huu ay aht

ANCIENT SPIRIT, MODERN MIND

GOVERNMENT ACT

OFFICIAL CONSOLIDATION
Current to May 14, 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.

REGISTRY OF LAWS CERTIFICATION

I certify that the *Government Act* passed Third Reading in the Legislature on:

April 1, 2011

Chief Councillor Robert Dennis Sr.

Certified True Copy

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

April 1, 2011

Ta'yii Hawilth Derek Peters

I certify that the *Government Act* came into force on:

April 1, 2011

Law Clerk Connie Waddell

REGISTRY OF LAWS CERTIFICATION

Certified True Copy

I certify that the *Miscellaneous Statutes Amendment Act, 2013* passed Third Reading in the Legislature on:

Mar 28/2013

Chief Councillor Jeff Cook

I certify that the *Miscellaneous Statutes Amendment Act, 2013* is enacted as law on:

Mar 28/2013

Ta'yii Hawilth Derek Peters

I certify that the *Miscellaneous Statutes Amendment Act, 2013* came into force on:

Mar 28/2013

per **Law Clerk Connie Waddell**

REGISTRY OF LAWS CERTIFICATION

I certify that the *Government Act Amendment Act, 2014* passed Third Reading in the Legislature on:

March 31, 2014

Chief Councillor Jeffrey Cook

I certify that the *Government Act Amendment Act, 2014* is enacted as law on:

March 31, 2014

Ta'yii Hawilth Derek Peters

I certify that the *Government Act Amendment Act, 2014* came into force on:

December 18, 2014

Deputy Law Clerk Deborah Smith

REGISTRY OF LAWS CERTIFICATION

I certify that the *Government Act Amendment Act, 2016* was passed by Executive Council on:

MARCH 30, 2016

Chief Councillor, Robert Dennis

I certify that the *Government Act Amendment Act, 2016* is enacted as law on:

MARCH 30 2016

Ta'yii Hawilth, Derek Peters

I certify that the *Government Act Amendment Act, 2016* came into force on:

March 30, 2016

Deputy Law Clerk, Kim Chretien

REGISTRY OF LAWS CERTIFICATION

I certify that the *Government Act Amendment Act, 2019* was passed by Executive Council on:

March 22, 2019

Chief Councillor, Robert Dennis

I certify that the *Government Act Amendment Act, 2019* is enacted as law on:

March 22, 2019

Ta'yii Hawilth, Derek Peters

I certify that the *Government Act Amendment Act, 2019* came into force on:

November 28, 2019

Coraleah Bauer, Law Clerk

REGISTRY OF LAWS CERTIFICATION

I certify that the *Minor Revisions Regulation, 2019* was passed by Executive Council on:

April 30,2020

Chief Councillor, Robert Dennis

I certify that the *Minor Revisions Regulation, 2019* is enacted as law on:

Wishkii, Rob Dennis Jr.

I certify that the *Minor Revisions Regulation, 2019* came into force on:

April 30,2020

Law Clerk Coraleah Bauer

REGISTRY OF LAWS CERTIFICATION

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

March 31, 2026

Chief Councillor John Jack

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

March 31, 2026

On behalf of the Ta'yii Hawilth, Theresa Nookemus

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

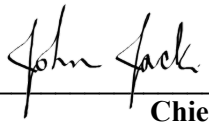
March 31, 2026

Acting Law Clerk Alexis Young

REGISTRY OF LAWS CERTIFICATION

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

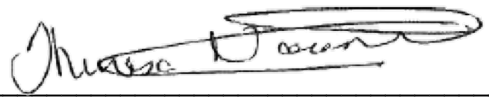
March 31, 2026



Chief Councillor John Jack

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

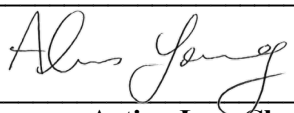
March 31, 2026



On behalf of the Ta'yii Hawilth, Theresa Nookemus

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

March 31, 2026



Acting Law Clerk Alexis Young

REGISTRY OF LAWS CERTIFICATION

I certify that the *General Legislation Correction and Amendment Regulation, 2026* was passed by Executive Council on:

May 14, 2026

Chief Councillor John Jack

I certify that the *General Legislation Correction and Amendment Regulation, 2026* is enacted as law on:

May 14, 2026

ḥawiiḥ Councillor Theresa Nookemus

I certify that the *General Legislation Correction and Amendment Regulation, 2026* came into force on:

May 14, 2026

Acting Law Clerk Alexis Young

GOVERNMENT ACT

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Note to Reader

The *Government Act* sets out the legal framework for the Huu-ay-aht government which includes the following branches: the Legislature, Executive Council, the ḥaw̓iiḥ Council, and the People's Assembly.

Huu-ay-aht Council, which consists of the Chief Councillor, 5 elected Councillors, and one Councillor appointed by the ḥaw̓iiḥ Council, is

(a) *the Legislature*, when it follows the process for the Legislature, and

(b) *Executive Council*, when it follows the process for Executive Council.

The Legislature, presided over by the Speaker, meets on Huu-ay-aht lands at least once a year. Huu-ay-aht citizens are given notice of the Legislature's agenda before the Legislature passes laws, creates Huu-ay-aht public bodies, or makes other decisions. Sessions of the Legislature are open to the public.

Executive Council meets at least once a month to conduct the business of government. The Chief Councillor is chair and is responsible for assigning portfolios to Councillors. Councillors with portfolios chair committees in their areas of responsibility and report to Executive Council. The committees provide advice and recommendations to Executive Council. Huu-ay-aht citizens receive notice of Executive Council's agenda and the meetings are open to the public unless there are in camera matters.

Substantive matters for decision by either the Legislature or Executive Council require supporting staff or committee reports that consider options, financial implications and other background information for decision-making.

Under Huu-ay-aht customary law, the ḥaw̓iiḥ Council appoints a Councillor to the Huu-ay-aht Council, provides advice to the Huu-ay-aht Legislature and Executive Council, and performs other responsibilities required by law.

The People's Assembly meets at least once a year with the Speaker presiding. A quorum is at least 20% of Huu-ay-aht's eligible voters. The People's Assembly receives reports and financial information and is responsible for holding the government to account. The People's Assembly also approves amendments to specified Huu-ay-aht Acts.

This Act also establishes the office of the Law Clerk to assist the Huu-ay-aht government with its functions and to keep specified records secure in the Registry of Laws and Official Records established under this Act.

The Legislature enacts as follows:

PART 1 - PURPOSE AND DEFINITIONS

Purpose

1 The purpose of this Act is to provide the Huu-ay-aht government with

(a) the legal framework necessary to establish an open, accountable, transparent and effective government, and

(b) the authority and discretion to make decisions in the best interests of present and future generations of Huu-ay-aht citizens.

Definitions

2 In this Act:

"benefit plans" means plans respecting health, sickness, disability, pension and other benefit plans, schemes or arrangements;

"Chief Councillor" means the Chief Councillor under section 12;

"Chief Councillor-elect" means the person declared elected as the Chief Councillor in a general election or a by-election under the *Election Act*, before that person assumes office;

"committee" means a committee established by Executive Council;

"Consult" has the same meaning as "Consult" as defined in the Treaty;

"Councillor" means an elected Councillor or a ḥaw̓iiḥ Councillor unless the context requires otherwise;

HFNA 3/2026, s. 4 (1)(h).

"Council member" means any member of the Huu-ay-aht Council;

"eligible voter" means eligible voter as defined in the *Election Act*;

"Executive Council" means Executive Council established under section 6;

"Executive Director" means the Executive Director appointed under section 86 of the *Financial Administration Act*;

"government" means the Huu-ay-aht government set out in section 3 and includes its committees;

"government employee" means a Huu-ay-aht employee

(a) employed by government, and

(b) other prescribed Huu-ay-aht employees;

"government member" means an individual who holds an elected, appointed, or hereditary position on Executive Council, the Huu-ay-aht Council, the Legislature, the ḥaw̓iiḥ Council or the People's Assembly, or any of their committees, or is within a prescribed class of individuals deemed to be government members;

HFNA 3/2026, s. 4 (1)(h).

"ḥaw̓iiḥ Councillor" means the Councillor appointed by the ḥaw̓iiḥ Council under section 75;

HFNA 3/2026, s. 4 (1)(h).

"Huu-ay-aht Council" means the Huu-ay-aht Council established under section 4;

"Huu-ay-aht employee" means an individual employed by a Huu-ay-aht body and who is not exempt by regulation;

"Huu-ay-aht Lands" means Huu-ay-aht Lands as defined in the *Land Act*;

"Huu-ay-aht law" includes Huu-ay-aht Acts, regulations, orders, written policies, customary laws, and common law in relation to those Huu-ay-aht Acts, regulations, orders, written policies and customary laws;

"Huu-ay-aht legislation" means Huu-ay-aht Acts and the regulations made under them;

"Law Clerk" means the individual appointed or designated under section 102;

HFNA 2/2016, s. 1(a).

"Legislature" means the Legislature established under section 5;

"Non-Member" means "Non-Member" as defined in Chapter 29 *[Definitions]* of the Treaty;

"oath of office" means the Huu-ay-aht oath as set out in the *Code of Conduct and Conflict of Interest Act*;

"oath of office of the Speaker" means the oath as set out in the Schedule;

"People's Assembly" means a general assembly of Huu-ay-aht citizens under Part 8;

"portfolio" means an executive portfolio or portfolio assigned to a Councillor, under section 18 (1);

"public notice" means public notice in section 36 of the *Interpretation Act*;

"record" includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing in or on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include

(a) a computer program or any other mechanism that produces records, and

(b) a transitory record;

"recorded vote" means a vote where a record is made of how each individual voted on a motion;

"registry" means the Registry of Laws and Official Records established under section 106;

"report" means a record, including a briefing note, prepared by a public officer, that identifies an issue, provides background, proposes and analyzes options, identifies financial implications, and makes recommendations;

"Speaker" means the Speaker appointed under section 39;

"substantive matter" means any matter to be considered at a meeting or session of government that is not procedural in nature;

HFNA 3/2019, s. 1(a).

"tribunal" means the Huu-ay-aht Tribunal.

PART 2 - GOVERNMENT ORGANIZATION

Government composition

3 The Huu-ay-aht government consists of

(a) the Legislature,

(b) Executive Council,

(c) the ḥaw̓iiḥ Council, and

(d) the People's Assembly.

HFNA 3/2026, s. 4 (1)(h).

Huu-ay-aht Council

4 (1) The Huu-ay-aht Council is established, consisting of

(a) a Chief Councillor, and

(b) six Councillors.

(2) The Chief Councillor and 5 Councillors under subsection 1 (b) must be selected for office in accordance with the *Election Act.*

(3) One Councillor under subsection (1) (b) must be appointed by the ḥaw̓iiḥ Council under section 75.

HFNA 3/2026, s. 4 (1)(h).

