioner in writing of the change in circumstances.
 - (4) Upon receipt of a notification under subsection (3), the Ethics Commissioner will give public notice that an interim exclusion order may be subject to cancellation.
 - (5) A notice under subsection (4) must include
 - (a) the name of the excluded person,
 - (b) the details of the prescribed offence and excludable conduct,
 - (c) the date and manner by which interested parties may provide submissions to the Ethics Commissioner.
 - (6) The Ethics Commissioner will give the excluded person an opportunity to respond to any matters under consideration by the Ethics Commissioner in determining whether to commence or continue an investigation.
 - (7) In determining whether it is in the best interests of the Huu-ay-aht to commence or continue an investigation under this section, the Ethics Commissioner will consider:
 - (a) the seriousness of the excludable conduct under investigation,
 - (b) the time elapsed since the excludable conduct is alleged to have taken place,
 - (c) any submissions of the excluded person and other interested parties,
 - (d) in an investigation that has been delayed, the nature and strength of any evidence received to date.
 - (8) If the Ethics Commissioner decides not to commence or continue an investigation under this section, they must do all of the following
 - (a) immediately give written notice to the Executive Director and the subject of the investigation,
 - (b) prepare written reasons for the decision,

- (c) provide a copy of the written reasons to the Law Clerk.
- (9) The Law Clerk must place any written reasons prepared under this section in the registry.

Investigation report

- 5.6** (1) At the conclusion of an investigation, the Ethics Commissioner will prepare a final investigation report that includes all of the following
- (a) a summary of allegations of excludable conduct engaged in by the subject of the investigation;
 - (b) the Ethics Commissioner's findings as to whether, on a balance of probabilities, the subject of the investigation engaged in any excludable conduct;
 - (c) the evidentiary basis for the Ethics Commissioner's findings;
 - (d) copies of any documents relied on by the Ethics Commissioner in reaching their conclusion;
 - (e) details in respect of the receipt of evidence from any vulnerable witness, including the reasons for the decision to classify them as such, any protective measures adopted, the scope of any information withheld, and why less protective measures were not sufficient.
- (2) Despite subsection (1) (d), the Ethics Commissioner may direct that confidentiality be maintained over any documents or portions of documents that the Ethics Commissioner has directed should be withheld or redacted under section 5.3 (3).
- (3) A final investigation report may include such findings as in the view of the Ethics Commissioner are or may be relevant in determining whether the subject of the investigation poses an unreasonable risk to community safety.
- (4) Where an investigation has been partially completed in accordance with section 5.2 (6), upon completion of as much of the investigation as the Ethics Commissioner considers practicable they will prepare an interim report.
- (5) Where an investigation discloses an immediate and compelling risk to public safety, the Ethics Commissioner may prepare an interim report.
- (6) An interim report must include all of the following:
- (a) a summary of allegations of excludable conduct engaged in by the subject of the investigation;
 - (b) a summary of the Ethics Commissioner's preliminary findings as to whether, on a balance of probabilities, the subject of the investigation engaged in any excludable conduct;
 - (c) the evidentiary basis for the Ethics Commissioner's findings;

- (d) copies of any documents relied on by the Ethics Commissioner in reaching their conclusion;
 - (e) details in respect of the receipt of evidence from any vulnerable witness, including the reasons for the decision to classify them as such, any protective measures adopted, the scope of any information withheld, and why less protective measures were not sufficient.
- (7) Despite subsection (6) (d), the Ethics Commissioner may direct that confidentiality be maintained over any documents or portions of documents that the Ethics Commissioner has directed should be withheld or redacted under section 5.3 (3).
 - (8) An interim report may include such additional findings as in the view of the Ethics Commissioner are or may be relevant in determining whether the subject of the investigation poses an unreasonable risk to community safety.
 - (9) If the Ethics Commissioner has not issued a report within three (3) months of commencing an investigation or reporting to Executive Council under this subsection, they must report to Executive Council with respect to the circumstances of the investigation and why a report has not been prepared.
 - (10) Upon completion of any report under this section, the Ethics Commissioner must provide a copy of the report to the ʻāwāhih Council, the subject of the investigation, the Executive Director, and the Law Clerk.
 - (11) The Law Clerk must store copies of all reports received from the Ethics Commissioner under this section in the registry.

