

TŁICHQ GOVERNMENT

TŁICHQ ASSEMBLY AND CHIEF'S EXECUTIVE COUNCIL LAW

The Tłichq Assembly enacted this law as part of the Tłichq Omnibus Implementation Law on August 4, 2005 by unanimous consent.

Joe Rabesca, Grand Chief of the Tłichq Government, signed the Tłichq Omnibus Implementation Law on August 4, 2005.

Signature: Bertha Rabesca Zoe Date: Aug. 12, 2005
Certified as a True Copy by Bertha Rabesca Zoe as of August 4, 2005.
Laws Guardian, Tłichq Government

DISPOSITION

DATE OF INTRODUCTION	CONSIDERATION	CONSENSUS	EFFECTIVE DATE
August 4, 2005	August 4, 2005	August 4, 2005	August 4, 2005

TL̨CHQ ASSEMBLY AND CHIEF'S EXECUTIVE COUNCIL LAW

Title

1. This law shall be cited as the *Tł̨chq Assembly and Chief's Executive Council Law*.

Definitions

2. In this law,

“Assembly” has the same meaning as in the Tł̨chq Constitution.

“Chief's Executive Council” has the same meaning as in the Tł̨chq Constitution.

“immediate family” means father, mother, legal guardian, spouse, grandmother, grandfather, brothers, sisters, children and grandchildren.

“Speaker” has the same meaning as in the Tł̨chq Constitution.

“Tł̨chq Government” means the Tł̨chq Government and its institutions as defined in the Tł̨chq Constitution.

Procedure

3. The Assembly shall determine its own procedure and any failure by the Assembly to adhere to or follow its own procedure shall not be reviewable by any court.

4. The Chief's Executive Council shall determine its own procedures and any failure by the Chief's Executive Council to adhere to or follow its own procedure shall not be reviewable by any court.

Appointment of Tłchq Executive Officer

5. The Chief's Executive Council shall establish a position to be known as "Tłchq Executive Officer" and appoint a person to fill that position.

Appointment to Boards and Other Entities

6. The Chief's Executive Council shall approve all Tłchq Government appointments and/or nominations to all Boards and other entities as representatives of the Tłchq Government or as provided for in the Tłchq Agreement.

Members

7. (1) Where a member of the Assembly other than the Grand Chief resigns, by declaring openly at a meeting of the Assembly or by submitting a written resignation delivered to the Assembly, his or her resignation shall be effective at the time the declaration is made or the written resignation is received by the Assembly.

- (2) Where a member of the Assembly other than the Grand Chief is unable to carry out their duties, for any reason other than resignation, he or she shall be deemed to have resigned effective on the day the Speaker is informed that the member of the Assembly is unable to carry out his or her duties.

- (3) Where the Grand Chief resigns, by declaring openly at a meeting of the Assembly or Chief's Executive Council or by submitting a written resignation delivered to the Assembly or the Chief's Executive Council, his or her resignation shall be effective at the time the resignation is accepted by the Chief's Executive Council or ten days after receipt of the written resignation, whichever occurs first.

- (4) Where the Grand Chief is determined by the Chief's Executive Council to be unable to carry out his or her duties, he or she shall be deemed to have resigned on a day so declared by the Chief's Executive Council.

(5) Where the Speaker has been informed that a member of the Assembly has resigned or has been informed as set out that a member of the Assembly is unable to carry out his or her duties, the Speaker shall inform the remaining members of the Assembly that the departing member of the Assembly is unable to carry out his or her duties and identify the date the departing member's resignation became effective.

(5) Where a member's position other than the Grand Chief, becomes vacant as a result of subsection (1) or (2), the Speaker shall notify the appropriate Tłchq Community to replace the member within 30 days.

(6) Upon the effective resignation of the Grand Chief, or when the Grand Chief can no longer carry out his or her duties, at least 9 members of the Assembly shall forthwith appoint a member of the Assembly other than a Chief to be acting Grand Chief and cause a nomination and election to be held as soon as possible to elect a new Grand Chief.