Legislature established

5 The Huu-ay-aht Council is the Legislature when it acts in accordance with Part 4.

Executive Council established

6 The Huu-ay-aht Council is Executive Council when it acts in accordance with Part 5.

Huu-ay-aht Council a continuing body

7 Despite a change in the membership of the Huu-ay-aht Council, it is a continuing body and may complete any proceedings in its roles as the Legislature or Executive Council that were started but not completed before the change.

Inherent powers

8 Subject to Huu-ay-aht law, the Huu-ay-aht Council has the inherent powers necessary to do anything conducive or incidental to the exercise of the Huu-ay-aht's right to self-government.

Broad interpretation

9 The powers conferred on government under Huu-ay-aht legislation and the Treaty must be interpreted broadly in accordance with the purposes of the Huu-ay-aht legislation and the Treaty.

Best governance practices

10 (1) Government and government members must respectfully and in good faith make best efforts to ensure that their decisions and actions are made in the best interests of present and future generations of Huu-ay-aht citizens.

(2) Decisions and actions by government and government members under subsection (1) must take into consideration all of the following:

(a) Huu-ay-aht priorities;

(b) the best available information;

(c) differing perspectives on the matter being decided;

(d) workable options;

(e) the financial implications or other impacts on other government programs and priorities;

(f) the merits of each course of action;

(g) performance measures and timelines for completion;

(h) other prescribed considerations.

Duty to Non-Members

11 In accordance with Part 13.6 of the Treaty, government must Consult with Non-Members on government decisions that will directly and significantly affect those Non-Members.

PART 3 - HUU-AY-AHT COUNCIL OFFICES

Division 1 - Chief Councillor

Role of Chief Councillor

12 The Chief Councillor is

(a) the chief executive of government,

(b) a member of the Legislature, and

(c) a member and chair of Executive Council.

Responsibilities of Chief Councillor

13 (1) The Chief Councillor has the authority and responsibility for all of the following in addition to powers, duties and functions established by other Huu-ay-aht legislation:

(a) representing government in relations with other governments;

(b) representing government in relations with other indigenous organizations;

(c) ensuring Huu-ay-aht citizens are fully informed on Huu-ay-aht issues;

(d) developing and maintaining effective systems of communication with Huu-ay-aht citizens and other governments;

(e) protecting and enhancing Huu-ay-aht aboriginal and treaty rights;

(f) ensuring adherence to, and enforcement of,

(i) the Constitution,

(ii) Huu-ay-aht legislation, and

(iii) Huu-ay-aht policies;

(g) promoting and maintaining a sound Huu-ay-aht economy;

(h) promoting Huu-ay-aht values, culture, traditions, and language;

(i) ensuring proper management and administration of government;

(j) preparing for and participating in the Legislature, Executive Council, and People's Assembly;

(k) establishing the duties of a Councillor, including

(i) establishing or dissolving portfolios,

(ii) defining the duties associated with a portfolio, and

(iii) assigning portfolios to or removing portfolios from Councillors;

(l) acting as the public spokesperson for the Legislature, Executive Council, and People's Assembly;

(m) carrying out additional roles, responsibilities, powers, duties and functions set out in Huu-ay-aht legislation and policies.

(2) In exercising the authority, responsibilities, powers, duties and functions of the office of Chief Councillor, the Chief Councillor is bound by Huu-ay-aht legislation and the decisions of government.

HFNA 3/2019, s. 1(b).

Power to delegate

14 (1) Unless otherwise prohibited by Huu-ay-aht legislation, the Chief Councillor may delegate in writing, with or without conditions, any authority or power of the office of Chief Councillor, to a Councillor.

(2) The Chief Councillor must not delegate the power to delegate or the power to vote on a matter.

(3) The delegate under subsection (1) may be designated as acting Chief Councillor.

Acting Chief Councillor

15 (1) If there is

(a) a vacancy in the office of Chief Councillor, or

(b) the Chief Councillor is unwilling or unable to carry out his or her duties,

the remaining members of Executive Council must select, within 7 days, by resolution, an acting Chief Councillor from among themselves.

(2) If the remaining members of Executive Council do not select an acting Chief Councillor under subsection (1), the ḥaẇiiḥ Council must appoint one of its members, qualified under section 75 (2) to hold office, as the acting Chief Councillor.

(3) The acting Chief Councillor has all of the authorities, responsibilities, powers duties and functions of the Chief Councillor under section 13 until

(a) the Chief Councillor returns to office after a temporary absence, or

(b) the office of Chief Councillor is declared vacant by operation of law and another Chief Councillor is selected in accordance with the *Election Act*, and makes the oath of office under section 21 of this Act.

HFNA 3/2026, s. 4 (1)(h).

Division 2 - Councillors

Role of Councillor

16 A Councillor is

(a) a member of the Legislature, and

(b) a member of Executive Council.

Responsibilities of Councillor

17 (1) A Councillor has the following powers, duties and functions:

(a) to contribute to the development and evaluation of government policies and programs;

(b) to prepare for and participate in the Legislature, Executive Council, and People's Assembly;

(c) to prepare for and participate in meetings of committees and other Huu-ay-aht bodies and organizations to which the Councillor is appointed;

(d) to carry out other duties assigned by the Legislature or Executive Council;

(e) if assigned a portfolio, to carry out the duties related to that portfolio;

(f) to carry out other powers, duties and functions assigned to the Councillor under Huu-ay-aht legislation.

(2) In exercising the powers, duties and functions of the office of Councillor, a Councillor is bound by Huu-ay-aht legislation and the decisions of government.

HFNA 3/2019, s. 1(c).

Councillor with portfolio

18 (1) The Chief Councillor, in consultation with Executive Council, may assign a portfolio for a specified area of government responsibility to a Councillor.

(2) If a Councillor is assigned a portfolio, the Councillor

(a) leads policy discussions related to that portfolio at meetings of Executive Council,

(b) chairs related committees in the specified area of government responsibility, and

(c) carries out other duties associated with the portfolio.

(3) A Councillor with portfolio must report regularly to Executive Council concerning his or her specified area of government responsibility.

HFNA 3/2019, s. 1(d).

Councillor without portfolio

19 (1) Councillors who are not assigned a portfolio are Councillors without portfolio.

(2) Executive Council may assign a Councillor without portfolio to a committee.

HFNA 3/2019, s. 1(e)(i), (ii).

Vacancy

20 A vacancy in the office of

(a) elected Councillor must be filled in accordance with the *Election Act*, and

(b) ḥaẃiiḥ Councillor must be filled by the ḥaẃiiḥ Council appointing another ḥaẃiiḥ Councillor in accordance with section 75 (3).

HFNA 3/2026, s. 4 (1)(h).

Division 3 - General Terms of Office

Oath of office

21 (1) Each Council member must make the Huu-ay-aht oath under the *Code of Conduct and Conflict of Interest Act* before undertaking the duties of his or her office.

(2) Council members who do not make the oath of office within 30 days of being elected or appointed to office are deemed to have resigned and their office is declared vacant.

(3) The Chief Councillor-elect must call a meeting of individuals elected or appointed to Huu-ay-aht Council no later than 7 days after the results of a general election are finally decided so that Council members may make the oath of office.

(4) Executive Council may establish the process for administering the oath of office.

Tenure

22 (1) Subject to this Act, the *Code of Conduct and Conflict of Interest Act* and the *Election Act*, the term of office of a Council member is 4 years.

(2) Elected Council members

(a) begin their term of office when they lawfully make the oath of office, and

(b) end their term of office when

(i) their office is declared vacant by law, or

(ii) after an election, when either they or other individuals replacing them lawfully begin a new term of office and complete the oath of office.

(3) The ḥaw̓iiḥ Councillor

(a) begins his or her term of office when the ḥaw̓iiḥ Councillor lawfully makes the oath of office after appointment, and

(b) ends his or her term of office when

(i) the ḥaw̓iiḥ Councillor's office is declared vacant by law, or

(ii) after an election, when the ḥaẃiiḥ Councillor is reappointed or another individual is appointed replacing the ḥaẃiiḥ Councillor, and he or she completes the oath of office.

HFNA 3/2026, s. 4 (1)(h).

Remuneration

23 (1) A Council member must be provided with the following:

(a) an annual salary payable at the rate set by resolution of Executive Council;

(b) eligibility to participate in benefit plans specified by resolution of Executive Council.

(2) A Council member must be reimbursed for travel, accommodation and other expenses only if

(a) the expenses are incurred while performing the responsibilities of the Council member's office, and

(b) the claim is made in accordance with the travel expense regulation under the *Financial Administration Act*.

(3) The annual salary and eligible benefit plans under subsection (1) for the Chief Councillor may be different from the annual salary and eligible benefit plans for Councillors.

(4) As soon as practicable after Effective Date, Executive Council must

(a) consider an independent report on salaries and benefit plans for individuals in British Columbia with similar authority and responsibility to Council members, and

(b) by resolution set the annual salary and benefit plans for Council members.

(5) Before Executive Council considers a resolution to change the annual salary and benefit plans established under subsection (4), Executive Council must consider an updated independent report on salaries and benefit plans for individuals in British Columbia with powers, duties and functions similar to Council members.

(6) On April 1, 2012 and on each following April 1, Executive Council may make a cost of living adjustment to the annual salary payable to Council members under subsection (1) (a).

Resignation

24 (1) A Council member may resign by delivering written notice to the Law Clerk.

(2) The Council member may withdraw his or her resignation by delivering written notice of the withdrawal to the Law Clerk within 7 days of the notice delivered under subsection (1).

(3) The Law Clerk must immediately give public notice of a Council member's resignation or withdrawal of resignation.

(4) If the Council member's notice of resignation is not withdrawn within 7 days, the Law Clerk must declare the Council member's office vacant, notify Executive Council and the ḥaw̓iiḥ Council of the vacancy and give public notice of the vacancy.

HFNA 3/2026, s. 4 (1)(h).

Suspension or conditions

25 If a Council member is

(a) reprimanded,

(b) ordered to comply with terms or conditions,

(c) suspended from office, or

(d) given any other order, except disqualification,

by the tribunal under the *Code of Conduct and Conflict of Interest Act*, the Law Clerk must notify Executive Council and give public notice of the tribunal's order regarding the Council member.

Disqualification

26 If a Council member is disqualified from office under the *Code of Conduct and Conflict of Interest Act* or the *Election Act* the Law Clerk must

(a) declare the Council member's office vacant,

(b) notify Executive Council and the ḥaw̓iiḥ Council of the vacancy, and

(c) give public notice of the vacancy including any restrictions ordered by the tribunal on the former Council member holding a public office in the future.

HFNA 3/2026, s. 4 (1)(h).

PART 4 - THE LEGISLATURE

Division 1 - Framework

Huu-ay-aht Council acting as Legislature

27 Huu-ay-aht Council may only act as the Legislature when all of the following conditions are met:

(a) the Speaker is present as set out in section 28;

(b) at least 5 members of Huu-ay-aht Council are present;

(c) the meeting, called a session of the Legislature, takes place on Huu-ay-aht Lands;

(d) the session of the Legislature complies with the requirements of section 29;

(e) public notice of the session of the Legislature has been provided as set out in section 30.

