

**KWANLIN DÜN FIRST NATION**

**Act to Amend the Governance Act**

**May 2017**

This version of the Act is for convenience of reference only. For purposes of interpreting and applying the law a person should access the *Governance Act* (Kwanlin Dün First Nation), 2016, and the *Act to Amend the Governance Act* (Kwanlin Dün First Nation), 2017, held in the Kwanlin Dün First Nation Registry of Laws, Executive Council Office.

**Kwanlin Dün First Nation**  
**ACT TO AMEND THE GOVERNANCE ACT**

**The Council of the Kwanlin Dün First Nation enacts as follows:**

***Act to Amend the Governance Act***

1. Subsection 6(15) is amended by placing a comma between “reached” and “a vote”:

(15) The Council shall strive to achieve consensus on all decisions. Where consensus cannot be reached, a vote shall occur and a majority of votes by those members of the Council in attendance shall carry the decision.

2. Subsection 9(1) is amended to confirm that the Council has delegated its authority to determine the Council’s remuneration, pursuant to subsection 46(1) of the *Constitution of the Kwanlin Dün First Nation*, to the Board established under the *Governance Act* (2016) and that the Board will be established in accordance with a regulation:

(1) The Council delegates its authority to determine the compensation and benefits of the Council in accordance with subsection 46(1) of the constitution to an independent Board. The Board shall be established by regulation.

3. Subsection 9(2) is amended by replacing “nominated and confirmed by the Council” with “appointed by the Council”, and by replacing “nominated and confirmed by the General Assembly” with “nominated by the General Assembly and appointed by the Council” in compliance with paragraph 29(1)(h) of the constitution:

(2) The Board shall consist of a Chair appointed by the Council and two Kwanlin Dün citizens, representing the Wolf and Crow moiety, nominated by the General Assembly and appointed by the Council.

4. Subsection 9(8) is amended by striking out the words “and any other Kwanlin Dün First Nation government branch”:

(8) The Board is authorized to fix the compensation and allowances for all persons serving on the Council in accordance with this Act and any rules established by regulation.

5. Subsection 9(14) is amended by placing a comma between “fiscal year” and “the Board”, and by striking out the words “various branches of the Kwanlin Dün First Nation” and replacing the struck-out words with “Council”:

(14) Prior to each fiscal year, the Board shall prepare and file with the Management Committee an estimate of monies required for the payment of the compensation and allowances for the Council for the ensuing fiscal year.



**6.** Subsection 11(4) is amended by replacing “Kwanlin Dün” with “Kwanlin Dün First Nation”:

(4) Each member of the Council shall attend all duly called Council meetings, subject to authorized absences, to ensure the proper representation of the views and interests of the Kwanlin Dün First Nation.

**7.** Subsection 22(1) is amended by changing paragraph 22(1)(e) to 22(1)(d), followed by paragraphs 22(1)(e) and 22(1)(f):

22. (1) The Standing Committee established under subsection 21(1) shall be comprised of
- (a) two members of the Council;
  - (b) the Executive Director;
  - (c) the Director of Governance;
  - (d) the Director of Justice;
  - (e) one youth appointed by the Youth Council; and
  - (f) one elder appointed by the Elders Council.

**8.** Subsection 29(4) is amended by changing “section 49(2)” to “subsection 49(2)”:

(4) In accordance with subsection 49(2) of the constitution, if 25 or more citizens submit a Citizens’ Order for a public meeting regarding a bill, the Council shall conduct a consultation meeting within 14 days upon receipt of the Citizens’ Order.

**9.** Subsection 33(1) is amended by changing subsection “33(1)” to section “33”:

33. The bill shall be enacted and brought into force and effect on a date confirmed by

**10.** Paragraph 33(1)(b) is amended by changing “members of Council” to “members of the Council”:

(b) upon the execution of the bill evidenced by the signatures of the Chief and a minimum of four elected members of the Council.

**11.** Subsection 42(1) is amended by placing a semicolon between “Order in Council” and “until such”:

(1) Any policy, procedure, practice, Order in Council or other requirement of any kind whatsoever recognized by the Council that is in effect immediately before this Act comes into force and that is not in conformity with this Act shall remain in effect for the purposes of this Act until it is repealed by an Order in Council; until such repeal, it shall be deemed to be in conformity with this Act.