HUU-AY-AHT FIRST NATIONS

MINOR REVISIONS AND CONSOLIDATION REGULATION, 2014

Provisions of the *Government Act*, HFNA 3/2011, relevant to the enactment of this regulation: section 105.

REGISTRY OF LAWS CERTIFICATION

I certify that the *Minor Revisions and Consolidation Regulation, 2014* was passed by Executive Council on:

_____

_____

Chief Councillor, Jeff Cook

I certify that the *Minor Revisions and Consolidation Regulation, 2014* is enacted as law on:

_____

_____

Ta'yii Hawilth, Derek Peters

I certify that the *Minor Revisions and Consolidation Regulation, 2014* came into force on:

_____

_____

Deputy Law Clerk, Deborah Smith

Minor Revisions and Consolidation Regulation, 2014

Contents

1 Purpose
2 Definitions
3 Minor revisions to Acts
4 Minor revisions to regulations
5 Consolidation

SCHEDULE A

SCHEDULE B

Purpose

1 The purpose of this regulation is to make minor editing corrections to Huu-ay-aht legislation and direct the Law Clerk to prepare a consolidation of Huu-ay-aht legislation.

Definitions

2 In this regulation, **"Act"** means the *Government Act*.

Minor revisions to Acts

3 In accordance with section 105 of the Act, the Huu-ay-aht Acts listed as follows are revised as set out in the copy edit notations to the Acts in Schedule A:

(a) *Budget Act, 2014*

(b) *Code of Conduct and Conflict of Interest Act*

Minor revisions to regulations

4 In accordance with section 105 of the Act, the Huu-ay-aht regulations listed as follows are revised as set out in the copy edit notations to the regulations in Schedule B:

(a) *Governance and Fiscal Agreement Regulation* (schedule);

(b) *Infrastructure Policy Regulation;*

(c) *Purchasing Policy Amendment Regulation, 2014*;

(d) *Referendum and Recall Act Forms Regulation* (schedule);

(e) *Residential Lease Regulation Amendment Regulation, 2013.*

Consolidation

5 (1) In accordance with section 105 of the Act, the Law Clerk must prepare a consolidation of all Huu-ay-aht legislation and deposit the consolidated laws in the registry.

(2) Following the deposit of the Huu-ay-aht Laws in subsection (1), the Law Clerk must deliver a certified true copy of the Huu-ay-aht Laws to British Columbia, and if requested by Canada, to Canada.

(3) In preparing the consolidation under subsection (1), the Law Clerk must update a Huu-ay-aht Act's Note to Reader as required by any amendments or repeal of provisions made to the Huu-ay-aht Act.

(4) In preparing the consolidation under subsection (1), the Law Clerk is directed to make edits to pagination as required and deemed appropriate at the sole discretion of the Law Clerk.

Numbering of Legislation

6 (1) Huu-ay-aht Acts are to be referenced using the numbers set out in the following table:

Reference	Act
HFNA 1/2011	*Constitution Act*
HFNA 2/2011	*Citizenship and Treaty Enrolment Act*
HFNA 3/2011	*Government Act*
HFNA 4/2011	*Code of Conduct and Conflict of Interest Act*
HFNA 5/2011	*Referendum and Recall Act*
HFNA 6/2011	*Election Act*
HFNA 7/2011	*Financial Administration Act*
HFNA 8/2011	*Budget Act, 2011*
HFNA 9/2011	*Land Act*
HFNA 10/2011	*Community Planning and Development Act*
HFNA 11/2011	*Resource Harvesting Act*
HFNA 12/2011	*Offence and Law Enforcement Act*
HFNA 13/2011	*Tribunal Act*
HFNA 14/2011	*Interpretation Act*
HFNA 15/2011	*Effective Date Procedures Act*

Reference	Act
HFNA 1/2012	*Budget Act, 2012*
HFNA 2/2012	*Freedom of Information and Protection of Privacy Act*
HFNA 3/2012	*Real Property Tax Act*
HFNA 1/2013	*Budget Act, 2013*
HFNA 2/2013	*Economic Development Act*
HFNA 3/2013	*Miscellaneous Statutes Amendment Act*
HFNA 1/2014	*Budget Act, 2014*
HFNA 2/2014	*Financial Administration Act Amendment Act*
HFNA 3/2014	*Government Act Amendment Act*
HFNA 4/2014	*Budget Act, 2014 Amendment Act*

(2) Huu-ay-aht regulations are to be referenced using the numbers set out in the following table:

Reference	Regulation
HFNR 1/2011	*Criminal Convictions Regulation (Code of Conduct and Conflict of Interest Act)*
HFNR 2/2011	*Gift Disclosure Regulation*
HFNR 3/2011	*Land Use Plan Regulation*
HFNR 4/2011	*Zoning Regulation*
HFNR 5/2011	*Criminal Convictions Regulation (Election Act)*
HFNR 6/2011	*Cash Management Regulation*
HFNR 7/2011	*Economic Development Policy Regulation*
HFNR 8/2011	*Financial Administration Act Regulation*
HFNR 9/2011	*Human Resources Policy Regulation*
HFNR 10/2011	*Infrastructure Policy Regulation*

Reference	Regulation
HFNR 11/2011	*Investment Management Policy Regulation*
HFNR 12/2011	*Purchasing Policy Regulation*
HFNR 13/2011	*Risk Management Policy Regulation*
HFNR 14/2011	*Travel Expense Regulation*
HFNR 15/2011	*Fisheries Regulation*
HFNR 16/2011	*Wildlife and Migratory Birds Regulation*
HFNR 17/2011	*Human Resources Policy Amendment Regulation*
HFNR 18/2011	*Fisheries Regulation Amendment Regulation*
HFNR 19/2011	*Wildlife and Migratory Birds Amendment Regulation*
HFNR 20/2011	*Compliance Notice and Ticket Regulation*
HFNR 21/2011	*Referendum and Recall Act Forms Regulation*
HFNR 22/2011	*Report to People's Assembly*
HFNR 1/2012	*Citizen Development Regulation*
HFNR 2/2012	*Social Housing Regulation*
HFNR 3/2012	*Residential Lease Regulation*
HFNR 1/2013	*Citizen Development Amendment Regulation*
HFNR 2/2013	*Compliance Notice and Ticket Amendment Regulation*
HFNR 3/2013	*Development and Building Permits Regulation*
HFNR 4/2013	*Governance and Fiscal Agreement Regulation*
HFNR 5/2013	*Human Resources Policy Amendment Regulation*
HFNR 6/2013	*Infrastructure Policy Amendment Regulation*
HFNR 7/2013	*Land Interest and Temporary Permit Regulation*
HFNR 8/2013	*Minor Revisions Regulation*

Reference	Regulation
HFNR 9/2013	*Residential Lease Amendment Regulation*
HFNR 10/2013	*Social Housing Amendment Regulation*
HFNR 11/2013	*Travel Expense Amendment Regulation*
HFNR 12/2013	*Land Use Plan Amendment Regulation*
HFNR 13/2013	*Zoning Amendment Regulation*
HFNR 14/2013	*Non-Replaceable Forest License Regulation*
HFNR 1/2014	*Human Resource Policy Regulation Amendment Regulation*
HFNR 2/2014	*Purchasing Policy Regulation Amendment Regulation*
HFNR 3/2014	*Budget Act, 2014 Correction Regulation 2014*
HFNR 4/2014	*Purchasing Policy Regulation Amendment Regulation, 2014-2*
HFNR 5/2014	*Minor Revisions and Consolidation Regulation, 2014*
HFNR 6/2014	*Economic Development Act Consequential Amendments Regulation*

(3) The Law Clerk is directed to use the references referred to in subsections (1) and (2) in preparing the consolidation under section 5(1).

SCHEDULE A TO HFNR 5/2014

HUU-AY-AHT FIRST NATIONS

BUDGET ACT, 2014

The Huu-ay-aht Legislature enacts this law to establish spending authority and borrowing authority for the fiscal year beginning April 1, 2014and ending March 31, 2015, and to retroactively amend spending authorities and borrowing authorities for the 2013 – 2014 fiscal year.

BUDGET ACT, 2014~~130~~

Contents

PART 1 – GENERAL OPERATING FUND
1 General operating fund spending authority

PART 2 – INVESTED WEALTH FUND
2 Invested Wealth Fund spending authority

PART 3 – CAPITAL SPENDING
3 Capital spending authority

PART 4 – BORROWING
4 Borrowing authority

PART 5 – SPECIAL PROGRAMS FUND
5 Special Programs Fund spending authority

PART 6 – INVESTMENTS IN HUU-AY-AHT BUSINESS ENTERPRISES
6 Conditions for investment by way of loan or loan guarantee

PART 7 – BUDGET ACT, 2012 AMENDMENTS
7 – 8 Budget Act, 2012 amendments
9 Commencement

SCHEDULE A TO HFNR 5/2014

HUU-AY-AHT FIRST NATIONS



CODE OF CONDUCT

AND

CONFLICT OF INTEREST ACT

The Huu-ay-aht Legislature enacts this law to hold Huu-ay-aht public officers to the highest ethical standards in the performance of their duties.

(g) prepare for and attend meetings related to the performance of their duties.

(2) Government members must make every reasonable effort to meet regularly with Huu-ay-aht citizens to respond to their questions and discuss any issues related to government raised by those citizens.