Speaker required

28 The Speaker must be present

(a) to begin a session of the Legislature,

(b) to preside over the business of the Legislature, including any vote in the Legislature, and

(c) to end the session of the Legislature.

Sessions of the Legislature

29 (1) The Legislature must meet in regular session at least once in each calendar year.

(2) Executive Council is responsible for specifying the date the Legislature meets and the proposed agenda.

(3) Executive Council may call one additional regular session of the Legislature in each calendar year.

(4) In an emergency, or if Executive Council reasonably believes that a delay until the next regular session of the Legislature is not in the best interests of Huu-ay-aht citizens, Executive Council

(a) may call a special session of the Legislature, and

(b) must specify the date the session starts and the proposed agenda.

Notice of session

30 (1) At least 30 days before the first day of a session of the Legislature, the Law Clerk must give public notice of the session.

(2) Notice under subsection (1), must include the following:

(a) the dates, times, and location of the session;

(b) the proposed agenda;

(c) other information specified by resolution of Executive Council.

(3) The Law Clerk may reduce the notice period for a special session of the Legislature.

(4) The Law Clerk must make every reasonable effort to ensure at least 10 days' notice is provided under subsection (3).

(5) If the Law Clerk reduces the notice period under subsection (3), the Law Clerk must give public notice of the session as soon as practicable.

HFNA 3/2019, s. 1(f)(i) and (ii).

Public notice of proposed motions and Acts

30.1 (1) At least 14 days before the first day of a session of the Legislature, the Law Clerk must give public notice of the proposed motions and Acts to be considered by the Legislature.

(2) Notice under subsection (1), must include the following:

(a) any proposed Huu-ay-aht Act listed on the proposed agenda;

(b) proposed motions in respect of any substantive matter on the proposed agenda;

(c) other information specified by resolution of Executive Council.

(3) If the Law Clerk has reduced the notice period under section 30(3), notice under subsection (1) must be given as soon as practicable following public notice of the session under section 30(5).

HFNA 3/2019, s. 1(g).

Session changes

31 The Legislature may change the matters referred to in the notice under section 30(2), if the change

(a) is reasonably justified, and

(b) is passed by the Legislature.

HFNA 3/2019, s. 1(h).

Powers and duties of Legislature

32 The Legislature has the authority and is responsible for

(a) enacting, amending or repealing Huu-ay-aht Acts in accordance with Division 1 of Part 9,

(b) establishing and dissolving Huu-ay-aht public bodies,

(c) protecting and advancing Huu-ay-aht interests, and

(d) other duties assigned by Huu-ay-aht Acts.

HFNA 3/2019, s. 1(i).

Delegation

33 (1) Subject to subsection (2), the Legislature must not delegate its law-making authority to enact Huu-ay-aht Acts or establish Huu-ay-aht public bodies.

(2) The Legislature may delegate its law-making authority to the following:

(a) a Huu-ay-aht public body;

(b) a public institution established by one or more First Nation governments in British Columbia.

(3) The Legislature may delegate to Executive Council its powers to protect and advance Huu-ay-aht interests.

Division 2 - Proceedings of Legislature

Rules and procedures of Legislature

34 (1) The Legislature must conduct itself in a manner consistent with

(a) open, accountable, transparent and effective government,

(b) Huu-ay-aht law, and

(c) rules made under this section.

(2) If a question of order, practice, ceremony, or procedure of the Legislature arises that

(a) is not covered by this Act,

(b) is not provided for, or is inadequately provided for, in the regulations, or

(c) in the opinion of the Legislature results from special circumstances,

the Legislature may make a rule it considers appropriate.

(3) If a question of Huu-ay-aht cultural protocol of the Legislature arises that is not covered by this Act, the ḥaw̓iiḥ Council may make a rule in accordance with Huu-ay-aht customary law that the ḥaw̓iiḥ Council considers appropriate.

(4) Rules under subsections (2) and (3) must be

(a) consistent with open, accountable, transparent, and effective government, and

(b) written and published.

HFNA 3/2026, s. 4 (1)(h).

Motions and resolutions of Legislature

35 (1) Decisions by the Legislature in respect of substantive matters must be introduced in the form of written motions.

(2) Decisions by the Legislature in respect of procedural matters may be introduced in the form of written or verbal motions.

(3) Motions must be clear and unambiguous, specifying

(a) the decision to be made,

(b) any follow-up action to be taken, and

(c) the date for completion of any follow-up action.

(4) Records referred to in a written motion must be attached as appendices to the motion.

HFNA 3/2019, s. 1(j).

Voting

36 (1) Members of the Legislature must make every reasonable effort to conduct the business of the Legislature by consensus.

(2) If a motion is adopted by consensus, the Speaker must confirm that consensus for the record.

(3) A motion adopted by consensus is deemed to be a motion voted on by the Legislature and passed by unanimous vote.

(4) If consensus on a motion is not reached, a member of the Legislature may call for a recorded vote on the motion.

(5) Only those members of the Legislature present at a session of the Legislature when the vote is called may vote on the motion.

(6) Each member of the Legislature under subsection (5) has one vote on any motion.

(7) If a member of the Legislature does not abstain and does not indicate how he or she votes in a recorded vote, the member is deemed to have voted against the motion.

(8) If a motion is not adopted by consensus, the motion passes if it is supported by at least a simple majority of the members of the Legislature who vote on that motion.

(9) If a vote on any motion in the Legislature results in a tie, the motion fails.

(10) A motion passed by the Legislature is a resolution of the Legislature.

(11) Unless authorized by Huu-ay-aht legislation, the Legislature must not give direction or instructions to government employees or contractors, by name or position, other than the Executive Director, without the prior approval of the Executive Director.

Open and transparent Legislature

37 (1) Sessions of the Legislature are open to the public.

(2) Executive Council may provide for observation of, or participation in, sessions of the Legislature by electronic or other means.

(3) The Law Clerk must ensure that an accurate record of the proceedings of the Legislature is prepared, containing all of the following:

(a) the notice of the session;

(b) the proposed and approved agendas;

(c) a record of motions introduced, motions adopted by consensus, votes taken and resolutions passed, including copies of each written motion considered and records referred therein;

(d) written minutes or electronic records of the proceedings in the form specified by Executive Council;

(e) any additional documents or reports provided for the session;

(f) other records specified by Executive Council.

(4) For greater certainty, copies of each written motion included in the record of proceedings must attach as appendices all records referred to in the motion, except for in force Huu-ay-aht legislation.

(5) After a session of the Legislature has ended, the Law Clerk must, as soon as practicable, certify a true copy of the record of proceedings and place that copy in the registry.

(6) The Law Clerk must provide to the Executive Director a copy of the records prepared under subsections (3) (c) and (d) as soon as practicable.

(7) The Chief Councillor, or an individual designated in writing by the Chief Councillor, is the public spokesperson for the Legislature.

HFNA 3/2019, s. 1(k) and (l); HFNR 1/2020, s. 3.

Reports

38 (1) For any substantive matter to be considered by the Legislature, the committee responsible for the subject area, or the Executive Director, must prepare a written report.

(2) The Law Clerk must deliver the report under subsection (1) to the members of the Legislature at least 4 days before the substantive matter will be considered by the Legislature.

(3) Subject to subsection (4), the Legislature must not decide any substantive matter until it has received and considered the report.

(4) In an emergency, or in special circumstances where the Legislature reasonably believes that a delay in consideration of the matter is not in the best interests of the Huu-ay-aht, the Legislature may, by resolution, do one or more of the following:

(a) waive the requirement that the report be in writing;

(b) waive other report requirements under this section;

(c) waive or reduce the delivery requirement under subsection (2).

HFNA 2/2016, s. 2(b).

Division 3 - Speaker

HFNA 3/2019, s. 1(m).

Appointment of Speaker

39 (1) Executive Council must, in consultation with the ḥawiiḥ Council, appoint a Speaker at the first meeting of Executive Council in April of each year.

(2) A Speaker appointed by Executive Council must

(a) be an honoured and respected individual,

(b) have the necessary experience, wisdom, and impartiality to fairly and effectively discharge the powers, duties and functions of Speaker,

(c) be generally knowledgeable about Huu-ay-aht laws including the Constitution, Huu-ay-aht legislation and Huu-ay-aht customary law.

(3) Subject to this Act, Executive Council must specify an application process and the terms of reference for the Speaker, including remuneration and expenses.

(3.1) When considering applications for appointment to the position of Speaker by candidates who meet the requirements of section (2), Executive Council shall give preference to any candidate who is a Huu-ay-aht citizen.

(4) A Speaker may be reappointed by Executive Council.

(5) Executive Council may terminate the appointment of the Speaker

(a) for cause,

(b) incapacity, or

(c) by unanimous resolution, without cause.

(6) The appointment of a Speaker is effective once the individual

(a) accepts the appointment in writing and delivers the written acceptance to Executive Council, and

(b) makes the oath of office of the Speaker as set out in the Schedule before the ḥawiiḥ Councillor.

(7) The ḥaw̓iiḥ Council may designate one of its members to take the solemn declaration under subsection (6) (b) if for any reason the ḥaw̓iiḥ Councillor is unable to act.

(8) Section 5 of the *Code of Conduct and Conflict of Interest Act* does not apply to the Speaker in his or her capacity under this Act.

HFNA 3/2014, s. 1(a), (b); HFNA 3/2019, s. 1(n), HFNA 3/2026, s. 3 (3)(a), 4 (1)(h).

Role of Speaker

40 (1) The Speaker presides over

(a) sessions of the Legislature, and

(b) the People's Assembly in accordance with Part 8.

(2) With respect to the Legislature, the Speaker is responsible for all of the following:

(a) chairing sessions of the Legislature;

(b) maintaining order and decorum;

(c) encouraging decision-making by consensus;

(d) ensuring adherence to the best governance practices under section 10;

(e) providing members of the Legislature who wish to speak with a reasonable opportunity to do so;

(f) ensuring that the Legislature complies with the provisions of this Act and the rules of the Legislature;

(g) ensuring that confidential information is protected from unauthorized disclosure;

(h) discharging other prescribed responsibilities.

(3) The Speaker may make decisions or rulings on the matters referred to in subsection (2), including deciding questions of order, practice and procedure of the Legislature subject to this Act, the regulations and any rules of procedure of the Legislature.

(4) The Speaker may order the removal of a person whose actions unduly interfere with maintenance of order and decorum in the Legislature.

(5) If a person subject to an order under subsection (4) does not comply, the Speaker may obtain the assistance of a peace officer to enforce the order.

(6) The Speaker may

(a) consult with the Law Clerk, and

(b) invite submissions from members of the Legislature

before deciding questions of order, practice and procedure of the Legislature.

(7) The Speaker must announce, and give reasons for, the Speaker's decision on any question of order, practice and procedure of the Legislature.

(8) A decision of the Speaker under subsection (3) is final and binding on the Legislature.