Annual Report

- 5.7**
- (1) Each year the Ethics Commissioner will provide a report to the People's Assembly in respect of community safety.
 - (2) The report under subsection (1) will include all of the following:
 - (a) a summary of the Ethics Commissioner's decisions with respect to whether to pursue potential investigations during the previous year;
 - (b) a summary of the investigations conducted and interim and final reports prepared by the Ethics Commissioner during the previous year;
 - (c) a summary of interim and final exclusion orders issued in the previous year, including whether the excluded individuals are Huu-ay-aht citizens and the basis for the orders;
 - (d) a summary of the orders of the ʻāwāhih Council with respect to exclusion orders made during the previous year;
 - (e) any recommendations on support services or other measures to support the safety and well-being of the Huu-ay-aht

community, including services for victims and others impacted by excludable offences and conduct;

- (f) any recommendations on services and measures to promote the rehabilitation and reintegration of excluded individuals into the Huu-ay-aht community.

Exclusion order

- 6
- (1) An exclusion order must do all of the following
 - (a) name the person to whom the order applies,
 - (b) set out the excludable offence or excludable conduct giving rise to the order,
 - (c) indicate the date on which the order becomes effective,
 - (d) indicate how the recipient may seek to correct or update any information with respect to the charge or conviction that is the subject of the order, if applicable,
 - (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,
 - (f) make clear that the excluded person is not permitted on Treaty Lands or to attend any event organized or hosted by the Huu-ay-aht government regardless of location, unless the excluded person is granted a temporary exemption or the order is varied or rescinded.
 - (2) Unless otherwise ordered by the ḥawiiḥ Council, an exclusion order becomes effective 21 days after it is issued.
 - (3) Despite subsection (2), where a final exclusion order is issued to a person that is the subject of an interim exclusion order in respect of the same conduct giving rise to the interim order, the final exclusion order will replace the interim order and will become effective immediately, unless otherwise ordered by the ḥawiiḥ Council.
 - (4) Unless rescinded or varied, an exclusion order expires on the later of five (5) years from the date of conviction for the offence giving rise to the order or the finding of the Ethics Commissioner with respect to excludable conduct, as the case may be, 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 cause the excluded person to be served 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, a

record suspension, or acquittal following appeal in respect of the prescribed offence giving rise to an exclusion order, the Executive Director will, in writing, immediately rescind the exclusion order.

- (2) If the Ethics Commissioner gives notice under section 5.5 (8) (a), the Executive Director will, in writing, immediately rescind the exclusion order.
- (3) If the Executive Director is provided with a report under section 5.6 (10) that concludes that an excluded person did not engage in any excludable conduct, the Executive Director will, in writing, immediately rescind the exclusion order.
- (4) Upon rescission of an exclusion order, the Law Clerk must, as soon as practicable, make best efforts to serve the excluded person with notice of the rescinded order.
- (5) Upon rescission 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 places and events from which they are excluded 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.

- (d) *by repealing section 9,*
- (e) *in section 10 (2) by replacing “more than once every 12 months” with “within 12 months of a decision of the hāwīih Council in respect of an application under subsection (1).”,*
- (f) *in section 11 (a) by replacing “conviction” with “issuance of the order”,*
- (g) *in section 11 (i) by deleting “beyond the commission of the excludable offence giving rise to the exclusion order”,*
- (h) *in section 14 (1) by replacing “an application” with “respect of a matter before it”,*
- (i) *in section 14 (2) (d) by adding “of the excluded person” immediately following “to the exclusion”,*

- (j) *in section 16 (1) (d) by adding “or participating in other political activities” immediately following “Huu-ay-aht election”,*
- (k) *by repealing section 24 and replacing it with the following*

Prescribed offences and conduct

- 24 (1) 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.
- (2) Within 3 months of the coming into force of the *Community Safety Act Amendment Act, 2026*, Executive Council must enact a regulation setting out the activities that, if engaged in by a member of the Huu-ay-aht community will give rise to an exclusion order under this Act.