(3) Government members must avoid making commitments under subsection (2) that exceed their authority to fulfill.

(4) Public officers who contravene this section may be disqualified from holding their position.

Huu-ay-aht oath requirement

5 (1) A public officer must make the Huu-ay-aht oath set out in the Schedule before assuming the official duties of his or her position.

(2) The Huu-ay-aht oath must be made no later than 30 days after a public officer is elected, appointed, or otherwise assumes his or her position.

(3) A government member must retake the Huu-ay-aht oath at the first People's Assembly after taking the Huu-ay-aht oath under subsection (2).

(4) A public officer who contravenes this section may be disqualified or dismissed from holding his or her position.

Duty to attend meetings

6 (1) In this section,

"**meetings**" include sessions of the Legislature and the People's Assembly;

"**excused from a meeting**" means excused in writing from a meeting under subsection (2) because of illness, injury or other cause.

(2) Subject to this section, government members must prepare for and attend meetings related to their official duties where

(a) notice of the meeting has been given in accordance with the applicable law, and

(b) the government member is a member of the Huu-ay-aht body or organization named in the notice of meeting.

(3) The Chief Councillor may be excused from a meeting by the Ta'yii Hawilth.

(4) The Ta'yii Hawilth may be excused from a meeting by the Chief Councillor.

(5) Other government members may be excused from a meeting in the following circumstances:

(a) for a session of the Legislature or a meeting of Executive Council, with the approval of the Chief Councillor;

(b) for a session of the People's Assembly or its committees, with the approval of the Speaker;

(c) for a meeting of the Ha'wiih Council or its committees, with the approval of the Ta'yii Hawilth;

(d) for a meeting of a government committee not included under paragraph (b) or (c)

(i) if the government member is not the chair, with the approval of the chair, or

(ii) if the government member is the chair, with the approval of the Chief Councillor;

(e) for a meeting related to official duties not listed in paragraphs (a) to (d), with the approval of the Chief Councillor.

~~(4)~~(6) Government members who are absent from 4 meetings in any 12 month period without being excused are disqualified from holding their position.

~~(5)~~(7) Government members who are, in the professional opinion of a medical practitioner, incapacitated and unable to perform their official duties, are disqualified from holding their position.

~~(6)~~(8) A session of the People's Assembly is a meeting related to the official duties of a government member for the purposes of subsection (2).

Employment and activities

7 (1) A government member must hold no other position as a public officer, unless Executive Council, by resolution, allows the appointment of the government member to another public office.

(2) A government member who contravenes subsection (1) may be disqualified from holding a position as a public officer.

(3) For 3 months after the date on which they cease to hold office, former government members must not

(a) accept employment from, or become contractors of, Huu-ay-aht bodies, or

(b) solicit, or make representations on their own behalf, for such employment or contracts.

(4) Former government members who contravene subsection (3) may be disqualified from holding a position with a Huu-ay-aht body.

(5) Public officers must not hold other positions or undertake other activities that unreasonably interfere with their ability to fulfill their official duties or conduct themselves in accordance with this Act.

(6) Public officers who contravene subsection (5) may be disqualified from holding a position with a Huu-ay-aht body.

Qualifications of public officer

8 (1) A public officer may not be any of the following:

(a) an undischarged bankrupt;

(b) in debt to the Huu-ay-aht or any other prescribed entity for more than a prescribed amount;

(c) in default of a prescribed contractual obligation to government or any other prescribed entity;

(b) declaring that the government member is qualified to

(i) continue holding his or her position, or

(ii) continue holding his or her position, subject to any terms or conditions ordered by the tribunal;

(c) reprimanding the government member;

(d) suspending the government member from holding his or her position for a period of not more than one year, subject to any terms and conditions ordered by the tribunal;

(e) declaring that the government member is disqualified from holding his or her position, and that the position

(i) is vacant, or

(ii) is vacant, and despite section 23 (3), prohibiting the former government member from holding a position as a public officer for a period of not more than 8 years;

(f) requiring the government member to do one or more of the following:

(i) make restitution in an amount determined by the tribunal;

(ii) pay a fine not exceeding $5 000;

(iii) pay damages;

(g) making any other order the tribunal considers appropriate in the circumstances.

(2) The tribunal may make a decision under this section whether or not the government member has ceased acting in his or her position.

Inadvertent error or error in good faith

28 (1) Subject to subsection (2), if the tribunal is satisfied that the grounds for an order under section 27 (1) (c), (d), (e), or (f) occurred because of

(a) an inadvertent contravention of this Act, or

(b) an error in judgment made in good faith,

the tribunal may decide to allow the government member to continue holding his or her position subject to any conditions the tribunal considers advisable.