(9) The Speaker must not take part in substantive discussion of a matter before the Legislature, except to the extent necessary to discharge the Speaker's responsibilities.

(10) The Speaker must not vote or otherwise indicate support or opposition to a motion in the Legislature.

Appointment of acting Speaker

41 (1) Executive Council must, in consultation with the ḥaẇiiḥ Council, appoint an acting Speaker if

(a) the office of Speaker is vacant, or

(b) the Speaker is temporarily absent because of illness or other causes.

(2) An acting Speaker appointed by Executive Council must have the same qualifications as a Speaker.

(3) An acting Speaker holds office until another Speaker is appointed or the Speaker returns to office after the temporary absence.

(4) The appointment of an acting Speaker is effective when the individual complies with section 39 (6).

(5) An acting Speaker has the authority and responsibility of a Speaker under this Act.

(6) Unless subsection (3) applies, Executive Council may only terminate the appointment of an acting Speaker

(a) for cause,

(b) for incapacity, or

(c) by unanimous resolution, without cause.

HFNA 3/2026, s. 4 (1)(h).

PART 5 - EXECUTIVE COUNCIL

Division 1 - Framework

Huu-ay-aht Council acting as Executive Council

42 (1) Huu-ay-aht Council may only act as Executive Council when all of the following conditions are met:

(a) subject to subsections (2), at least 5 members of Huu-ay-aht Council are present;

(b) a meeting has been called in accordance with section 44;

(c) public notice of the meeting has been provided as set out in section 45.

(2) In extraordinary circumstances, such as a natural disaster or community health emergency, where the circumstances make it impossible to convene at least 5 members of Huu-ay-aht Council, a lesser number may act as Executive Council insofar as is necessary for the proper functioning of government or to address the immediate effects of the extraordinary circumstances.

HFNA 3/2019, s. 1(o).

Location of meeting

43 Whenever practicable, Executive Council must meet on Huu-ay-aht Lands.

Calling meeting

44 (1) The Chief Councillor

(a) must call a regular meeting of Executive Council at least once each month, and

(b) may call additional regular meetings or a special meeting of Executive Council.

(2) The Chief Councillor must set the date, time, location and proposed agenda for a meeting called under subsection (1) and advise the Law Clerk.

(3) A Councillor may direct the Chief Councillor to call a special meeting of Executive Council if the Councillor reasonably believes

(a) there is an emergency requiring an Executive Council meeting, or

(b) that a delay until the next regular meeting of Executive Council is not in the best interests of Huu-ay-aht.

(4) The Councillor under subsection (3) must advise the Chief Councillor of the date, time, location, and proposed agenda to be included by the Chief Councillor in the notice for the special meeting.

Notice of meeting

45 (1) At least 14 days before an Executive Council meeting, the Law Clerk must give public notice of the meeting.

(2) The public notice must include all of the following:

(a) the date, time and location of the meeting;

(b) the proposed agenda;

(c) any other information specified by the Chief Councillor or the Councillor under section 44 (3) or (4).

(3) The Law Clerk may reduce the notice period for a special meeting.

(4) If the Law Clerk reduces the notice period for a special meeting, the Law Clerk must give public notice as soon as practicable before the special meeting.

HFNA 2/2016, s. 2(d) and s. 2(b).

Agenda changes

46 Executive Council may change the proposed agenda under section 45, if the change is

(a) reasonably justified, and

(b) passed by Executive Council.

Responsibilities of Executive Council

47 Executive Council is responsible for all of the following:

(a) ensuring that the Huu-ay-aht fulfills its obligations under the Treaty;

(b) protecting and advancing Huu-ay-aht interests;

(c) seeking and considering any advice from the ḥaw̓iiḥ Council before proposing any legislation to the Legislature;

(d) enacting regulations under Huu-ay-aht Acts in accordance with Division 2 of Part 9;

(e) exercising the powers and carrying out the duties, functions and obligations of the Huu-ay-aht Council, with the exception of passing, amending or repealing Huu-ay-aht Acts and establishing Huu-ay-aht public bodies;

(f) carrying out other prescribed responsibilities.

HFNA 3/2026, s. 4 (1)(h).

Powers of Executive Council

48 (1) Unless prohibited by Huu-ay-aht law, Executive Council may exercise all the rights, powers, privileges and authorities of the Huu-ay-aht referred to in Chapter 13 of the Treaty *[*Governance*]*, including the rights, powers, privileges and authorities of a natural person of full capacity.

(2) Executive Council may exercise powers delegated by the Legislature to Executive Council under this Act.

(3) Executive Council may take measures to protect and advance the interests of the Huu-ay-aht.

Power to delegate

49 (1) Unless prohibited by Huu-ay-aht law, Executive Council may delegate in writing any of its powers, duties and functions, including those specifically established by law and to the extent provided, to any of the following:

(a) the Chief Councillor;

(b) a Councillor;

(c) a committee established by Executive Council;

(d) a public officer.

(2) As exceptions to subsection (1), Executive Council must not delegate any of the following:

(a) the power to delegate;

(b) its regulation-making authority except for a delegation of regulation-making authority to

(i) a Huu-ay-aht public body, or

(ii) a public institution established by one or more First Nation governments in British Columbia;

(c) a power or duty established by this or another Huu-ay-aht Act that Executive Council gives its approval or consent to, recommendations on, or acceptance of an action, decision or other matter;

(d) a power or duty established by Huu-ay-aht legislation that Executive Council hears an appeal or reconsiders an action, decision or other matter;

(e) the power to terminate the appointment of the Election Commissioner, the Executive Director, the Speaker and any of its appointments to the tribunal.

(3) Executive Council may establish any terms and conditions it considers advisable for a delegation under this section.

Division 2 - Proceedings of Executive Council

Executive Council rules

50 (1) Executive Council must conduct itself in a manner consistent with

(a) open, accountable, transparent and effective government,

(b) Huu-ay-aht law, and

(c) rules made under this section.

(2) If a question of order, practice, ceremony or procedure of Executive Council arises that

(a) is not covered by this Act,

(b) is not provided for, or is inadequately provided for, in the regulations, or

(c) in the opinion of Executive Council results from special circumstances,

Executive Council may make a rule it considers appropriate.

(3) If a question of Huu-ay-aht cultural protocol of Executive Council arises that is not covered by this Act, the ḥaw̓iiḥ Council may make a rule in accordance with Huu-ay-aht customary law that the ḥaw̓iiḥ Council considers appropriate.

(4) Rules under subsections (2) and (3) must be

(a) consistent with open, accountable, transparent and effective government, and

(b) written and published.

HFNA 3/2026, s. 4 (1)(h).

Chair

51 (1) The chair of a meeting of Executive Council is the Chief Councillor.

(2) Despite subsection (1) of this section, and section 12 (c), Executive Council may designate another Councillor to chair part or all of a meeting of Executive Council.

(3) The chair presides over meetings of Executive Council and is responsible for all of the following:

(a) maintaining order and decorum;

(b) encouraging decision-making by consensus;

(c) ensuring adherence to the best governance practices under section 10;

(d) providing members of Executive Council who wish to speak with a reasonable opportunity to do so;

(e) ensuring Executive Council complies with the provisions of this Act and the rules of Executive Council;

(f) ensuring that confidential information is protected from unauthorized disclosure;

(g) discharging other prescribed responsibilities.

(4) The chair may make decisions on the matters referred to in subsection (3), including deciding questions of order, practice and procedure of the Executive Council.

(5) The chair may order the removal of a person whose actions unduly interfere with the maintenance of order and decorum in a meeting.

(6) If a person subject to an order under subsection (5) does not comply, the chair may obtain the assistance of a peace officer to enforce the order.

(7) The chair may

(a) consult with the Law Clerk, and

(b) invite submissions from members of Executive Council,

before deciding questions of order, practice and procedure of Executive Council.

(8) The chair must state, and give reasons for, a decision on any question of order, practice and procedure of Executive Council.

(9) A decision of the chair under subsection (4) is final and binding on Executive Council.

Motions and resolutions of Executive Council

52 (1) If Huu-ay-aht legislation does not require Executive Council to exercise a power or perform a duty by regulation, Executive Council must exercise the power or perform the duty by resolution.

(2) Decisions by Executive Council under subsection (1) in respect of substantive matters must be introduced in the form of written motions.

(3) Decisions by Executive Council in respect of procedural matters may be introduced in the form of written or verbal motions.

(4) A motion must be clear and unambiguous, specifying

(a) the decision to be made,

(b) any follow-up action to be taken, and

(c) the date for completion of any follow-up action.

(5) Records referred to in a written motion must be attached as an appendix to that motion.

HFNA 3/2019, s. 1(p)(i) and (ii).

Voting

53 (1) Members of Executive Council must make every reasonable effort to conduct the business of Executive Council by consensus.

(2) If a motion is adopted by consensus, the chair must confirm that consensus for the record.

(3) A motion adopted by consensus is deemed to be a motion voted on by Executive Council and passed by unanimous vote.

(4) If consensus on a motion is not reached, a member of Executive Council may call for a recorded vote on the motion.

(5) Only those members of Executive Council present at a meeting of Executive Council when the vote is called may vote on the motion.

(6) Each member of Executive Council under subsection (5) has one vote on any motion.

(7) If a member of Executive Council does not abstain and does not indicate how he or she votes in a recorded vote, the member is deemed to have voted against the motion.

(8) If a motion is not adopted by consensus, the motion passes if it is supported by at least a simple majority of the members of Executive Council who vote on that motion.

(9) If a vote on a motion of Executive Council results in a tie vote, the motion fails.

(10) A motion passed by Executive Council is a resolution of Executive Council.

(11) Unless authorized by Huu-ay-aht legislation, Executive Council must not give direction or instructions to government employees or contractors, by name or position, other than the Executive Director, without the prior approval of the Executive Director.

Open and transparent Executive Council

54 (1) Subject to subsection (2), meetings of Executive Council are open to the public.

(2) Executive Council may hold part of a meeting of Executive Council in-camera.

(3) Executive Council may provide for observation of, or participation in, meetings of the Executive Council by electronic or other means.

(4) The Law Clerk must ensure that an accurate record of the proceedings of the Executive Council is prepared including all of the following:

(a) notice of the meeting;

(b) the proposed and approved agendas;

(c) a record of motions introduced, motions adopted by consensus, votes taken, and resolutions passed, including copies of each written motion considered;

(d) written minutes or electronic recording of the proceedings in the form specified by Executive Council;

(e) any additional reports or other documents provided for the meeting;

(f) other records specified by Executive Council.

(5) For greater certainty, copies of each written motion included in the record of proceedings must attach as appendices all records referred to in the motion, except for in force Huu-ay-aht legislation.

(6) After the meeting of Executive Council has ended, the Law Clerk must, as soon as practicable, certify a true copy of the record of proceedings and place that copy in the registry.

(7) The Law Clerk must provide the Executive Director with a copy of the records prepared under subsection (4) (c) and (d) as soon as practicable.

