huu ay aht

ANCIENT SPIRIT, MODERN MIND

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

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

REGISTRY OF LAWS CERTIFICATION

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

March 30,2023

Chief Councillor, Robert Dennis

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

March 30,2023

Ta'yii Hawilth, Derek Peters

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

November 30,2023

Law Clerk, Coraleah Bauer

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

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The Legislature enacts as follows:

Amendments

1 The *Code of Conduct and Conflict of Interest Act*, HFNA 4/2011 is amended as follows:

(a) ***in section 6 (6), by replacing "***are disqualified***" with "***may be disqualified***".***

(b) ***by repealing section 6 (7) and replacing it with:***

(7) A government member who is found at the conclusion of a disciplinary process in Part 4 to be, in the professional opinion of a medical practitioner, incapacitated and unable to perform their official duties, must be disqualified from holding his or her position.

(c) ***by repealing section 12 (4) and replacing it with:***

(4) A public officer who is found at the conclusion of a disciplinary process in Part 4 to have contravened this section must be disqualified from holding his or her position.

(d) ***by repealing section 13 (2) and replacing it with:***

(2) A public officer who is found at the conclusion of a disciplinary process in Part 4 to have knowingly contravened this section must be disqualified from holding his or her position.

(e) ***in section 15,***

(i) ***by adding the following immediately after the definition of "common law":***

"biological uncle or aunt" refers to a sibling of an individual's parent;

(ii) ***by repealing items (i) and (j) in the list in the definition of immediate family member and replacing them with the following:***

(i) biological uncle or aunt,

(j) biological nephew or niece, and

(k) any other relative who resides permanently in the public officer's household or with whom the public officer permanently resides;

(iii) ***by adding the following immediately after the definition of "indirect private interest":***

"nephew or niece" refers to the son or daughter of an individual's sibling.

(f) ***in section 20 (3), by replacing "***$50 in value***" with "***the prescribed amount***".***

(g) ***in section 20 (4), by replacing "***$500 in value***" with "***the prescribed amount***".***

(h) ***by repealing section 21 (2) and replacing it with:***

(2) A public officer who is found at the conclusion of a disciplinary process in Part 4 to have contravened subsection (1) must be disqualified from holding his or her position.

(i) ***by repealing section 22 (6) and replacing it with:***

(6) A public officer who is found at the conclusion of a disciplinary process in Part 4 to have contravened subsection (1) or (2) and who does not comply with subsection (3), must be disqualified from holding his or her position.

(j) ***in section 24 (1), by replacing "***,or may be, disqualified***" with "***subject to disqualification***".***

(k) ***in section 24 (2), by replacing "***under this section***" with "***in relation to a disqualification under section 6 (7), 12 (4), 13 (2), 21 (2) or 22 (6)***".***

(l) ***in section 29 (3), by replacing "***, is, or may be, disqualified***" with "***is subject to disqualification***".***

(m) ***in section 36, by repealing subsection (h) and replacing it with:***

(h) prescribing the threshold values of gifts or personal benefits for the purposes of sections 20 (3) and (4);

(i) for any other purpose for which regulations are contemplated by this Act.

Commencement

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

Consolidation

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