- (l) *by repealing section 25 and replacing it with:*

Mitigation and restorative justice regulation

- 25 (1) Within six (6) months of the coming into force of the *Community Safety Act Amendment Act, 2026*, Executive Council must, by regulation, adopt a policy with the purpose of mitigating the negative impacts of exclusion orders on the Huu-ay-aht community and promoting public safety and the reintegration of citizens into the Huu-ay-aht community through restorative justice and other measures.
- (2) Before a regulation is enacted under subsection (1), Executive Council must consider any input of the Law and Policy Development Committee, Citizen Development Committee, hāwiih Council, Child and Family Wellness Department, Community Services Department, Nananiiqsu and citizens.
- (3) A regulation under subsection (1) must address all of the following:
- (a) the provision of support to families impacted by exclusion orders,
 - (b) the development and implementation of mitigation plans,
 - (c) the development and implementation of restorative programs.
- (m) *in section 27 (2) (b) by replacing “an exclusion order” with “a mitigation and restorative justice”,*
 - (n) *by adding the following section immediately following section 27*

Registry

- 27.1 All documents required to be stored in the registry under this Act are to be made available for public inspection on the same terms as the documents referred to in the *Government Act*, section 106 (3), subject to the Ethics Commissioner’s authority direct that confidentiality be maintained over certain evidence related to vulnerable witnesses.

- (o) *in section 28 by replacing “2023” with “2028”.*

Consequential amendments

- 2 *The Government Act is amended by adding the following immediately following section 75*

PART 7.1 – ETHICS COMMISSIONER

Ethics Commissioner appointment

- 75.1 (1) Executive Council must, after seeking the advice of the hāwiih Council, appoint a qualified individual as Ethics Commissioner within thirty (30) days of the coming into force of the *Community Safety Act Amendment Act, 2026*.
- (2) Subject to this Act, Executive Council must, after seeking the advice of the hāwiih Council, specify an application process and the terms of reference for the Ethics Commissioner, including remuneration and expenses.
- (3) If the role of Ethics Commissioner becomes vacant, Executive Council must, as soon as practicable, make another appointment to the role.
- (4) The appointment of an Ethics Commissioner is effective once the individual
- (a) accepts the appointment in writing and delivers the written acceptance to Executive Council, and
 - (b) takes the Oath of Office of the Ethics Commissioner the hāwiih Councillor.
- (5) Section 5 of the *Code of Conduct and Conflict of Interest Act* does not apply to the Ethics Commissioner.

Ethics Commissioner qualifications

- 75.2 In addition to being qualified to be a public officer under Hui-ay-aht law, the Ethics Commissioner must
- (a) have at least 10 years of experience as a practising lawyer or judge,
 - (b) have demonstrated competence in conducting investigations or inquiries of a quasi-judicial or administrative nature,
 - (c) be knowledgeable in the principles of procedural fairness, evidence, and natural justice,
 - (d) have a demonstrable ability to provide clear and precise reasons for decisions, and
 - (e) demonstrate an understanding of Indigenous governance, cultural safety, and a trauma-informed approach to conducting investigations.

Ethics Commissioner role and duties

- 75.3 (1) The role of the Ethics Commissioner is to conduct investigations, make determinations, and perform other functions assigned under Hui-ay-aht law.

- (2) The Ethics Commissioner must faithfully, honestly, and impartially perform their duties to the best of their judgment, skill, and abilities, and must not, except in the proper performance of those duties, disclose to any person any information obtained in the course of their duties.

Remedy

- 75.4** Cause for terminating an Ethics Commissioner includes, but is not limited to, contravention of section 75.3 (2) of this Act and sections 12, 13, 21, 22 (1), and 22 (2) of the *Code of Conduct and Conflict of Interest Act*.

Term of office

- 75.5** (1) The term of office of the Ethics Commissioner is five (5) years.
(2) An Ethics Commissioner may be reappointed without limit.

Termination

- 75.6** Executive Council may, after seeking the advice of the hāwiih Council, terminate the appointment of the Ethics Commissioner for cause or incapacity.

Commencement

- 3** This Act comes into force on the date of its enactment by the Legislature.

Consolidation

- 4** The Law Clerk is directed to consolidate the *Community Safety Act* and the *Government Act* 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 *Community Safety Act Amendment Act, 2026*

Whereas:

- a) Executive Council considered the proposed *Community Safety Act Amendment Act, 2026* and approved it for introduction to the Legislature.

Be it resolved that the Legislature:

- 1) Hereby gives the proposed *Community Safety Act Amendment Act, 2026* first reading;
- 2) Will proceed with discussion of the proposed *Community Safety Act Amendment Act, 2026* in accordance with the *Government Act* section 93(1)(c); and
- 3) Will give the proposed *Community Safety Act Amendment Act, 2026* second reading at the sitting of the Legislature scheduled for March 30, 2026.