(8) The Chief Councillor, or an individual designated in writing by the Chief Councillor, is the public spokesperson for the Executive Council.

HFNA 3/2019, s. 1(q)(i),(ii),(iii),(iv) and (v); HFNR 1/2020, s. 3.

Executive Director duty

55 (1) The Executive Director has the authority and responsibility to ensure that decisions and resolutions of Executive Council are implemented in accordance with their terms and that related actions are completed within specified time frames.

(2) If for any reason, the Executive Director determines that it is not reasonably possible to comply with subsection (1), the Executive Director must report that in writing to Executive Council.

Reports

56 (1) For any substantive matter to be considered by Executive Council, the committee responsible for the subject area, or the Executive Director, must prepare a written report.

(2) The Law Clerk must deliver the report under subsection (1) to members of the Executive Council at least 4 days before the substantive matter will be considered by Executive Council.

(3) Subject to subsection (4), Executive Council must not decide any substantive matter until a report has been received and considered by Executive Council.

(4) In an emergency, or in special circumstances where Executive Council reasonably believes that a delay in consideration of the matter is not in the best interests of the Huu-ay-aht, Executive Council may do one or more of the following:

(a) waive the requirement that the report be in writing;

(b) waive other report requirements under this section;

(c) waive or reduce the 4 day delivery requirement.

HFNA 2/2016, s. 2(b).

Executive Council progress reports

57 (1) The Chief Councillor, each member of Executive Council with portfolio, and the Executive Director must deliver a progress report to Executive Council at least 4 days before a regular monthly Executive Council meeting.

(2) Progress reports under subsection (1) must include a description of

(a) the progress on achieving key initiatives in their area of responsibility, and

(b) any emerging issues to be considered by Executive Council.

(3) Monthly progress reports are for information purposes only and any substantive matter for decision by Executive Council must be listed and considered as a separate item on the agenda.

(4) If required by Huu-ay-aht legislation or if authorized by the Executive Director, the Law Clerk must provide monthly progress reports to Huu-ay-aht citizens by electronic or other means as soon as practicable after the progress reports have been tabled at the meeting of Executive Council.

HFNA 2/2016, s. 2(b).

PART 6 - EXECUTIVE COUNCIL COMMITTEES

Division 1 - Framework

Committees

58 (1) Executive Council

(a) must establish the committees required by the Constitution and other Huu-ay-aht legislation, and

(b) may establish other committees of Executive Council.

(2) Unless provided for by Huu-ay-aht legislation, Executive Council must establish the terms of reference of a committee including the committee's powers, duties, functions, remuneration, and other terms of reference for a committee.

(3) The quorum of a committee is a majority of its members, unless otherwise provided for by Huu-ay-aht legislation.

HFNA 3/2019, s. 1(r).

Membership

59 (1) Subject to subsection (2), Executive Council

(a) may appoint or remove committee members, except for the chair of a committee,

(b) must review appointments to committees at least once each year, and

(c) must establish an application process for appointments to committees.

(2) Members of committees must be Huu-ay-aht citizens, unless otherwise provided for by Huu-ay-aht legislation.

HFNA 3/2019, s. 1(s).

Appointment of chair

60 (1) The chair of a committee must be a member of Executive Council.

(2) The Chief Councillor is responsible for appointing or removing the chair of a committee and may appoint another member of the committee as acting chair to temporarily fulfil the chair's responsibilities.

(3) The chair is a committee member.

(4) At least once each year the Chief Councillor must review the appointments of committee chairs.

(5) Despite subsection (2), if the chair of a committee is unwilling or unable to carry out the chair's duties, the remaining committee members may select an acting chair from among themselves for all or part of a meeting.

HFNA 3/2019, s. 1(t).

Power to delegate

61 (1) Unless authorized by Huu-ay-aht legislation, a committee must not delegate any of its powers, duties or functions.

(2) The Executive Director may assign government employees or contractors to provide technical support to a committee.

Division 2 - Proceedings of Committees

Committee rules

62 (1) Committees must conduct themselves in a manner consistent with

(a) open, accountable, transparent and effective government,

(b) Huu-ay-aht law, and

(c) rules made under this section.

(2) If a question of order, practice, ceremony, or procedure of the committee arises that

(a) is not covered by this Act,

(b) is not provided for, or is inadequately provided for, in the regulations, or

(c) in the opinion of the committee results from special circumstances,

the committee may make a rule it considers appropriate.

(3) If a question of Huu-ay-aht cultural protocol of the committee arises that is not covered by this Act, the ḥaẇiiḥ Council may make a rule in accordance with Huu-ay-aht customary law that the ḥaẇiiḥ Council considers appropriate.

(4) Rules under subsections (2) and (3) must be

(a) consistent with open, accountable, transparent and effective government,

(b) reviewed as soon as practicable by Executive Council, and

(c) if ratified by Executive Council, written and published.

(5) Executive Council must review committee rules made under this section and if satisfied they meet the requirements of subsection (4) (a), ratify them and give notice to the committee of its decision.

HFNA 3/2026, s. 4 (1)(h).

Committee meeting requirements

63 (1) Subject to section 64, the chair of a committee may call a meeting at a time and location determined by the chair.

(2) The chair must advise the Law Clerk of the date, time location and proposed agenda for a committee meeting as soon as practicable.

(3) The chair may allow for participation in a committee meeting by electronic or other means.

(4) A quorum of committee members must be present when the committee conducts its business, including voting on any matter.

HFNA 3/2019, s. 1(u).

Notice of meeting

64 (1) At least 10 days before a committee meeting, the Law Clerk must give notice of the meeting to committee members.

(2) Notice under subsection (1) must include the following:

(a) the date, time and location of the committee meeting;

(b) the proposed agenda;

(c) any other information specified by the chair.

(3) The Law Clerk may reduce the notice period under subsection (1) if there is good reason to do so.

(4) If the Law Clerk reduces the notice period, the Law Clerk must make best efforts to give notice of the committee meeting as soon as practicable before the meeting.

HFNA 2/2016, s. 2(b).

Agenda changes

65 A committee may change the proposed agenda under section 64, if the change is

(a) reasonably justified, and

(b) passed by the committee.

Chair

66 (1) The chair presides over committee meetings and is responsible for all of the following:

(a) maintaining order and decorum;

(b) encouraging decision-making by consensus;

(c) ensuring adherence to the best governance practices under section 10;

(d) providing committee members who wish to speak with a reasonable opportunity to do so;

(e) ensuring the committee complies with the provisions of this Act and the rules of the committee;

(f) ensuring that confidential information is protected from unauthorized disclosure;

(g) discharging other prescribed responsibilities.

(2) The chair may make decisions on the matters referred to in subsection (1), including deciding questions of order, practice and procedure of the committee.

(3) The chair may order the removal of a person whose actions unduly interfere with the maintenance of order and decorum in the meeting.

(4) If a person subject to an order under subsection (3) does not comply, the chair may obtain the assistance of a peace officer to enforce the order.

(5) The chair may

(a) consult with the Law Clerk, and

(b) invite submissions from committee members,

before deciding questions of order, practice and procedure of the committee.

(6) The chair must state, and give reasons for, a decision on any question of order, practice and procedure of the committee.

(7) A decision of the chair under this section is final and binding on the committee.

Committee motions and decisions

67 (1) Decisions by a committee in respect of substantive matters must be introduced in the form of written motions.

(2) Decisions of a committee in respect of procedural matters may be introduced in the form of written or verbal motions.

(3) A motion must be clear and unambiguous, specifying

(a) the decision to be made,

(b) any follow-up action to be taken, and

(c) the date for completion of any follow-up action.

(4) Records referred to in a written motion must be attached as an appendix to that motion.

HFNA 3/2019, s. 1(v)(i) and (ii).

Voting

68 (1) Committee members must make every reasonable effort to conduct committee business by consensus.

(2) If a motion is adopted by consensus, the chair must confirm that consensus for the record.

(3) A motion adopted by consensus is deemed to be a motion voted on by the committee and passed by unanimous vote.

(4) If consensus on a motion is not reached, a committee member may call for a recorded vote on the motion.

(5) Only those committee members present at a committee meeting when the vote is called may vote on the motion.

(6) Each committee member has one vote on any motion.

(7) If a committee member does not abstain and does not indicate how he or she votes in a recorded vote, the committee member is deemed to have voted against the motion.

(8) If a motion is not adopted by consensus, the motion passes if it is supported by at least a simple majority of committee members who vote on that motion.

(9) If a vote on a motion of the committee results in a tie vote, the motion fails.

(10) A motion passed by the committee is a resolution of the committee.

(11) Unless authorized by Huu-ay-aht legislation, a committee must not give directions or instructions to government employees or contractors, by name or position, without the prior approval of the Executive Director.

Committee recommendations

69 (1) If a committee is required to provide a recommendation, the committee must make the recommendation in writing.

(2) Committee members must make every reasonable effort to adopt recommendations by consensus.

(3) A recommendation must be clear and unambiguous, specifying

(a) what is recommended,

(b) any follow-up action to be taken, and

(c) the date for completion of any follow-up action.

(4) Records referred to in a written recommendation must be attached as an appendix to that recommendation.

(5) If consensus is reached on a recommendation, the chair must confirm that consensus for the record.

(6) If a recommendation is not adopted by consensus, the chair must provide Executive Council with a written committee report summarizing the committee discussion on the recommendation.

(7) The report under subsection (6) is deemed to be the recommendation of a committee.

Committee meeting proceedings

70 (1) Committee meetings are closed to the public unless a committee decides to make part, or all, of its meeting open to the public.

(2) A committee may provide for observation of, or participation in, its meetings by electronic or other means.

(3) Government members and the Executive Director may attend, observe, and participate in committee meetings.

(4) The chair of a committee, or a committee member designated by the chair, is the committee's spokesperson within government.

(5) The Chief Councillor is the public spokesperson for all committees.

Committee meeting records

71 (1) The Law Clerk must ensure that accurate records of committee proceedings are prepared including all of the following:

(a) notice of the meeting;

(b) the proposed and approved agendas;

(c) a record of motions introduced, motions adopted by consensus, votes taken, and resolutions passed, including copies of each written motion considered;

(d) a summary of discussion on recommendations not adopted by consensus;

(e) written minutes or electronic recording of the proceedings in the form specified by Executive Council;

(f) any additional reports or other documents provided for the meeting;;

(g) other records specified by Executive Council.

(2) For greater certainty, copies of each written motion included in the record of proceedings must attach as appendices all records referred to in the motion, except for in force Huu-ay-aht legislation.

(3) After a committee meeting has ended, the Law Clerk must, as soon as practicable, certify a true copy of the record of proceedings and place that copy in the registry.

(4) The Law Clerk must provide the Executive Director with a copy of the records prepared under subsection (1) (c), (d), and (e) as soon as practicable.

HFNA 3/2019, s. 1(w)(i), (ii), (iii), (iv), (v); HFNR 1/2020, s. 3.

Reports

72 (1) For any substantive matter to be considered by a committee, the Executive Director, must prepare a written report.