(2) Subsection (1) does not apply to government members or prescribed public officers who contravene

(a) section 8 *[Qualifications of public officer]*,

(b) section 13 *[Fraud]*, or

(c) section 21 *[Insider information]*.

Disciplining director

29 (1) In this section, "director" includes a former director under section 21 (3).

(2) A director must not contravene this Act.

(3) If it appears that a director, is, or may be, disqualified from holding his or her position,

(a) the Huu-ay-aht body in which the director holds a position must investigate, or

(b) if the disciplining authority is not specified for a Huu-ay-aht body, the tribunal may investigate.

(4) A director who is found in contravention of this Act is subject to discipline including the penalties set out in section 23.

(5) Despite section 23 of the *Tribunal Act*, on an appeal to the tribunal from an administrative decision by the Huu-ay-aht body under subsection (3) or (4), the tribunal may either

(a) affirm the administrative decision, or

(b) send the matter back to the administrative decision maker for reconsideration in accordance with any recommendations of the tribunal.

(6) The tribunal must provide notice of its recommendations under subsection 5 (b) to Executive Council.

(7) If the tribunal investigates a director under subsection 3 (b), the tribunal may make a determination and discipline the director in accordance with section 17 (1) ~~(c)~~ of the *Tribunal Act* and the procedures set out at sections 24, 26 and 27 of this Act.

Disciplining employee or contractor

30 (1) In this section:

"dismissal" includes the termination of a contract;

"employee" includes a Huu-ay-aht employee or a contractor, or a former employee or contractor under section 21 (3);

(2) An employee must not contravene this Act.

(3) The employer must investigate if it appears that an employee has contravened this Act.

(4) An employee who is found in contravention of this Act by the employer is subject to discipline including the penalties set out in section 23.

(5) Despite section 23 of the *Tribunal Act*, on an appeal to the tribunal from an administrative decision by the employer under subsection (3) or (4), the tribunal may either

(a) affirm the administrative decision, or

(b) send the matter back to the administrative decision maker for reconsideration in accordance with any recommendations of the tribunal.

(6) The tribunal must provide notice of its recommendations under subsection 5 (b) to Executive Council.

Removal of volunteer

31 (1) In this section a "volunteer" includes a former volunteer under section 21 (3).

(2) A volunteer must not contravene this Act.

SCHEDULE B TO HFNR 5/2014

HUU-AY-AHT FIRST NATIONS

GOVERNANCE AND FISCAL AGREEMENT REGULATION

Provisions of the *Economic Development Act*, HFNA 2/2013, relevant to the enactment of this regulation: sections 6 (g), 22 (1) and 44.

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SCHEDULE

HUU-AY-AHT FIRST NATIONS
and
HUU-AY-AHT BUSINESS ENTERPRISES

GOVERNANCE AND FISCAL AGREEMENT

HUU-AY-AHT BUSINESS ENTERPRISES

"Economic Development Act" means the Huu-ay-aht First Nations Economic Development Act;

"economic development committee" means the standing committee on economic development continued under section 8 of the Economic Development Act;

"economic development plan" means the plan and any updates to that plan approved by Council in accordance with section 16 of the Economic Development Act;

"employment or independent contractor agreement" means the agreement entered into by the management limited partnership and the chief executive officer in accordance with section 7.2;

"Executive Council" means the executive branch of the Huu-ay-aht First Nations government, as referred to in the Constitution;

"fiscal year" means a one-year period commencing on April 1 of one calendar year and ending on March 31 of the same calendar year;

"force majeure" means any event beyond the control of a Party which could not have been reasonably foreseen and against which it could not have protected itself such as, without limiting the generality of the foregoing, natural catastrophes, epidemics, fires, accidents, acts of war (whether declared or not), insurrections, riots, acts of terrorism, wildcat strikes, partial or total work stoppages or slowdowns, lock-outs, changes in market conditions, power or communications breakdowns, interventions by civil or military authorities, compliance with all orders of all governmental authorities, courts or tribunals or public authorities;

"HDC board" means the board of directors of HDC;

"HDC" means the general partner of the HFN Development Limited Partnership;

"HFN Development Limited Partnership" means the limited partnership registered under the Partnership Act under registration number ◆ 553527-11;

"holiday" has the meaning given to that term in the Interpretation Act;

"Huu-ay-aht business enterprises" means HFN Development Limited Partnership, the general partner of HFN Development Limited Partnership, each operating limited partnership, the general partner of each operating limited partnership and the applicable business mandate for each of them;

"Huu-ay-aht First Nations" means that Maa-nulth First Nation referred to as the "Huu-ay-aht First Nations" recognized as a legal entity in accordance with the Maa-nulth Treaty.

SCHEDULE B TO HFNR 5/2014

HUU-AY-AHT FIRST NATIONS

INFRASTRUCTURE POLICY REGULATION

Provisions of the *Financial Administration Act*, HFNA 7/2011, relevant to the enactment of this regulation: section 72.

