

Follow Us!



@uclueletfirstnation



Yuutu?it?ath

YG Newsletter

Volume 13, Issue 3 | February 2023

www.ufn.ca

What's New?

Page 1

BC Hydro Energy Saving Products

Page 2

Basketball Clinic

Page 3

Gwaii Engineering

Page 5

YFNS 79 Enacted

Page 6

NTC COVID-19 Community Research

Page 15-72

Technical and Grammatical Constitution Updates

Events

February 17-19

Basketball Clinic

February 20

Family Day Event

February 27

Dental Hygienist Clinic

March 6-10

Dr. Altar in hita'cu

March 7 & 8

Night Sun Bear



hita'cu Residents! Have your FREE energy saving products installed by March 31, 2023.

FREE to all units; homeowners, tenants, and landlords, BC Hydro is offering energy saving products. These products include (per unit): 25 LED light bulbs, LED nightlight, kitchen faucet aerators, bathroom faucet aerators, high performance shower head, door sweeps, door bumpers, draft proofing foam tape, window film, outlet gaskets (10 per pack), pipe wrap for hot water tank, dryer rack, attic hatch insulation.

To have your products installed on a date and time suitable for you, contact Kirk McCarthy, Daniel Joseph, or Marilyn Touchie prior to March 31, 2023. Residents can contact Kirk directly at (250) 725-4003, Daniel at (250) 266-7755, or Marilyn at (778) 942 0651.

DR. TED ALTAR
COMMUNITY PSYCHOLOGIST

AVAILABLE IN PERSON
MARCH 6 TO MARCH 10
 AT THE HUUPATU HEALTH CENTRE

Ucluelet First Nation Basketball Clinic

with Cory Breland



AGAINST ALL ODDS

BASKETBALL

FEBRUARY 17 - 19

Registration Deadline:
Friday, February 10, 4:30pm

FRIDAY:

- AGES 8 to 11. 3:00 - 4:00
- AGES 12 to 14. 4:30 - 6:00
- AGES 15 over. 6:30 - 8:30

SATURDAY AND SUNDAY

- AGES 8 to 11. 2 - 3:15
- AGES 12 to 14. 4 - 5:45
- AGES 15 over. 7 - 8:45

CALL : GLORIA VALENTINE

PHONE: 250-726-7342 EXT 225
CELL: 250-726-7948

MORE CONTACT INFO:

GLORIA.VALENTINE@UFN.CA

Gwaii Engineering Returns to hitaču



Gwaii Engineering back in hitaču!

Gwaii Engineering joined us one last time at the Cixwatin Centre in hitaču, for community feedback on the future of the community multi-use pathway; hitaču tašii Multi-Use Trail Project.

We were joined once again by Mike Achtem, Senior Engineer; Julia Barron, Project Engineer; and Kyle Anderson, Civil Engineering Technologist.

For this engagement, survey feedback was reviewed, including study results from the first community session. Updated maps were displayed and the group recorded the recommendations of the community once more, including from a few youth who joined in.

Gwaii Engineering and the Assets Department are thankful for the community in providing important feedback for this project and taking time to fill out the surveys.

We look forward to sharing the next steps in this project and seeing new pathways in hitaču!





Family Day!



**MONDAY,
FEBRUARY 20**

10:00am – 2:00pm



CIX^wATIN CENTRE GYM

700 Wya Road
hitaču



LUNCH

Served at 12:00pm

**MINI SNACK STAND
& BUBBLE TEA!**

THE ACTIVITIES

Bouncy Castle
Culture &
Language
Cultural Crafts
Face Painting
Hair Cuts
Shiatsu & Chair
Massages
Mini Manis & Pedis
Photo Buttons
Song & Dance

EVERYONE WELCOME!!

**FOR MORE INFO
CONTACT:**

Gloria Valentine
(250) 726-7948
Gloria.Valentine@ufn.ca

Reception
(250) 726-7342
Reception@ufn.ca

YFNS 79 Enacted

Yuufu?i?ath Government passed its 79th Act.

At the Legislature meeting held on Monday, January 23, the Yuufu?i?ath Government passed the Voting Procedure's Amendment Act.

This Act amends the:

- (a) the Elections Act, YFNS 42/2015,
- (b) the Referendum Act, YFNS 9/2011, and
- (c) the Interpretation Act, YFNS 17/2011.

For YFNS Act 79 in full form visit ufn.ca > Government > Acts > YFNS 79. Below is the briefing note details.

Yuufu?i?ath Government and legal counsel recommend several amendments to the Yuufu?i?ath Constitution (the "Constitution") to:

- address various administrative timelines and requirements that have proven difficult or impossible to meet or do not reflect current practice;
- better reflect Yuufu?i?ath identity and values; and
- improve drafting clarity.

