HUU-AY-AHT FIRST NATIONS



DRAFT NO. 1 MISCELLANEOUS STATUTES AMENDMENT ACT, 2013

The Huu-ay-aht Legislature enacts this law to enhance the operation of Huu-ay-aht laws.

REGISTRY OF LAWS CERTIFICATION

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

_____

_____
Chief Councillor Jeff Cook

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

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_____
Ta'yii Hawilth Derek Peters

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

_____

_____
Law Clerk Connie Waddell

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5 Commencement

Note to Reader

The Note to Reader will list the Huu-ay-aht Acts amended under this statute.

The Legislature enacts as follows:

PART 1 – DISCRIMINATION AND HARASSMENT AMENDMENTS

Financial Administration Act

1 Section 92 of the *Financial Administration Act*, HFNA 2011, is amended by adding the following subsection:

(c) set-off by government against any discretionary funding or monetary benefit which the person may be provided by the Huu-ay-aht or a Huu-ay-aht body.

Offence and Law Enforcement Act

2 Section 31 of the *Offence and Law Enforcement Act*, HFNA 2011 repealed and replaced by:

31 If a ticket may be issued for a contravention of Huu-ay-aht law, Executive Council, may, by regulation, establish

(1) the amount of

(a) a penalty for the contravention up to a maximum fine of $5 000,

(b) a discounted penalty amount payable if payment is received on or before a prescribed time after the ticket is served, and

(c) a surcharge penalty amount if the penalty is not paid within the period set out in section 29 (1) (b), and

(2) a range of penalty amounts under subsection (1) for any contravention, taking into consideration one or more of the following:

(a) prior contraventions of the same or similar provisions;

(b) the seriousness of the contravention;

(c) other prescribed considerations.

PART 2 – FINANCIAL ADMINISTRATION AMENDMENT

Financial Administration Act

3 Section 25 (1) (a) of the *Financial Administration Act*, HFNA 2011, is amended by striking out "within 90 days of the fiscal year end" and substituting "within 150 days of the fiscal year end".

PART 3 – GOVERNANCE AMENDMENT

Government Act

4 Section 77 of the *Government Act*, HFNA 2011, is amended

(a) by repealing subsection (b), and

(b) by striking out "25%" and substituting "20%" in subsection (c).

PART 4 – GENERAL

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

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