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INFRASTRUCTURE POLICY REGULATION

Contents

1 Definitions
2 Application
3 Purpose
4 Project stages
5 Operations and maintenance of government infrastructure

Definitions

1 In this regulation:

"feasibility study" means a written report providing the information set out in section 4 (5) to enable Executive Council to decide whether to approve a government infrastructure project;

"government infrastructure" means a physical asset with an expected useful life of at least 5 years based on the design of the asset and a capital cost of $ 30 000 or more;

"**government infrastructure project**" means potential government infrastructure, government infrastructure being constructed and includes the process of planning, designing, constructing and commissioning of government infrastructure.

Application

2 This regulation applies to all

(a) government infrastructure, and

(b) government infrastructure projects.

Purpose

3 The purpose of this regulation is to ensure that

(a) government infrastructure projects are effectively managed,

(b) government infrastructure is inventoried and periodically assessed, and

(c) government infrastructure is appropriately operated and maintained.

Project stages

4 (1) A government infrastructure project must go through the following stages:

(a) identification of the need for government infrastructure;

(b) a feasibility study;

(c) approval in principle;

(d) comprehensive design and project plan;

(e) approval to construct;

(f) construction and commissioning.

(2) Executive Council may, by resolution,

SCHEDULE B TO HFNR 5/2014

HUU-AY-AHT FIRST NATIONS

PURCHASING POLICY REGULATION AMENDMENT REGULATION, 2014

Provisions of the *Financial Administration Act*, HFNA 2011 relevant to the enactment of this legislation: s. 68(2); 76(3)

PURCHASING POLICY REGULATION AMENDMENT REGULATION, 2014

Contents

Section
1 Amendment
2 Commencement

Amendment

1 The *Purchasing Policy Regulation*, HNFR 4/2011 is amended by adding the following section:

"**6** (a) The amount prescribed by Executive Council for the purposes of subsection 68(1) of the *Financial Administration Act* is $5,000.

(b) The amount prescribed by Executive Council for the purposes of subsection 68(2) of the *Financial Administration* Act is $25,000."

Commencement

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

SCHEDULE B TO HFNR 5/2014

HUU-AY-AHT FIRST NATIONS



REFERENDUM AND RECALL ACT FORMS REGULATION

Provisions of the *Referendum and Recall Act*, HFNA 5/2011, relevant to the enactment of this regulation: sections 25, 26, 33, 34, 51.

Schedule 1

HUU-AY-AHTTRIBUNAL NOTICE OF APPLICATION **FORM A7**

RECALL PETITION APPLICATION

FORM 1 – *REFERENDUM AND RECALL ACT* (s25 (1)).

APPLICATION# _____
{for registry use only}

NOTE: If there is not sufficient space on this form for any of the information required, you may attach a schedule and reference it in the space provided.

COUNCIL MEMBER WHOSE RECALL IS SOUGHT

LAST NAME _____ GIVEN NAME(S) _____

DATE OF APPLICATION

DATE _____

STATEMENT OF FACTS Set out in 200 words or less why the applicants seek the recall of this Council Member.

For Office Use Only Date Received:

THIS FORM HAS TWO SIDES
YOU MUST COMPLETE BOTH



HUU-AY-AHTTRIBUNAL NOTICE OF APPLICATION RECALL PETITION APPLICATION

FORM 1 – *REFERENDUM AND RECALL ACT* (s.25 (1)).

[redacted]

NOTE: To be complete, this application must be made by at least ten eligible voters. List the names of each of the first ten applicants in the space below and attach a declaration in Form A7ii completed by each applicant. Additional declarations in Form A7ii may be attached if there are more than ten applicants. Once submitted, the supporting applications become part of this application.

APPLICANTS	
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)

THIS FORM HAS TWO SIDES
YOU MUST COMPLETE BOTH

HUU-AY-AHT TRIBUNAL NOTICE OF APPLICATION
RECALL PETITION APPLICATION
FORM 1 - *REFERENDUM AND RECALL ACT* (s.25 (1)).

FORM A7i

APPLICATION #_____
(for registry use only)

NOTE: If there is not sufficient space on this form for any of the information required, you may attach a schedule and reference it in the space provided.

COUNCIL MEMBER WHOSE RECALL IS SOUGHT

_____ _____
LAST NAME GIVEN NAME(S)

DATE OF APPLICATION

_____
DATE

STATEMENT OF FACTS Set out in 200 words or less why the applicants seek the recall of this Council Member.