(2) The Executive Director must deliver the report to the committee members at least 4 days before the committee meeting where the substantive matter will be considered.

(3) Subject to subsection (4), the committee must not make a decision or recommendation on a substantive matter until a report has been received and considered by the committee.

(4) In an emergency, or in special circumstances where the committee reasonably believes that a delay in consideration of the matter is not in the best interests of the Huu-ay-aht, the committee may do one or more of the following:

(a) waive the requirement that the report be in writing;

(b) waive other report requirements under this section;

(c) waive or reduce the 4 day delivery requirement.

HFNA 2/2016, s. 2(b), (c).

Annual report

73 Every committee must prepare an annual report in the prescribed form and deliver it to Executive Council.

PART 7 - ḤAWʔIIḤ COUNCIL

ḥawʔiiḥ Council

74 (1) In accordance with Huu-ay-aht customary law, the ḥawʔiiḥ Council is established composed of

(a) the Ta'yii Hawilth, and

(b) up to 8 ḥawʔiiḥ.

(2) The ḥawʔiiḥ Council is responsible for carrying out the powers, duties and functions of the ḥawʔiiḥ Council established under Huu-ay-aht law.

(3) The ḥawʔiiḥ Council must act

(a) in accordance with Huu-ay-aht law,

(b) in a manner consistent with open, accountable, transparent and effective government, and

(c) in the best interests of present and future generations of Huu-ay-aht citizens.

(4) The ḥawʔiiḥ Council must not by name or office give direction to a government employee or contractor without the prior approval of the Executive Director.

HFNA 3/2026, s. 4 (1)(h).

ḥawʔiiḥ Councillor appointment

75 (1) As soon as practicable after a general election, the ḥawʔiiḥ Council, in accordance with Huu-ay-aht customary law, must appoint an individual to be a ḥawʔiiḥ Councillor on Huu-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 ḥaẇiiḥ Councillor becomes vacant for any reason, the ḥaẇiiḥ Council must appoint another qualified individual to that office as soon as practicable.

HFNA 3/2026, s. 4 (1)(h).

PART 7.1 – ETHICS COMMISSIONER

Ethics Commissioner appointment

75.1 (1) Executive Council must, after seeking the advice of the ḥaẇiiḥ 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 ḥaẇiiḥ 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 ḥaẇiiḥ Councillor.

(5) Section 5 of the *Code of Conduct and Conflict of Interest Act* does not apply to the Ethics Commissioner.

Ehtics Commissioner qualifications

75.2 In addition to being qualified to be a public officer under Huu-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 ḥaẇiiḥ Council, terminate the appointment of the Ethics Commissioner for cause or incapacity.

HFNA 2/2026, s. 2.

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:

(a) the Speaker is present;

(b) [Repealed by HFNA 3/2013, ss. 4(a).]

(c) at least 20% of eligible voters are present at the session;

(d) the session complies with section 79;

(e) public notice of the session has been provided as set out in section 80.

HFNA 3/2013, ss. 4 (a), (b).

Speaker required

78 The Speaker must be present

(a) to begin a session,

(b) to preside over the business of the session, including any vote in that session, and

(c) to end the session.

Calling a session

79 (1) Executive Council

(a) must call a regular session at least once in each calendar year,

(b) may call one additional regular session in each calendar year,

(c) must specify the dates and times of each session called, and

(d) is responsible for specifying the proposed agenda for a regular session.

(2) After consulting with the ḥaw̓iiḥ Council, the Chief Councillor or Executive Council may call a special session, and must specify the dates, times and proposed agenda of that special session.

(3) Prior to calling a special session under section 79(2), the Chief Councillor must consult with Executive Council.

(4) The regular session called under subsection (1) (a) must provide the People's Assembly with the following:

(a) information on Huu-ay-aht finances and strategic objectives for the next 12 months;

(b) committee annual reports.

HFNA 3/2019, s. 1(x)(i), (ii), and (iii), HFNA 3/2026, s. 4 (1)(h).

Notice of session

80 (1) At least 30 days before the first day of a session, the Law Clerk must give public notice of the session.

(2) Public notice under subsection (1) must include the following:

(a) the dates, times and location of the session;

(b) the proposed agenda;

(c) proposed motions;

(d) other information specified by resolution of Executive Council.

(3) If the session is called under section 79 (1) (a), the public notice must also include a summary of the information under section 79 (4) and notice that the information is available for public inspection during normal business hours at the principal Huu-ay-aht administrative office.

(4) If the session is called under section 79 (2), the public notice must also include information specified by the Chief Councillor or Executive Council for a special session under that section.

(5) The Law Clerk may reduce the notice period for a special session.

(6) The Law Clerk must make every reasonable effort to ensure at least 10 days' notice is given of a special session.

(7) If the Law Clerk reduces the notice period, the Law Clerk must give public notice as soon as practicable before the first day of the special session.

HFNA 3/2019, s. 1(y)(i) and (ii), HFNR 1/2020, s. 3.

Session changes

81 The People's Assembly may make changes to matters referred in to in the notice under section section 80(2), if the change

(a) is reasonably justified, and

(b) is passed by the People's Assembly.

HFNA 3/2019, s. 1(z).

Responsibility of People's Assembly

82 The People's Assembly is responsible for holding the Legislature, Executive Council, and the ḥaẃiiḥ Council accountable for acting lawfully and in the best interests of present and future generations of Huu-ay-aht citizens.

HFNA 3/2026, s. 4 (1)(h).

Responsibility of Speaker

83 (1) The Speaker presides over sessions.

(2) The Speaker is responsible for all of the following:

(a) chairing each session;

(b) maintaining order and decorum;

(c) encouraging decision making by consensus;

(d) ensuring adherence to best governance practices under section 10;

(e) providing Huu-ay-aht citizens who wish to speak with a reasonable opportunity to do so;

(f) ensuring each session complies with this Part;

(g) ensuring that confidential information is protected from unauthorized disclosure;

(h) discharging other prescribed responsibilities.

(3) The Speaker may make decisions on the matters referred to in subsection (2), including decisions on questions of order, practice and procedure of the People's Assembly.

(4) The Speaker may order the removal of a person whose actions unduly interfere with the maintenance of order and decorum in a session.

(5) If a person subject to an order under subsection (4) does not comply, the Speaker may obtain the assistance of a peace officer to enforce the order.

(6) The Speaker may

(a) consult with the Law Clerk, and

(b) invite submissions from Huu-ay-aht citizens

before deciding questions of order, practice and procedure of the People's Assembly.

(7) The Speaker must announce, and give reasons for, the Speaker's decision on any question of order, practice and procedure of the People's Assembly.

(8) A decision of the Speaker under subsection (3) is final and binding on the People's Assembly.

(9) The Speaker must not take part in substantive discussion of a matter before the People's Assembly, except to the extent necessary to discharge the Speaker's responsibilities.

(10) The Speaker must not vote or otherwise indicate support or opposition to a motion before the People's Assembly.

Powers of People's Assembly

84 (1) The People's Assembly may, by resolution, do any of the following:

(a) make recommendations to Executive Council;

(b) make decisions where authorized to do so under Huu-ay-aht legislation;

(c) review proposed amendments to the Constitution and other Huu-ay-aht legislation;

(d) provide approval where authorized or required to do so under Huu-ay-aht legislation;

(e) require Executive Council to hold a referendum on a specified issue;

(f) consider any matter relating to the Huu-ay-aht and provide its views to Executive Council.

(2) Executive Council must consider the People's Assembly resolutions under subsection (1) at Executive Council's first regular meeting after the session.

(3) Executive Council must, as soon as practicable, take the steps necessary and within the competence of government, to implement the People's Assembly resolution for

(a) a referendum on a specified issue, or

(b) a recommendation that Executive Council decides to adopt.

Division 2 - Proceedings of People's Assembly

Rules and procedures of People's Assembly

85 (1) The People's Assembly must conduct itself in a manner consistent with

(a) open, accountable, transparent and effective government,

(b) Huu-ay-aht law, and

(c) rules made under this section.

(2) If a question of order, practice, ceremony or procedure of the People's Assembly arises that

(a) is not covered by this Act,

(b) is not provided for, or is inadequately provided for, in the regulations, or

(c) in the opinion of Executive Council results from special circumstances,

Executive Council may make a rule it considers appropriate.

(3) If a question of Huu-ay-aht cultural protocol of the People's Assembly arises that is not covered by this Act, the ḥaẇiiḥ Council may make a rule in accordance with Huu-ay-aht customary law that the ḥaẇiiḥ Council considers appropriate.

(4) Rules under subsections (2) and (3) must be

(a) consistent with open, accountable, transparent and effective government, and

(b) written and published.

HFNA 3/2026, s. 4 (1)(h).

Motions and resolutions of People's Assembly

86 (1) Substantive matters for consideration by the People's Assembly must be introduced in the form of written motions.

(2) Procedural matters for consideration by the People's Assembly may be introduced in the form of written or verbal motions.

(3) A motion must be clear and unambiguous, specifying

(a) the decision or recommendation to be made,

(b) any follow-up action to be taken, and

(c) the date of completion of any follow-up action.

(4) Records referred to in a written motion must be attached as an appendix to each motion.

HFNA 3/2019, s. 1(aa)(i) and (ii).

Voting

87 (1) Huu-ay-aht citizens must make every reasonable effort to conduct the business of the People's Assembly by consensus.

(2) If a motion is adopted by consensus, the Speaker must confirm that consensus for the record.

(3) A motion adopted by consensus is deemed to be a motion voted on by the People's Assembly and passed by unanimous vote of the eligible voters at the session.

(4) If consensus on a motion is not reached, an eligible voter of the People's Assembly may call for a recorded vote on the motion.

(5) Only those eligible voters present at a session when the vote is called may vote on the motion.

(6) Each eligible voter under subsection (5) has one vote on any motion.

(7) The People's Assembly may, by resolution, require that a recorded vote be held by secret ballot.

(8) If a motion is not adopted by consensus, the motion passes if it is supported by at least a simple majority of the eligible voters who vote on that motion.

(9) If a vote on any motion of the People's Assembly results in a tie vote, the motion fails.

(10) A motion passed by the People's Assembly is a resolution of the People's Assembly.

(11) The People's Assembly must not give direction or instructions to Huu-ay-aht employees or contractors by name or position.

People's Assembly open to public

88 (1) Subject to subsection (2), sessions are open to the public.

(2) The People's Assembly may, by resolution, allow only specified individuals who are not Huu-ay-aht citizens to be present for part of a session.

(3) Subject to an order of the Speaker, every Huu-ay-aht citizen has a right to attend and speak at a session.

(4) Executive Council may provide for individuals to observe, participate, and if eligible to do so vote, in a session by electronic or other means.

(5) The Law Clerk must ensure that an accurate record of the proceedings of each session is prepared including the following:

(a) the notice of the session;

(b) the proposed and approved agendas;

(c) a record of motions introduced, motions adopted by consensus, votes taken, and resolutions passed, including copies of each written motion considered;;

(d) written minutes or electronic recording of the proceedings in the form specified by Executive Council;

(e) any additional reports or other documents provided for the meeting;

(f) other records specified by Executive Council.

