HUU-AY-AHT FIRST NATIONS



ECONOMIC DEVELOPMENT ACT AMENDMENT ACT, 2015

REGISTRY OF LAWS CERTIFICATION

I certify that the *Economic Development Act Amendment Act, 2015* was passed by Executive Council on:

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Chief Councillor, Jeff Cook

I certify that the *Economic Development Act Amendment Act, 2015* is enacted as law on:

_____

_____

Ta'yii Hawilth, Derek Peters

I certify that the *Economic Development Act Amendment Act, 2015* came into force on:

_____

_____

Deputy Law Clerk, Deborah Smith

Economic Development Act Amendment Act, 2015

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Amendment

1 The *Economic Development Act*, HFNA 2/2013 is amended:

(a) ***in section 1 by adding the following definition***: "Ha'wiih Councillor" has the same meaning given that expression in section 2 of the *Government Act*, HFNA 3/2011";

(b) ***in section 9(1)(b) by striking out*** "Ta'yii Hawilth" and substituting "Ha'wiih Councillor or another member of Executive Council designated by the Ha'wiih Council".

Commencement

2 This Act comes into force on the date of its enactment by the Legislature.

Consolidation

3 The Law Clerk is directed to consolidate the *Economic Development Act Amendment Act, 2015*, HFNA 2/2013 to include the amendments contained in this Act.

HUU-AY-AHT FIRST NATIONS



ECONOMIC DEVELOPMENT ACT

CONSOLIDATION
Current to February ◆, 2015
(Excerpt)

The Huu-ay-aht Legislature enacts this law to establish the governance framework for the oversight and management of Huu-ay-aht First Nations economic development.

The Legislature enacts as follows:

PART 1 –INTRODUCTORY PROVISIONS

Definitions

1 In this Act:

"annual plan" has the meaning given to that expression in the governance and fiscal agreement;

"board of directors' operational manual" means the board of directors' operational manual set out in section 6.6 of the governance and fiscal agreement;

"**business mandate**" means the nature of business the Huu-ay-aht business enterprise is mandated to engage in under section 15;

"business plan" means a business plan prepared in accordance with section 18;

"Economic Development Committee" means the economic development committee as continued by section 8;

"economic development officer" means the individual appointed under section 12;

"economic development plan" means the plan and any updates to that plan approved by the Legislature in accordance with section 5;

"feasibility study" means a feasibility study under section 17;

"governance and fiscal agreement" means the agreement entered into by Executive Council, the HFN Development Limited Partnership and each operating limited partnership in accordance with section 22;

"Ha'wiih Councillor" has the same meaning given that expression in section 2 of the *Government Act*, HFNA 3/2011;

HFNA ◆/2015, s. 1(a).

"HDC board" means the board of directors of the Huu-ay-aht Development Corporation;

"HFN Development Limited Partnership" means the Huu-ay-aht Development Limited Partnership registered under the *Partnership Act* (British Columbia) under registration number 553527-11;

"Huu-ay-aht business enterprise" means the HFN Development Limited Partnership, Huu-ay-aht Development Corporation, each operating limited partnership, the general partner of each operating limited partnership and any other Huu-ay-aht corporation or limited partnership which becomes a party to the governance and fiscal agreement and the applicable business mandate for each of them;

"Huu-ay-aht corporation" means a corporation incorporated under federal or provincial law, all the shares or interests of which are owned legally and beneficially by the Huu-ay-aht First Nations, a Huu-ay-aht settlement trust, another Huu-ay-aht corporation or any combination of those entities;

"Huu-ay-aht Development Corporation" means the general partner of the HFN Development Limited Partnership;

"operating board" means the board of directors of an operating general partner;

"operating general partner" means the general partner of an operating limited partnership;

"operating limited partnership" means a limited partnership registered under the *Partnership Act* (British Columbia),

(a) the interest of which is 51% or more owned legally and beneficially by the HFN Development Limited Partnership, and

(b) which is identified in Column 1 of the table in the Schedule as a limited partnership, other than the HFN Development Limited Partnership;

"Treaty" means Treaty as defined in the *Interpretation Act*.

Composition and operations

9 (1) The Economic Development Committee is composed of

(a) a chair appointed by the Chief Councillor,

(b) the ~~Ta'yii Hawilth,~~ Ha'wiih Councillor or another member of Executive Council designated by the Ha'wiih Council,

(c) the economic development officer, and

(d) at least 2 and not more than 5 other individuals appointed by Executive Council who

(i) are not members of Executive Council, and

(ii) bring particular expertise or other considerations to the Economic Development Committee.

(2) The members appointed under subsection (1) (d) may include individuals who are not Huu-ay-aht citizens, provided that a majority of the Economic Development Committee members are Huu-ay-aht citizens.

(3) For certainty, the Economic Development Committee must include a majority of individuals who are not members of the Executive Council.

(4) The Economic Development Committee must meet at least six times each year.

(5) The Executive Director must provide the Economic Development Committee with the administrative support and the resources for engaging consultants, technical experts and other persons the Economic Development Committee reasonably requires to fulfill its responsibilities under this Act.

(6) Subject to this Act and regulations, Part 6 of the *Government Act* applies to the Economic Development Committee.

HFNA ◆/2015, s. 1(b)