These amendments are summarized below and set out in full in the version of the Constitution accompanying this briefing note, with text that is proposed to be added to the Constitution underlined and in red, and text that is proposed to be deleted crossed out and in red.

The constitutional amendment process is initiated by a resolution of the Legislature ordering a referendum of Yuufu?i?ath eligible voters. Accompanying this briefing note is a draft resolution of the Legislature for this purpose. The draft resolution also includes a referendum question to determine public opinion on options for the payment of Christmas gifts.

CONSTITUTIONAL AMENDMENTS

The recommended constitutional amendments include the following:

1. Incorporating more nuucãañuŭ words into the Constitution.
2. Adding language to the Preamble that speaks to the importance of supporting Yuufu?i?ath youth, who represent the Nation's future.
3. Adding language to the Preamble to acknowledge that the Maa-nulth Treaty recognizes the Constitution as the most important law of Yuufu?i?ath.
4. Confirming the principle that constitutional rights are only subject to reasonable limits prescribed by Yuufu?i?ath law that can be demonstrably justified in a free and democratic society. This language mirrors the standard enshrined in the Canadian Charter of

Rights and Freedoms. This language protects citizens from unreasonable and unjustified infringements of their constitutional rights, while recognizing that government programs and services sometimes need to be delivered in different ways to citizens.

5. At section 2.2, recognizing the legal reality that if Yuufu?i?ath wishes to establish its own judicial branch, it must do so in accordance with the Maa-nulth Treaty.
6. Removing various timelines that have proven difficult or impossible to meet, such as:
 - I. a. Section 2.8, which requires a by-election to be held within 30 days of a position in the Legislature becoming vacant. Experience has shown that 30 days is not enough time to administer a by-election, particularly in circumstances where the vacancy is caused by a death. Rather than having the Constitution prescribe a timeframe, the proposed amendment requires the by-election to be held in accordance with Yuufu?i?ath law, which will set out the applicable timeframes.
 - II. b. Sections 5.5 and 5.6, which set out timeframes for presenting the draft annual budget (30 days) and audited annual financial statements (90 days) to the hitaçu assembly. Experience has shown that these timelines cannot be met, nor are they met by any other government in Canada. The proposed amendment requires the draft annual budget and audited financial statements to be presented to the hitaçu assembly in accordance with the timeframes set out in Yuufu?i?ath law.
 - III. c. Section 2.15, which requires Yuufu?i?ath laws to be published and made available to Yuufu?i?ath citizens within 10 days of coming into effect. The proposed amendment removes the 10 day requirement and instead provides laws to be published in accordance with Yuufu?i?ath law. Note that the Government Act YFNS 2/2011 currently requires the law clerk to deposit laws into the registry of laws as soon as they are signed.
 - IV. d. Section 8.3, which requires the Legislature, when proposing amendments to the Constitution, to conduct a referendum within 30 days of a special hitaçu assembly. This does not allow enough time for the Legislature to make changes to the proposed amendment in response to advice received at the hitaçu assembly.
7. Clarifying, at sections 2.19 and 2.21(h), that the role of the Executive and the President is to oversee enforcement of laws, management of affairs, and government and financial administration, rather than to be directly responsible

for such matters.

8. Amending section 2.32 to require the chairperson to provide notice of all hitaču assemblies, not just hitaču assemblies that are being called to consider resolutions calling for referendums.

9. Removing the restriction that members of the Legislature who sit on committees are ex officio and cannot vote (s. 2.35). Experience has shown that it is often challenging to fill vacancies on committees and to reach quorum at meetings. Removing this restriction will help address this challenge.

10. Removing the requirement to include standing committees on finance, treaty implementation, economic development and personnel. Removing this requirement will allow greater flexibility for committee names and structures to be dealt with in Yuułuʔiłʔatḥ laws.

11. Removing section 3.5, which requires the Legislature to exercise any law-making authorities set out in non-Treaty agreements with Canada or British Columbia. The Legisla-

ture's role under non-Treaty agreements with Canada or British Columbia is already described in section 3.1, which grants the Legislature the right to assume such law-making authorities.

12. Adding a new section 3.6 to clarify that the Legislature may delegate its law-making authorities in accordance with the Maa-nulth Treaty and Yuułuʔiłʔatḥ law. 13.10.1 of the Maa-nulth Treaty recognizes the power of Yuułuʔiłʔatḥ to delegate certain law-making authorities to other public bodies. It is also a recognized constitutional principle in Canada that legislative bodies can delegate law-making and regulatory functions (such as setting forms and fees) to the executive branch of government.

13. Adding a new section 3.7 to clarify that the Legislature may make a law to define any words used in the Constitution. This will help ensure consistent interpretation of the Constitution and other Yuułuʔiłʔatḥ laws.