For Office Use Only Date Received:_____

THIS FORM HAS TWO SIDES
YOU MUST COMPLETE BOTH

FORM A7i

HUU-AY-AHT TRIBUNAL NOTICE OF APPLICATION
RECALL PETITION APPLICATION

FORM 1 - *REFERENDUM AND RECALL ACT* (s.25 (1)).

NOTE: **To be complete, this application must be made by at least ten eligible voters.** List the names of each of the first ten applicants in the space below **and attach a declaration in Form A7ii completed by each applicant**. Additional declarations in Form A7ii may be attached if there are more than ten applicants. Once submitted, the supporting applications become part of this application.

APPLICANTS	
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
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LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)

THIS FORM HAS TWO SIDES
YOU MUST COMPLETE BOTH

HUU-AY-AHTTRIBUNAL NOTICE OF APPLICATION
DECLARATION IN SUPPORT OF
RECALL PETITION APPLICATION

FORM A7ii

FORM 1 – *REFERENDUM AND RECALL ACT* (s.25 (1)1.

NOTE: Copies of this declaration are to be completed by at least ten eligible voters in support of a Recall Petition In Form A7i. Once completed and submitted, the declaration will become part of the Application it is made in support of.

APPLICANT

LAST NAME _____ GIVEN NAME(S) _____

MAILING ADDRESS _____ CITY/TOWN _____ POSTAL CODE _____

PHONE _____ FAX _____ EMAIL ADDRESS _____

SOLEMN DECLARATION

I, _____ have read and support the Application to Recall _____ dated _____ and intend this form to become part of that application.

I solemnly declare that I am not disqualified under Huu-ay-aht law from making this application, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same legal force and effect as if made under oath.

SIGNATURE _____ DATE _____

WITNESS FULL NAME (PLEASE PRINT)** _____ WITNESS SIGNATURE _____

For Office Use Only Date Received: _____

• Pursuant to section 27 of the *Interpretation Act*, a solemn declaration must be witnessed by any of the following persons: (i) a commissioner for taking affidavits for British Columbia; (ii) a judge of a court in British Columbia; (iii) justices; (iv) the Ta'yii Hawilth; (v) the Speaker; (vi) the law Clerk; (vii) the Executive Director; (viii) the Huu-ay-aht Tribunal chair; (ix) the Election Commissioner; (x) a practising lawyer as defined in the Legal Profession Act (British Columbia); xi) notaries public.

FORM A7ii

HUU-AY-AHT TRIBUNAL NOTICE OF APPLICATION DECLARATION IN SUPPORT OF RECALL PETITION APPLICATION

FORM 1 - *REFERENDUM AND RECALL ACT* (s.25 (1)).

NOTE: Copies of this declaration are to be completed by at least ten eligible voters in support of a Recall Petition in Form A7i. Once completed and submitted, the declaration will become part of the Application it is made in support of.

APPLICANT

LAST NAME _____ GIVEN NAME(S) _____

MAILING ADDRESS _____ CITY/TOWN _____ POSTAL CODE _____

PHONE _____ FAX _____ EMAIL ADDRESS _____

SOLEMN DECLARATION

I, _____, have read and support the Application to Recall _____, dated _____, and intend this form to become part of that application.

I solemnly declare that I am not disqualified under Huu-ay-aht law from making this application, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same legal force and effect as if made under oath.

SIGNATURE _____ DATE _____

WITNESS FULL NAME (PLEASE PRINT)** _____ WITNESS SIGNATURE _____

For Office Use Only Date Received:_____

* Pursuant to section 27 of the *Interpretation Act*, a solemn declaration must be witnessed by any of the following persons: (i) a commissioner for taking affidavits for British Columbia; (ii) a judge of a court in British Columbia; (iii) justices; (iv) the Ta'yii Hawilth; (v) the Speaker; (vi) the Law Clerk; (vii) the Executive Director; (viii) the Huu-ay-aht Tribunal chair; (ix) the Election Commissioner; (x) a practising lawyer as defined in the Legal Profession Act (British Columbia); xi) notaries public.



RECALL PETITION

FORM 2 *REFERENDUM AND RECALL ACT* (s.26 (2))

[This information is to appear on each page of a recall petition:] This is a petition to recall *[INSERT NAME OF COUNCIL MEMBER],* pursuant to the application brought *[INSERT DATE].* By providing your name, contact Information and signature below, you are supporting the recall of (INSERT NAME OF COUNCIL MEMBER) and indicating that you are an eligible voter who has not previously signed this recall petition.

[Insert any other information considered necessary by the Tribunal.]

[Provide space for people to provide: full name, contact information, signature, date.]