(6) For greater certainty, copies of each written motion included in the record of proceedings must attach as appendices all records referred to in the motion, except for in force Huu-ay-aht legislation.

(7) After a session has ended, the Law Clerk must, as soon as practicable, certify a true copy of the record of proceedings and place that copy in the registry.

(8) The Law Clerk must provide the Executive Director with a copy of the records prepared under subsection (5) (c) and (d) as soon as practicable.

(9) The Chief Councillor, or an individual designated in writing by the Chief Councillor, is the public spokesperson for the People's Assembly.

(10) If the Chief Councillor or a designated public spokesperson under subsection (9), is unwilling or unable to carry out the function of public spokesperson, the People's Assembly may, by resolution, designate a public spokesperson for that session.

HFNA 3/2019, s. 1(bb); HFNR 1/2020, s. 3.

Reports

89 (1) In this section, "**citizen motion**" refers to a motion put forward by a citizen who wishes for the People's Assembly to consider making a recommendation to Executive Council under section 84(1)(a).

(2) The Executive Director must prepare a written report on any substantive matter listed on the session's agenda.

(3) A citizen putting forward a citizen motion may elect to provide a written report to the Law Clerk for delivery under subsection (4), provided they do so in accordance with a timeline and other requirements set by the Law Clerk.

(4) Reports in respect of any substantive matter on the proposed agenda must be delivered to Huu-ay-aht citizens at least 14 days before the People's Assembly will consider the substantive matter.

(5) Despite subsection (2), the Executive Director is not required to prepare a written report on any citizen motion on the agenda.

(6) Subject to subsections (7) and (8), the People's Assembly must not vote on any substantive matter on the proposed or approved agenda until it has received and considered a report.

(7) In an emergency, or if the People's Assembly reasonably believes that a delay in consideration of a matter is not in the best interests of the Huu-ay-aht, the People's Assembly may, by resolution, do one or more of the following:

(a) waive the requirement that the report be in writing;

(b) waive other report requirements under this section;

(c) waive or reduce the 14 day delivery requirement.

(8) Despite subsection (6), the People's Assembly may vote on a citizen motion without having received a written report on the matter provided the citizen making the motion speaks to the matter at the People's Assembly.

HFNA 2/2016, s. 2(d), s. 2(b), s. (c); HFNA 3/2019, s. 1(cc); HFNR 1/2020, s. 3.

PART 9 - ACTS AND REGULATIONS

Division 1 - Acts

Instructions for drafting

90 (1) Executive Council may instruct the Law Clerk to draft a proposed Huu-ay-aht Act.

(2) The instructions under subsection (1) must include the following:

(a) the purpose and objective of the proposed Act;

(b) the reason for proposing an Act;

(c) the name of the committee responsible for overseeing development of the proposed Act;

(d) the name of any other committees to be consulted;

(e) the plan and timetable for consultation with the ḥawiiḥ Council and Huu-ay-aht citizens;

(f) the plan and timetable for introduction of the proposed Act in the Legislature;

(g) other information specified by Executive Council.

HFNA 3/2026, s. 4 (1)(h).

Role of committee chair

91 (1) The chair of the committee responsible for a proposed Huu-ay-aht Act must present the Act to Executive Council.

(2) The Law Clerk must provide technical assistance to the chair.

Role of Executive Council

92 Executive Council may

(a) approve a proposed Huu-ay-aht Act for introduction to the Legislature,

(b) instruct the Law Clerk to revise a proposed Huu-ay-aht Act, or

(c) decide not to proceed further with a proposed Huu-ay-aht Act.

Proposed Huu-ay-aht Act

93 (1) If Executive Council approves a proposed Huu-ay-aht Act under section 92 (a), all of the following steps in the following order are required to enact the proposed Huu-ay-aht Act:

(a) the Legislature is convened in accordance with Part 4;

(b) the Chief Councillor, or the chair of the committee responsible for the proposed Huu-ay-aht Act, introduces the Act to the Legislature;

(c) the Legislature gives the proposed Huu-ay-aht Act first reading, by passing a motion to proceed with discussion of it;

(d) the members of the Legislature review and discuss the proposed Huu-ay-aht Act;

(e) the Legislature considers any proposed amendments in accordance with section 94;

(f) at least 7 days after the introduction of the proposed Huu-ay-aht Act, the Legislature gives the Act second reading by passing a motion to proceed to a vote on the Act with any approved amendments, on a specified date;

(g) on the date specified under paragraph (f), the Legislature gives the proposed Huu-ay-aht Act third and final reading by passing a motion to adopt it;

(h) the Chief Councillor certifies that the Huu-ay-aht Act has passed third reading by signing it;

(i) the ḥaw̓iiḥ Councillor certifies that the Huu-ay-aht Act is enacted as a Huu-ay-aht law by signing it.

(2) The ḥaw̓iiḥ member of the Legislature is responsible for providing the Legislature with any advice of the ḥaw̓iiḥ Council on the proposed Huu-ay-aht Act and any proposed amendments to it.

(3) The Law Clerk must provide technical advice and assistance to the Legislature and the ḥaw̓iiḥ Council on the proposed Huu-ay-aht Act and the wording of any proposed amendments.

(4) At any time, the Legislature may decide to suspend consideration of the proposed Huu-ay-aht Act for a specified period of time or permanently.

(5) If the period of time between the introduction of the proposed Huu-ay-aht Act and its presentation for third reading is greater than 12 months, all of the steps under subsection (1) must be repeated to enact the proposed Huu-ay-aht Act.

(6) If the Chief Councillor or the ḥaw̓iiḥ Councillor 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.

(7) The Legislature may, by unanimous resolution, reduce the 7 day time period under subsection 1 (f) to no less than one day

(a) in an emergency, or

(b) if the Legislature reasonably believes that a delay in consideration of the proposed Huu-ay-aht Act is not in the best interests of the Huu-ay-aht.

HFNA 3/2026, s. 3 (3)(a), 4 (1)(h).

Amending proposed Huu-ay-aht Act

94 All of the following steps in the following order are required to amend a proposed Huu-ay-aht Act before the Legislature:

(a) a member of the Legislature proposes an amendment, including proposed wording;

(b) the Law Clerk gives technical advice on, and approval for, the amendment wording;

(c) the member of the Legislature, by written motion, introduces the proposed amendment for discussion in the Legislature;

(d) the Legislature discusses and passes the motion to have the amendment incorporated in the proposed Huu-ay-aht Act.

Huu-ay-aht Act comes into force

95 (1) A Huu-ay-aht Act enacted under section 93 must specify the date on which it comes into force.

(2) A Huu-ay-aht Act may come into force

(a) on the date of its enactment under section 93,

(b) on a date specified in the Act, or

(c) on a date set by resolution of Executive Council.

(3) A Huu-ay-aht Act may specify that it must be

(a) approved by the People's Assembly, or

(b) ratified by referendum under the *Referendum and Recall Act*

before the Huu-ay-aht Act may be brought into force by resolution of Executive Council.

(4) A Huu-ay-aht Act is approved by the People's Assembly on the date it passes a motion to approve the Huu-ay-aht Act.

(5) The Law Clerk must sign a Huu-ay-aht Act into force on the date specified under subsection (2).

(6) If a Huu-ay-aht Act comes into force on the date of its enactment, the Law Clerk must

(a) place a signed and certified true copy of the Act in the registry no later than 5 days after the Act is enacted, and

(b) publish the Act no later than 10 days after it comes into force.

(7) If a Huu-ay-aht Act comes into force under subsection 2 (b) or (c), the Law Clerk must

(a) within 10 days, publish the Act with a notation that it is not in force until the specified date or until Executive Council passes a resolution to bring the Act into force, as applicable, and

(b) when the Act comes into force

(i) sign the original Act,

(ii) immediately place the signed Act and a certified true copy of that Act in the registry, and

(iii) give public notice that the Act is in force.

Division 2 - Regulations

Delegation

96 The power of the Legislature to make regulations under a Huu-ay-aht Act is delegated to Executive Council.

Instructions for drafting proposed regulation

97 (1) Executive Council may instruct the Law Clerk to draft a proposed regulation.

(2) The instruction under subsection (1) must include the following:

(a) the Huu-ay-aht Act under which the proposed regulation is authorized;

(b) the purpose and objective of the proposed regulation;

(c) the reason for proposing the regulation;

(d) the name of the committee responsible for overseeing development of the proposed regulation;

(e) the name of any other committees to be consulted;

(f) the plan and timetable for any required consultation with the ḥaẇiiḥ Council and Huu-ay-aht citizens;

(g) the plan and timetable for consideration of the regulation by Executive Council;

(h) other information specified by Executive Council.

HFNA 3/2026, s. 4 (1)(h).

Role of committee chair

98 (1) The chair of the committee responsible for a proposed regulation must present the proposed regulation to Executive Council.

(2) The Law Clerk must provide technical assistance on the proposed regulation to the chair of the responsible committee.

Role of Executive Council

99 Executive Council may pass a resolution to

(a) approve a proposed regulation,

(b) instruct the Law Clerk to revise the proposed regulation, or

(c) not approve the proposed regulation.

Proposed regulation

100 (1) If Executive Council approves a proposed regulation under section 99 (a), all of the following steps in the following order are required to enact the proposed regulation:

(a) a meeting of Executive Council is convened in accordance with Part 5;

(b) the Chief Councillor, or chair of the committee responsible for the Huu-ay-aht Act under which the regulation is authorized, introduces the proposed regulation to Executive Council by written motion;

(c) members of Executive Council review and discuss the proposed regulation and any proposed amendments to the proposed regulation;

(d) following discussion of the proposed regulation, Executive Council votes on a motion to pass the proposed regulation, with or without amendments;

(e) the Executive Council motion under subsection (1) (d) passes by at least a simple majority vote;

(f) the Chief Councillor certifies that the regulation is passed by Executive Council by signing the regulation;

(g) the ḥaẇiiḥ Councillor certifies that the regulation is enacted as Huu-ay-aht law by signing the regulation.

(2) The ḥaẇiiḥ member of Executive Council is responsible for providing Executive Council with any advice of the ḥaẇiiḥ Council on the proposed regulation and any proposed amendments.

(3) The Law Clerk must provide technical advice and assistance to Executive Council and the ḥaẇiiḥ Council on the proposed regulation and the wording of any proposed amendments.

(4) A proposed regulation must not be introduced under subsection (1) (b) and voted on under subsection (1) (d) at the same meeting of Executive Council.

(5) Despite subsection (4), in an emergency, or in special circumstances where Executive Council reasonably believes that a delay is not in the best interests of the Huu-ay-aht, Executive Council may, by resolution waive the requirement under subsection (4).

(6) At any time, Executive Council may decide to suspend consideration of the proposed regulation for a specified period of time or permanently.