Vacancies

8. The proceedings and decisions of the Assembly are not affected by any vacancy in its membership, so long as a quorum remains in office.

Conflict of interest

9. (1) Every member of the Assembly who, in any way, directly or indirectly, has an interest that conflicts or reasonably might be expected to conflict with the interests of the Tłchq Government or its institutions, shall disclose the nature and extent of their interest, conduct or behavior to the Assembly at the earliest opportunity after becoming aware of the conflict.

(2) Where a Chief, the Grand Chief or an immediate family member has a financial interest in a corporation, partnership, sole proprietorship or is a director of a non-profit society or organization that may benefit from any contract, loan, grant, financial guarantee or other similar financial relationship entered into by the Tłchq Government that must be approved by the Chief's Executive Council, the Chief or Grand

Chief shall be deemed to be in a conflict of interest under this section for the purposes of awarding the contract, loan, grant, financial guarantee or other similar financial relationship and will refrain from participating in any decision on this matter.

Oath of Office

10. Each member of the Assembly shall take the oath of office contained in Schedule A before starting his or her duties as a member of the Assembly.

Undue Use of Influence

11. (1) No member of the Assembly or Chief's Executive Council shall receive or agree to receive any fee, compensation or reward, directly or indirectly, either alone or with another, for services rendered or to be rendered to any person, either by himself or another, in relation to the preparation or promotion of any draft enactment, resolution, question, petition, proceeding, controversy, charge or other matter before the Tłchq Government.

(2) No person shall offer a member of the Assembly or Chief's Executive Council a reward to use their position to promote any enactment, contract or other matter before the Tłchq Government.

(3) A person who violates subsection (1) or subsection (2) commits an offence.

Liability

12. Except where a member of the Assembly is found to have violated section 9 or 11, no member of the Assembly is liable to any civil action or prosecution, arrest, imprisonment or damages by reason of any matter or thing brought by him or her before the Assembly or Chief's Executive Council by petition, bill, resolution, motion or otherwise, or anything said by him or her at a meeting of the Assembly or Chief's Executive Council.

Indemnities and allowances

13. (1) Each member of the Assembly shall be paid an honorarium or wage at the rate set out in Schedule B.

(2) Each member of the Assembly and Chief's Executive Council shall be paid transportation and living expenses incurred in connection with the performance of their duties while away from their ordinary place of residence in accordance with existing policies.

Regulations

14. The Assembly may enact regulations for the carrying out of the purposes and provisions of this Law.

SCHEDULE A

Oath of Office

“I, (Name of the Member), do swear that I will respect and honour Tłchọ citizens, the Tłchọ Government, Tłchọ Constitution and Tłchọ Agreement. I will carry out my duties as a member of the Tłchọ Assembly to protect and promote the Tłchọ language, culture, resources and way of life with honesty and integrity so help me God.”

La Ts'it'ọ gha Yatı Hohłè

Sı, (Name of the Member), họt'à-lọ hotì nezì Tłchọ dọò, Tłchọ Déts'ọ K'àowo, Tłchọ Nàowo eyıts'ọ Tłchọ Ełek'èè hots'era nàowo ıtọ ha họt'e.

Tłchọ dọò gha segha ek'ètehtsòo hohł t'à hotì nezı Tłchọ yatı, Tłchọ nàowo, dè eyıts'ọ edèts'eèdà wek'eedı ha, Nọhtsı sets'à wedı.

SCHEDULE B

Honoraria and Wages for Members

The remuneration for Members of the Assembly other than the Grand Chief and the Chiefs shall be \$ 250.00 per day plus all actual expenses according to Tłchq Government policies.

The remuneration for each Chief while a member of the Assembly shall be \$ 5,777.00 per month plus all actual expenses and benefits according to Tłchq Government policies.

The remuneration for the Grand Chief while a member of the Assembly shall be \$ 7,940.00 per month plus all actual expenses and benefits according to Tłchq Government policies.