Appendices attached to Motion:

Written report prepared by Coraleah Bauer, Law Clerk.

The following documents:

- The proposed *Community Safety Act Amendment Act, 2026.*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 17, 2026

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 Amendment Act, 2026*

Whereas:

- a) The Legislature gave the *Community Safety Act Amendment Act, 2026* first reading at its sitting on March 17, 2026.

Be it resolved that the Legislature:

- 1) Hereby gives the *Community Safety Act Amendment Act, 2026* second reading; and
- 2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on the *Community Safety Act Amendment Act, 2026* at a meeting of the Legislature to be convened today, March 30, 2026.

Appendices attached to Motion:

Written report prepared by Coraleah Bauer, Law Clerk.

The following documents:

- The draft *Community Safety Act Amendment Act, 2026*.

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2026

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 Amendment Act, 2026*

Whereas:

- 1) The Legislature gave the *Community Safety Act Amendment Act, 2026* second reading at its sitting earlier today, March 30, 2026.

Be it resolved that:

- 2) The Legislature hereby, in accordance with *Government Act* s. 93(1)(g), adopts the *Community Safety Act Amendment Act, 2026*;
- 3) The Legislature hereby, in accordance with the *Government Act*, s. 93(6), designates Councillor Thlut' as aksup (Theresa Nookemus) to certify that the *Community Safety Act Amendment Act, 2026* is enacted in the place of the tayii ḥawit;
- 4) 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 Amendment Act, 2026* has passed third reading by signing it today, March 30, 2026 (s. 93(1)(h));
 - b. Thlut' as aksup (Theresa Nookemus) will certify that the *Community Safety Act Amendment Act, 2026* is enacted as Huu-ay-aht law by signing it today, March 30, 2026 (s. 93(1)(i)); and
 - c. The Law Clerk will:
 - i. Sign the *Community Safety Act Amendment Act, 2026* into force today, March 30, 2026 (s. 95(5));
 - ii. Place the signed *Community Safety Act Amendment Act, 2026* and a certified true copy in the registry no later than April 7, 2026 (s. 95(6)(a));
 - iii. Publish the *Community Safety Act Amendment Act, 2026* no later than April 9, 2026 (s. 95(6)(b)); and
 - iv. Prepare and publish a consolidation, no later than April 9, 2026, of the *Community Safety Act* and *the Government Act*.

Appendices attached to Motion:

Written report prepared by the Law Clerk.

The following documents:

- The draft *Community Safety Act Amendment Act, 2026*.



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ANCIENT SPIRIT, MODERN MIND

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

Introduced by:	Date: March 30, 2026
MEMBER OF LEGISLATURE	DATE OF MEETING



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ANCIENT SPIRIT, MODERN MIND

**HUU-AY-AHT GENERAL
LEGISLATION
AMENDMENT ACT, 2026**



REGISTRY OF LAWS CERTIFICATION

I certify that the *Huu-ay-aht General Legislation Amendment Act, 2026* was passed by Executive Council on:

Chief Councillor John Jack

I certify that the *Huu-ay-aht General Legislation Amendment Act, 2026* is enacted as law on:

taayii ḥawil

I certify that the *Huu-ay-aht General Legislation Amendment Act, 2026* came into force on:

Law Clerk Coraleah Bauer

Huu-ay-aht General Legislation Amendment Act, 2026

Contents

- 1 *Financial Administration Act* Amendments
- 2 *Code of Conduct and Conflict of Interest Act* Amendments
- 3 Amendments to taayii ḥawiiḥ role
- 4 Amendments to update orthography
- 5 Commencement
- 6 Consolidation

The Legislature enacts as follows:

Financial Administration Act amendments

- 1 ***Section 14 of the Financial Administration Act is repealed.***

Code of Conduct and Conflict of Interest Act amendments

- 2 ***The Schedule to the Code of Conduct and Conflict of Interest Act is amended by striking out the words “A Commissioner for Oaths in and for the Province of British Columbia” and replacing them with the words “A person capable of taking solemn declarations under Huu-ay-aht Law”.***