(7) If the period of time between the introduction of a proposed regulation and the vote on the regulation exceeds 3 months, all of the steps under subsection (1) must be repeated to enact the proposed regulation.

(8) If the Chief Councillor or the ḥaẇiiḥ Councillor is unable or unwilling to sign a regulation passed by Executive Council, Executive Council may designate a Huu-ay-aht citizen to sign on its behalf.

HFNA 3/2026, s. 3 (3)(a), 4 (1)(h).

Regulation comes into force

101 (1) A regulation enacted under section 100 must specify the date on which it comes into force.

(2) A regulation may come into force

(a) on the date of its enactment,

(b) on a date specified in the regulation, or

(c) on a date set by resolution of Executive Council.

(3) The Law Clerk must sign the regulation into force on the date specified under subsection (2).

(4) If a regulation comes into force on the date of its enactment, the Law Clerk must

(a) place the signed regulation and a certified true copy in the registry no later than 5 days after the regulation is enacted, and

(b) publish the regulation no later than 10 days after it comes into force.

(5) If the regulation comes into force under subsection 2 (b) or (c), the Law Clerk must

(a) within 10 days of its enactment, publish the regulation with a notation that it is not in force until the specified date or until Executive Council passes a resolution to bring the regulation into force, and

(b) when the regulation comes into force

(i) immediately place the signed regulation and a certified true copy of that regulation in the registry, and

(ii) give public notice that the regulation is in force.

PART 10 - LAW CLERK AND REGISTRY OF LAWS AND OFFICIAL RECORDS

Division 1 - Law Clerk

Law Clerk position

102 (1) The position of Law Clerk is established.

(2) Subject to spending authority, the Executive Director must appoint an individual to the position of Law Clerk.

(3) If the position of Law Clerk is vacant, the Executive Director must designate a Huu-ay-aht employee to carry out the powers, duties and functions of the Law Clerk.

(4) The powers, duties and functions of a Huu-ay-aht employee designated under subsection (3) are in addition to the existing powers, duties and functions of that Huu-ay-aht employee.

HFNA 2/2016, s. 2(e).

Delegation

103 (1) The Law Clerk may, in writing, delegate any of his or her powers, duties or functions under this Act, to

(a) one or more government employees, and

(b) Huu-ay-aht legal counsel.

(2) Despite subsection (1), the Law Clerk must not delegate custody or responsibility for registry documents under section 107 (2).

(3) A delegation under subsection (1), does not relieve the Law Clerk of the responsibility of ensuring that the delegated powers, duties or functions are properly carried out.

(4) If a delegation is made under subsection (1), a reference to the Law Clerk includes a reference to the Law Clerk's delegate.

Responsibilities of Law Clerk

104 (1) The Law Clerk is responsible for all of the following:

(a) advising the Speaker and members of the Legislature on the interpretation and application of this Act and the rules of the Legislature;

(b) advising the chair and members of Executive Council on the interpretation and application of Huu-ay-aht legislation and Executive Council rules;

(c) advising the chair and committee members on the interpretation and application of Huu-ay-aht legislation and committee rules;

(d) advising the members of the ḥaw̓iiḥ Council on the interpretation and application of Huu-ay-aht legislation and any rules applicable to the ḥaw̓iiḥ Council;

(e) advising the Speaker and the People's Assembly on the interpretation and application of Huu-ay-aht legislation and any rules of the Legislature or the People's Assembly, as applicable;

(f) fulfilling other responsibilities of the Law Clerk under Huu-ay-aht legislation;

(g) advising on the form and content of motions and resolutions;

(h) maintaining a record of any restrictions ordered by the tribunal against a former Council member holding government office and forwarding a copy of that record to an Election Commissioner appointed under the *Election Act*, and, on request, to any Huu-ay-aht body;

(i) ensuring the accurate preparation and safe preservation of motions, resolutions, minutes and other records of government proceedings under this Act;

(j) carrying out other related duties.

HFNA 3/2026, s. 3 (3)(b), 4 (1)(h).

Minor correction and consolidation of Huu-ay-aht Acts

105 (1) The Law Clerk may advise Executive Council on minor corrections required to a Huu-ay-aht Act for the following types of errors:

(a) errors of form;

(b) errors of style;

(c) numbering errors;

(d) typographical errors;

(e) reference errors, including cross reference errors;

(f) reference aid errors.

(2) Executive Council may, by regulation, do one or both of the following:

(a) make the minor corrections to a Huu-ay-aht Act identified by the Law Clerk under subsection (1);

(b) direct the Law Clerk to consolidate one or more Huu-ay-aht Acts.

(3) In consolidating a Huu-ay-aht Act, the Law Clerk must

(a) incorporate in it

(i) any corrections under subsection (2) (a), and

(ii) all amendments that have been made to the Huu-ay-aht Act, and

(b) omit any provision that has been repealed or that has expired.

(4) A printed document purporting to be

(a) a copy of a Huu-ay-aht Act consolidated under this section, and

(b) printed by authority of the Law Clerk

is proof, in the absence of evidence to the contrary, of the original Huu-ay-aht Act, of all the Huu-ay-aht Acts amending it and of the fact of the adoption of the original and all amending Huu-ay-aht Acts.

(5) The Law Clerk must deposit a Huu-ay-aht Act consolidated under this section in the registry.

Division 2 - Registry of Laws and Official Records

Registry established

106 (1) The Registry of Laws and Official Records is established.

(2) The Law Clerk must maintain the registry and deposit the following original documents in the registry:

(a) the record of proceedings for any sessions or meetings of government including committees;

(b) each Huu-ay-aht Act enacted by the Legislature and each consolidated Huu-ay-aht Act under section 105;

(c) each regulation enacted by Executive Council;

(d) each Huu-ay-aht Act brought into force;

(e) each regulation brought into force;

(f) each resolution made by government when not in-camera;

(g) each resolution made by government when in-camera;

(h) each written policy adopted by resolution of government;

(i) other official records designated by resolution of Executive Council.

(3) The Law Clerk must make a certified true copy of the records under subsection (2) (b) to (f) and (h) available for public inspection during normal business hours at the principal Huu-ay-aht administrative office.

(4) If authorized by Huu-ay-aht legislation or by the Executive Director, the Law Clerk must make records under subsection (2) (a), (g) and (i) available for public inspection during normal business hours at the principal Huu-ay-aht administrative office.

(5) When the Law Clerk deposits a Huu-ay-aht Act or regulation in the registry under subsection (2), the Law Clerk must deliver a certified true copy of the Huu-ay-aht Act or regulation

(a) to British Columbia, and

(b) if requested by Canada, to Canada.

(6) The Law Clerk must protect information and records in the registry by taking reasonable safety and security precautions against such risks as loss of records, alteration of records, and unauthorized access, collection, use, disclosure, retention or disposal.

HFNA 3/2019, s. 1(dd).

Certified copies of registry documents

107 (1) In this section "**registry documents**" includes the records specified under subsection 106 (2) and other records or documents required by Huu-ay-aht legislation to be deposited in the registry.

(2) The Law Clerk has custody and is responsible for registry documents.

(3) The Law Clerk may certify a document to be a true copy of the document deposited in the registry and the certified true copy is evidence of that registry document.

(4) The Law Clerk must provide certified true copes of the following registry documents to any person or entity on payment of the prescribed fee:

(a) records available under section 106 (3);

(b) records available to the public under other Huu-ay-aht legislation;

(c) records authorized by the Executive Director.

(5) Despite subsection (4), the Law Clerk must provide without fee a certified copy of every Huu-ay-aht Act and regulation requested by British Columbia or Canada.

PART 11 - GENERAL

Power to make regulations

108 (1) Executive Council may make regulations referred to in section 39 of the Interpretation *Act*.

(2) Without limiting subsection (1), Executive Council may make regulations as follows:

(a) prescribing forms for the purposes of this Act, including forms for the Legislature, Executive Council, committees of Executive Council

and the People's Assembly, and information that may be included in or requested on them;

(b) respecting the types of records that must be included in an official record of a meeting;

(c) respecting the types of records that must be retained for deposit in the registry;

(d) prescribing specified Huu-ay-aht employees as government employees;

(e) deeming a class of individuals as government members;

(f) prescribing other considerations under section 10 (2);

(g) prescribing responsibilities for the purposes of sections 40 (2) (h), 47 (f), 51 (3) (g), 66 (1) (g), 83 (2) (h);

(h) prescribing information to be including in drafting instructions and regulations;

(i) prescribing fees for copying documents;

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

Electronic participation

109 If participation is allowed by electronic or other means in accordance with this Act, an individual who participates in a meeting or session by electronic or other means is present for the purposes of the meeting or session.

Actions not invalidated

110 Failure of government or a public officer to fulfill requirements under this Act within the specified time, does not, of itself, invalidate any act, vote or proceeding made under Huu-ay-aht legislation by government or a public officer.

Consultation

111 Failure of government or a public officer to comply with a requirement to consult under the Constitution or other Huu-ay-aht legislation does not, of itself, invalidate an act, vote or proceeding made under Huu-ay-aht legislation as long as government or the public officer made every reasonable effort to fulfill the consultation requirement.

No further effect

112 Unless otherwise specified in the Treaty or a Huu-ay-aht Act, all motions, resolutions, bylaws, directives, policies, guidelines or other forms of decision that directly or

indirectly affect the subject matter of this Act which were approved or passed before Effective Date by the band council of the Huu-ay-aht under the Indian Act or the membership of the Huu-ay-aht Indian Band have no further effect after the date on which this Act comes into force.

113 [Repealed]

HFNA 3/2019, s. 1 (ee), HFNR 2/2026, s. 3 (4)(a).

Amendments to this Act

114 An amendment or repeal of this Act must be approved by the People's Assembly before that amendment or repeal is brought into force.

115 [Repealed]

HFNA 3/2019, s. 1 (ff), HFNR 2/2026, s. 3 (4)(b).

SCHEDULE

OATH OF OFFICE OF THE SPEAKER

I, _____, do solemnly affirm (or swear) that:

I will faithfully and impartially exercise the powers, duties and functions of Speaker under the *Government Act,*

I will exercise my duties in an independent manner and will not be subject to any improper restrictions, influences, inducements, or pressure either direct or indirect in any capacity from any source,

I will uphold the Constitution and obey Huu-ay-aht laws,

I will act in the best interests of present and future generations of Huu-ay-aht citizens,

I will honour the vision, values and sacred principles of Huu-ay-aht –

ʔuʔaaɬuk (taking care of future generations), and
hišukma c̓awaak (everything is one),

I will be a positive role model, following the principle of **ʔiisaak** (conducting myself honestly and respectfully), and

If I believe in good faith that I am in breach of this Oath or Huu-ay-aht law, then I will so advise the Chief Councillor and the ḥaẇiiḥ Councillor.

Affirmed/Sworn before me at_____

in the Province of British Columbia this

_____ day of _____, 20___.

_____
ḥaẇiiḥ Councillor

_____
Name

HFNA 3/2026, s. 3 (3)(a), 4 (2)(d), (3)(b), (4)(b).