RECALL PETITION

FORM 2 - *REFERENDUM AND RECALL ACT* (s.26 (2))

[This information is to appear on each page of a recall petition:] This is a petition to recall [*INSERT NAME OF COUNCIL MEMBER]*, pursuant to the application brought [*INSERT DATE*]. **By providing your name, contact information and signature below, you are supporting the recall of [INSERT NAME OF COUNCIL MEMBER] and indicating that you are an eligible voter who has not previously signed this recall petition.**

[*Insert any other information considered necessary by the Tribunal.*]

[*Provide space for people to provide: full name, contact information, signature, date.]*

HUU-AY-AHTTRIBUNAL NOTICE OF APPLICATION
CONSTITUTIONAL AMENDMENT
PETITION APPLICATION

FORM ASi

FORM 3 – *REFERENDUM AND RECALLACT* (s.33 (11).

APPLICATION #_____
(for registry use only)

NOTE: If there is not sufficient space on this form for any of the information required, you may attach a schedule and reference it in the space provided.

AMENDMENT SOUGHT Set out which provision you are seeking to amend and the wording of the amendment sought.

STATEMENT OF FACTS Set out in 200 words or less why the applicants seek the amendment set out above.

For Office Use Only Date Received:

THIS FORM HAS TWO SIDES
YOU MUST COMPLETE BOTH

f.Y!
.111111111--llil na..

HUU-AY-AHTTRIBUNAL NOTICE OF APPLICATION
CONSTITUTIONAL AMENDMENT
PETITION APPLICATION

FORM 3 – *REFERENDUM AND RECALL ACT* (s.33 (1)).

FORM A8i

NOTE: To be complete, this application must be made by at least ten eligible voters. List the names of each of the first ten applicants in the space below and attach a declaration in Form A8ii completed by each applcant. Additional declarations on Form A8ii may be attached if there are more than ten applicants. Once completed, the supporting applications become part of this application.

APPLICANTS

LAST NAME	GIVEN NAME(S)

LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)

THIS FORM HAS TWO SIDES
YOU MUST COMPLETE BOTH

FORM A8i

HUU-AY-AHT TRIBUNAL NOTICE OF APPLICATION CONSTITUTIONAL AMENDMENT PETITION APPLICATION

FORM 3 – *REFERENDUM AND RECALL ACT* (s.33 (1)).

APPLICATION #_____
(for registry use only)

NOTE: If there is not sufficient space on this form for any of the information required, you may attach a schedule and reference it in the space provided.

AMENDMENT SOUGHT	Set out which provision you are seeking to amend and the wording of the amendment sought.

STATEMENT OF FACTS	Set out in 200 words or less why the applicants seek the amendment set out above.

For Office Use Only Date Received:_____

THIS FORM HAS TWO SIDES
YOU MUST COMPLETE BOTH

FORM A8i

HUU-AY-AHT TRIBUNAL NOTICE OF APPLICATION CONSTITUTIONAL AMENDMENT PETITION APPLICATION

FORM 3 – *REFERENDUM AND RECALL ACT* (s.33 (1)).

NOTE: To be complete, **this application must be made by at least ten eligible voters**. List the names of each of the first ten applicants in the space below and **attach a declaration in Form A8ii completed by each applicant**. Additional declarations in Form A8ii may be attached if there are more than ten applicants. Once completed, the supporting applications become part of this application.

APPLICANTS	
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)
LAST NAME	GIVEN NAME(S)

THIS FORM HAS TWO SIDES
YOU MUST COMPLETE BOTH

HUU-AY-AHTTRIBUNAL NOTICE OF APPLICATION DECLARATION IN SUPPORT OF

FORM ASi _ _ _ _ _ ._!!1111110

CONSTITUTIONAL AMENDMENT PETITION APPLICATION

FORM 3 - *REFERENDUM AND RECALL ACT* FORM 1 (s.33 (1)).

NOTE: Copies of this declaration are to be completed by at least ten eligible voters in support of a Constitutional Amendment Petition Application in Form A8i and submitted to the Tribunal.

APPLICANT

LAST NAME _____ GIVEN NAME(S) _____

MAILING ADDRESS _____ CITY/TOWN _____ POSTAL CODE _____

PHONE _____ FAX _____ EMAIL ADDRESS _____

SOLEMN DECLARATION

I, _____ have read and support the Constitutional Amendment Petition Application dated _____ and intend this form to become part of that application.

I solemnly declare that I am not disqualified under Huu-ay-aht law from making this application, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same legal force and effect as if made under oath.

SIGNATURE _____ DATE _____

WITNESS FULL NAME (PLEASE PRINT) _____ WITNESS SIGNATURE _____

• Pursuant to section 27 of the *Interpretation Act*, a solemn declaration must be witnessed by any of the following persons: (i) a commissioner for taking affidavits for British Columbia; (ii) a judge of a court in British Columbia; (iii) justices; (iv) the Ta'yii Hawilth; (v) the Speaker; (vi) the Law Clerk; (vii) the Executive Director; (viii) the Huu-ay-aht Tribunal chair; (ix) the Election Commissioner; (x) a practising lawyer as defined in the Legal Profession Act (British Columbia); xi) notaries public.

