

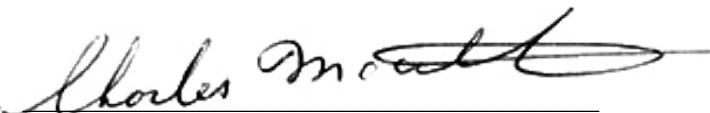
**YUULU?IL?ATH? GOVERNMENT**

**GOVERNMENT ACT**  
**(ELECTRONIC ATTENDANCE)**  
**AMENDMENT ACT**

**YFNS 71/2021**

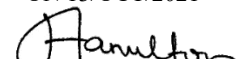


This law enacted on October 12, 2021

Signed   
Charles McCarthy, President of the  
Yuułu?il?ath? Government

DEPOSITED IN THE  
REGISTRY OF LAWS AND  
OFFICIAL RECORDS

ON 13/OCT/2021

  
Signature of Law Clerk



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**TABLE OF CONTENTS**

**PART 1 - INTRODUCTORY PROVISIONS .....5**

    Short title .....5

    Executive oversight .....5

    Definitions .....5

**PART 2 - AMENDMENT PROVISIONS .....7**

    Electronic attendance amendments .....7

    Miscellaneous amendments .....9

    Consequential amendments .....9

    Commencement .....9



## **PART 1 - INTRODUCTORY PROVISIONS**

### **Short title**

**1.1** This Act may be cited as the Government Act (Electronic Attendance) Amendment Act.

### **Executive oversight**

**1.2** The President is responsible for the executive oversight of this Act.

### **Definitions**

**1.3** In this Act,

“Act” means the Government Act YFNS 2/2011.



## PART 2 - AMENDMENT PROVISIONS

### Electronic attendance amendments

- 2.1 (a) Section 2.16(a) of the Act is repealed and the following substituted:
- “(a) If a member of the Legislature or the chairperson is unable, or it is impractical for them, to attend a meeting of the Legislature in person, that individual may attend that meeting by means of video, telephone, electronic or other communication facilities that permit all persons participating in that meeting to communicate adequately with each other.”
- (b) Section 2.16(b) of the Act is amended by striking out “member of the Legislature” and substituting “individual”.
- (c) Section 3.3(a) of the Act is repealed and the following substituted:
- “(a) Members of the Executive may meet at any time, location and by any means deemed reasonably necessary by the President or any two members of the Executive, provided all persons participating in that meeting are able to communicate adequately with each other.”
- (d) Section 3.3 of the Act is amended by adding the following after subsection (d):
- “(e) Each individual participating in the manner described in subsection (a) is deemed to be present at the meeting.”
- (e) Section 4.2 of the Act is repealed and the following substituted:
- “Notice**
- 4.2 (a) At least 60 days prior to a meeting of the hitacu assembly, the chairperson must post notice of the meeting in accordance with Yuulu?il?ath law, including the date, time and location of the meeting.
- (b) If a meeting is held electronically, the notice referred to in subsection (a) must provide instructions for attending the meeting including, if applicable, instructions for how to vote at the meeting.”
- (f) Section 4.4 of the Act is repealed and the following substituted:
- “Location**
- 4.4 (a) A meeting of the hitacu assembly may be held in either or both of the following formats:

- (i) in person at a location within the Nisma, unless otherwise directed by a majority of eligible voters present and voting at the previous meeting of the hitaçu assembly, or
    - (ii) electronically by telephone, videoconferencing software or other communications medium.
  - (b) Any person who is present at a meeting of the hitaçu assembly electronically
    - (i) is deemed for the purposes of this Act and the Constitution to be in attendance at the meeting, and
    - (ii) has the right to participate and vote, if applicable, in accordance with this Part.
  - (c) The Chairperson is not required to take any action to facilitate the use of an electronic communications medium by a Yuulu?il?ath citizen.”.
- (g) Section 4.6(c) of the Act is repealed and the following substituted:
  - “(c) The adoption of the agenda, and the inclusion or exclusion of additional agenda items, will be determined by approval of a motion by a majority of the eligible voters in attendance and voting by way of a show of hands or another method designated by the Chairperson, provided that the method allows every eligible voter in attendance to vote.”.
- (h) Section 4.6(h) of the Act is repealed and the following substituted:
  - “(h) The chairperson must maintain a speakers list and designate each speaker
    - (i) attending in person, by providing the speaker with the talking stick, and
    - (ii) attending electronically, by calling upon the speaker.”.
- (i) Sections 4.7(d) and (e) of the Act are repealed and the following substituted:
  - “(d) Except for matters requiring a referendum in accordance with the Constitution, the Referendum Act or other Yuulu?il?ath enactment, subject to subsection (e), a resolution is passed by a majority of eligible voters in attendance and voting at a meeting of the hitaçu assembly by way of a show of hands.
  - (e) If a meeting of the hitaçu assembly is held electronically, the Chairperson may designate another method of voting, provided that the alternate method allows every eligible voter in attendance to vote.



- (f) Any resolution passed at a meeting of the hitacu assembly shall constitute a recommendation to the Yuulu?il?ath government.”.

### **Miscellaneous amendments**

**2.2** The Act is amended as follows:

- (a) in the definition of “chairperson” in section 1.4, the title of Part 4 and in sections 4.1, 4.3, 4.5, 4.6(a), (b), (k) and (l), 4.7(a) and 4.8, by striking out every occurrence of “Hittatsoo Assembly” and substituting “hitacu assembly”;
- (b) in section 4.6(l) by striking out “present” and substituting “in attendance”.

### **Consequential amendments**

**2.3** The following sections of the applicable enactments are amended by striking out every occurrence of “Hittatsoo Assembly” and substituting “hitacu assembly”:

- (a) sections 4.3(b) and 5.4(b)(v) of the Legislature Rules of Order and Procedure Act YFNS 3/2011;
- (b) sections 4.4(c), 9.6, including its title, and 9.10, including its title, of the Financial Administration Act YFNS 6/2011;
- (c) section 2.3 of the Referendum Act YFNS 9/2011; and
- (d) the definition of “Hittatsoo Assembly” in section 3.3 of the Interpretation Act YFNS 17/2011.

**2.4** Sections 2.8(q)(i) and 3.1(c) of the Economic Development Act YFNS 34/2014 are amended by striking out every occurrence of “Hitacu Assembly” and substituting “hitacu assembly”.

### **Commencement**

- 2.5** (a) This Act is deemed to have come into force on March 16, 2020 and is retroactive to the extent necessary to give full force and effect to these provisions and must not be construed as lacking retroactive effect in relation to any matter because it makes no specific reference to that matter.
- (b) All otherwise lawful decisions made by the Legislature or the Executive since March 16, 2020, are hereby approved, ratified and confirmed, provided that a decision was made at a meeting held in accordance with the amendments made by this Act.