Amendments to taayii ḥawiiḥ role

- 3 (1) ***The Citizenship and Treaty Enrolment Act is amended:***
 - (a) ***in section 6,***
 - (i) ***by striking out the words “Tay’ii Hawilth” and replacing them with the words “ḥawiiḥ Council”;***
 - (ii) ***by repealing subsection (4);***
 - (iii) ***by renumbering subsection (5) to make it subsection (4);***
 - (b) ***in section 15, by striking out the words “Ta’yii Hawilth” and replacing them with the words “ḥawiiḥ Council, Executive Council, and Executive Director”;***
 - (c) ***in section 18 (1) by striking out the words “may appeal the decision to the Ha’wiiḥ Council in the customary manner” and replacing them with the words “may ask the ḥawiiḥ Council to reconsider”; and***
 - (d) ***in section 23, by striking out the words “the Tayii Hawilth” and replacing them with the words “a person authorized by the ḥawiiḥ Council”.***
- (2) ***The Code of Conduct and Conflict of Interest Act is amended:***
 - (a) ***in section 6 (3), by striking out the words “Tayii Hawilth” and replacing them with the words “ḥawiiḥ Councillor”;***

- (b) *in section 6 (5), by striking out the words “Tayii Hawilth” and replacing them with the words “individual designated as responsible for chairing the meeting by the ḥawiiḥ Council”; and*
 - (c) *in section 9 (2), by striking out the words “Tayii Hawilth” and replacing them with the words “ḥawiiḥ Councillor”.*
- (3) *The Government Act is amended:*
- (a) *in sections 39, 93, 100, and the Schedule by striking out the words “Tayii Hawilth” each time they occur and replacing them with the words “ḥawiiḥ Councillor”; and*
 - (b) *in section 104 by striking out the words “Tayii Hawilth and”.*

Amendments to update orthography

- 4 (1) *The following Acts are amended by striking out the word “Ha’wiiḥ” each time it occurs and replacing it with the word “ḥawiiḥ” in:*
- (a) *the Citizenship and Treaty Enrolment Act, sections 6, 6.1, 8, 18, 24, 25, 27, 27.1, 28, and 34;*
 - (b) *the Code of Conduct and Conflict of Interest Act, sections 6 and 9;*
 - (c) *the Community Planning and Development Act, sections 9 and 18;*
 - (d) *the Constitution Act, Preamble, sections 2.1, 2.6, 2.13, 2.14, 2.15, 2.16, 2.23, 2.30, 4.2, 5.1, 7.3 and 9.4;*
 - (e) *the Economic Development Act, sections 1, 9 and 21;*
 - (f) *the Election Act, sections 8, 12 and 13;*
 - (g) *the Financial Administration Act, sections 5, 15 and 70;*
 - (h) *the Government Act, sections 2, 3, 4, 15, 20, 22, 24, 26, 34, 39, 41, 47, 50, 62, 74, 75, 79, 82, 85, 90, 93, 97, 100, and 104;*
 - (i) *the Schedules 1 and 2 to the Interpretation Act;*
 - (j) *the Land Act, section 25;*
 - (k) *the Referendum and Recall Act, sections 9, 10, 32 and 40;*
 - (l) *the Resource Harvesting Act, section 37;*
 - (m) *the Tribunal Act, sections 3, 11, 16 and 33; and*
 - (n) *the Yaaʔakap Child and Family Wellness Act, section 26.*
- (2) *The following Acts are amended by striking out the word “ii-saak” each time it occurs and replacing it with the word “ʔiisaak” in:*
- (a) *the Citizenship and Treaty Enrolment Act, Schedule (c);*
 - (b) *the Code of Conduct and Conflict of Interest Act, section 9 and Schedule;*
 - (c) *the Constitution Act, section 1.5;*
 - (d) *the Schedule to the Government Act; and*

- (e) *the Resource Harvesting Act, section 6.*
- (3) *The following Acts are amended by striking out the word “uu-a-thluck” each time it occurs and replacing it with the word “ʔuʔaakuk” in:*
- (a) *the Schedule to the Code of Conduct and Conflict of Interest Act; and*
- (b) *the Schedule to the Government Act.*
- (4) *The following Acts are amended by striking out the word “hish-uk-tsawak” each time it occurs and replacing it with the words “hisukma cawaak” in:*
- (a) *the Schedule to the Code of Conduct and Conflict of Interest Act;*
- (b) *the Schedule to the Government Act; and*
- (c) *the Resource Harvesting Act, sections 6 and 7.*
- (5) *The following Acts are amended by striking out the word “Ta’yii Hawilth” each time they occur and replacing them with the words “taayii hawil” in:*
- (a) *the Schedule to the Government Agreements Authorizations Act;*
- (b) *the Interpretation Act, sections 17 and 27; and*
- (c) *the Land Act, section 61.*

Commencement

- 5 The Act comes into force on the date of its enactment by the Legislature.