FORM A8ii

HUU-AY-AHT TRIBUNAL NOTICE OF APPLICATION DECLARATION IN SUPPORT OF CONSTITUTIONAL AMENDMENT PETITION APPLICATION

FORM 3 - *REFERENDUM AND RECALL ACT* FORM 1 (s.33 (1)).

NOTE: Copies of this declaration are to be completed by at least ten eligible voters in support of a Constitutional Amendment Petition Application in Form A8i and submitted to the Tribunal.

APPLICANT

LAST NAME _____ GIVEN NAME(S) _____

MAILING ADDRESS _____ CITY/TOWN _____ POSTAL CODE _____

PHONE _____ FAX _____ EMAIL ADDRESS _____

SOLEMN DECLARATION

I, _____, have read and support the Constitutional Amendment Petition Application dated _____, and intend this form to become part of that application.

I solemnly declare that I am not disqualified under Huu-ay-aht law from making this application, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same legal force and effect as if made under oath.

SIGNATURE _____ DATE _____

WITNESS FULL NAME (PLEASE PRINT)* _____ WITNESS SIGNATURE _____

* Pursuant to section 27 of the *Interpretation Act*, a solemn declaration must be witnessed by any of the following persons: (i) a commissioner for taking affidavits for British Columbia; (ii) a judge of a court in British Columbia; (iii) justices; (iv) the Ta'yii Hawilth; (v) the Speaker; (vi) the Law Clerk; (vii) the Executive Director; (viii) the Huu-ay-aht Tribunal chair; (ix) the Election Commissioner; (x) a practising lawyer as defined in the Legal Profession Act (British Columbia); xi) notaries public.



PETITION TO AMEND THE CONSTITUTION

FORM 4 - *REFERENDUM AND RECALL ACT* (s 26 (2))

(This information is to appear on each page of a petition to amend the *Constitution:]* This is a petition to amend the Constitution by *[INSERT DETAILS OF PROPOSED AMENDMENT},* pursuant to the application brought *[INSERT DATE).* By providing your name, contact information and signature below, you are supporting the proposed amendment and Indicating that you are an eligible voter who has not previously signed this petition.

[Insert any other information considered necessary by the Tribunal.]

[Provide space for people to provide: full name, contact information, signature, date.]



PETITION TO AMEND THE CONSTITUTION

FORM 4 - *REFERENDUM AND RECALL ACT* (s.26 (2))

[This information is to appear on each page of a petition to amend the *Constitution*:] This is a petition to amend the Constitution by [*INSERT DETAILS OF PROPOSED AMENDMENT]*, pursuant to the application brought [*INSERT DATE*]. **By providing your name, contact information and signature below, you are supporting the proposed amendment and indicating that you are an eligible voter who has not previously signed this petition.**

[*Insert any other information considered necessary by the Tribunal.*]

[*Provide space for people to provide: full name, contact information, signature, date.*]

SCHEDULE B TO HFNR 5/2014

HUU-AY-AHT FIRST NATIONS

RESIDENTIAL LEASE AMENDMENT REGULATION, 2013

Provisions of the *Financial Administration Act*, HFNA 7/2011, relevant to the enactment of this regulation: section 83.

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RESIDENTIAL LEASE AMENDMENT REGULATION, 2013

Existing residential use exception extended

1 Section 22 (2) to (8) of the *Residential Lease Regulation*, HFNR 24/2012 is repealed and the following substituted:

(2) An eligible person may notify Executive Council in writing by January 31, 2013 that he or she wishes to obtain a residential lease for an existing residential use or in substitution for an existing residential lease.

(3) Despite the provisions of this regulation, Executive Council may grant a residential lease and other related residential interests to an eligible person in subsection (2).

(4) Executive Council or the director must specify the form and content of a residential lease and other residential interests for an existing residential use by January 31, 2013.

(5) An eligible person must execute a residential lease and related residential interests under subsection (4) by March 31, 2013.

(6) The director may sign a residential lease and related residential interests on behalf of the Huu-ay-aht.

(7) Executive Council must register an executed residential lease and related residential interests granted under this section by March 31, 2013.

(8) After March 31, 2013,

(a) Executive Council may designate a parcel with an existing residential use as part of a residential lot plan, and

(b) an eligible person has no priority to acquire a residential interest in Treaty Lands.

Commencement

2 (1) Section 1 is deemed to have been continuously in force from March 30, 2012.

(2) Subsection (1) is retroactive to the extent necessary to give full force and effect to its provisions and must not be construed as lacking retroactive effect in relation to any matter because it makes no specific reference to that matter.