Consolidation

- 6 The Law Clerk is directed to consolidate the *Citizenship and Treaty Enrolment Act, Code of Conduct and Conflict of Interest Act, Community Planning and Development Act, Constitution Act, Economic Development Act, Election Act, Financial Administration Act, Government Act, Government Agreements Authorizations Act, Interpretation Act, Land Act, Referendum and Recall Act, Resource Harvesting Act, Tribunal Act, and Yaaʔakap Child and Family Wellness Act*, 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 *Huu-ay-aht General Legislation Amendment Act, 2026*

Whereas:

- a) Executive Council considered the proposed *Huu-ay-aht General Legislation Amendment Act, 2026* and approved it for introduction to the Legislature.

Be it resolved that the Legislature:

- 1) Hereby gives the proposed *Huu-ay-aht General Legislation Amendment Act, 2026* first reading;
- 2) Will proceed with discussion of the proposed *Huu-ay-aht General Legislation Amendment Act, 2026* in accordance with the *Government Act* section 93(1)(c); and
- 3) Will give the proposed *Huu-ay-aht General Legislation Amendment Act, 2026* second reading at the sitting of the Legislature scheduled for March 29, 2018.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The proposed *Huu-ay-aht General Legislation Amendment Act, 2026.*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 17, 2026

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 Second Reading of the *Huu-ay-aht General Legislation Amendment Act, 2026*

Whereas:

- a) The Legislature gave the *Huu-ay-aht General Legislation Amendment Act, 2026* first reading at its sitting on March 17, 2026.

Be it resolved that the Legislature:

- 1) Hereby gives the *Huu-ay-aht General Legislation Amendment Act, 2026* second reading; and
- 2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on the *Huu-ay-aht General Legislation Amendment Act, 2026* at a meeting of the Legislature to be convened today, March 30, 2026.

Appendices attached to Motion:

Written report prepared by the Law Clerk.

The following documents:

- The draft *Huu-ay-aht General Legislation Amendment Act, 2026.*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2026

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 *Community Safety Act Amendment Act, 2026*

Whereas:

- 1) The Legislature gave the *Community Safety Act Amendment Act, 2026* second reading at its sitting earlier today, March 30, 2026.

Be it resolved that:

- 2) The Legislature hereby, in accordance with *Government Act* s. 93(1)(g), adopts the *Community Safety Act Amendment Act, 2026*;
- 3) The Legislature hereby, in accordance with the *Government Act*, s. 93(6), designates Councillor Thlut' as aksup (Theresa Nookemus) to certify that the *Community Safety Act Amendment Act, 2026* is enacted in the place of the tayii ḥawit;
- 4) 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 Amendment Act, 2026* has passed third reading by signing it today, March 30, 2026 (s. 93(1)(h));
 - b. Thlut' as aksup (Theresa Nookemus) will certify that the *Community Safety Act Amendment Act, 2026* is enacted as Huu-ay-aht law by signing it today, March 30, 2026 (s. 93(1)(i)); and
 - c. The Law Clerk will:
 - i. Sign the *Community Safety Act Amendment Act, 2026* into force today, March 30, 2026 (s. 95(5));
 - ii. Place the signed *Community Safety Act Amendment Act, 2026* and a certified true copy in the registry no later than April 7, 2026 (s. 95(6)(a));
 - iii. Publish the *Community Safety Act Amendment Act, 2026* no later than April 9, 2026 (s. 95(6)(b)); and
 - iv. Prepare and publish a consolidation, no later than April 9, 2026, of the *Community Safety Act* and *the Government Act*.

Appendices attached to Motion:

Written report prepared by the Law Clerk.

The following documents:

- The draft *Community Safety Act Amendment Act, 2026*.



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ANCIENT SPIRIT, MODERN MIND

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

Introduced by:	Date: March 30, 2026
MEMBER OF LEGISLATURE	DATE OF MEETING