14. Making various minor changes to improve drafting clarity.

NTC Covid Vaccine Study

The **Nuu-chah-nulth Tribal Council** is working in support of the Yuułuʔiłʔatḥ Government Health Department, to better understand the COVID-19 vaccination.

A research group from NTC will be in the community hosting engagements and interacting with citizens to better understand the vaccine in relation to immune response, effectiveness, and safety.

The first community engagement was held on February 9. NTC Representative Sierra Boudreau noted 'We had a good turn out of people and had some great discussion and questions from the attendees!'

The Research group will return in a few weeks time for another engagement and are looking to connect with citizens who were interested in participating.

The next few pages of this newsletter will provide you with the Study Description of the research project and Frequently Asked Questions.

For any questions, concerns, or to participate in the research, contact:

Sierra.Boudreau@nuuchahnulth.org

DENTAL THERAPIST CLINIC

WITH FNHA DENTAL THERAPIST
MELANIE BRAKER

MONDAY, FEBRUARY 27

11:00AM - 4:00PM

ASSETS BUILDING *Down by the Totem*

ALL AGES WELCOME!



To book an appointment call FNHA COHI AIDE
Evangeline Campbell: (250) 266-2535



Nuu-chah-nulth Tribal Council COVID-19 Vaccine Study into Immune Response, Effectiveness, Safety

Our goal is to determine the extent to which our community members are protected by the COVID-19 vaccine, how this protection changes over time, and the extent of negative side effects of the vaccine. This will support current and future planning of health services and programs. This emerged from NCN communities expressing a need to document and learn from the pandemic.

Project objectives:

- To learn how our community members responded to COVID-19 vaccines
- To learn how the COVID-19 antibody level changes over time
- To learn whether there have been side effects from COVID-19 vaccines
- To understand how COVID-19 vaccine immunity and side effects differ from one group of community members to another according to Nation, region, age, sex, co-morbidity, and social/structural determinants of wellness
- To situate understandings of COVID-19 immunity within the historical context of pandemic resilience in Nuu-chah-nulth community, as well as the everyday lived reality of coping with the COVID-19 pandemic in Nuu-chah-nulth communities.

Governance of data and blood samples: Nation-based and a NCN Biospecimen Guardian

Being mindful of our communities' history of non-consensual and harmful medical research, the project has been designed with informed consent, data sovereignty, and respectful treatment of stories and biological samples as priorities. Nations can own the information that is generated by this project. A biospecimen guardian who is a NCN member will be trained at the lab where the blood samples will be analyzed and oversee the collection, transport, processing, and safe return to community of blood samples in a culturally appropriate way.

How do I get more information?

Sierra Boudreau
sierra.boudreau@nuuchahnulth.org
250-221-0959

Community-based researcher

How will the project do this?

- Talking circles and Elder-led storytelling;
- Photovoice for youth;
- A survey;
- Dry-blood spot samples (e.g. a finger prick);
- Venous blood samples

Who can participate?

5 yrs and older (with different kinds of individual/guardian consent age dependent) that are:

- NCN people living in-community & away from home;
- People living in-community that are non-NCN

People can participate in one or all activities.

When?

Each Nation will decide on their timeline. Currently the project is funded until March 2023, with a request for an extension until September 2023 pending.

Potential Benefits:

- Improved health services;
- Increased knowledge of the COVID-19 vaccine and how it has worked in NCN peoples' bodies and/or potential side effects;
- Learning and knowledge to better plan and prepare for future pandemics or health emergencies;
- Opportunities for Nations to lead NCN-led and owned research and build their capacity for data sovereignty and governance

Who is responsible for the project?

As a community-based project, Nations guide the project. Lynnette Lucas, NTC's Health Director, is the lead (principal investigator). All 14 Nations elected to participate via NTC's Board of Directors. An NTC research team has been hired to work on this project.

Partners include Simon Fraser University and the National Microbiology Lab with funding from the Public Health Agency of Canada.



Last Updated	November 10th, 2022	For	Ucluelet First Nation
<i>This is a living document subject to change.</i>			



Nuu-chah-nulth Tribal Council COVID-19 Vaccine Study into Immune Response, Effectiveness, and Safety

Frequently Asked Questions

*This research project is community-driven and Nation-based;
therefore this document is subject to change.*

What is the COVID-19 Vaccine research project about?

The project came from Nuu-chah-nulth (NCN) Nations’ desire to document and understand the COVID-19 pandemic and vaccine-related experiences, which was supported by the Nuu-chah-nulth Tribal Council (NTC) Board of Directors and got funded! This research aims to understand immune response to COVID-19 infection and/or vaccination, safety of the COVID-19 vaccine, and impacts of the pandemic on Nuu-chah-nulth communities.

Who is leading this project?

This project is community-driven, meaning that the NCN people, the leadership of each Nation, and NTC are creating this project together.

What are the proposed research activities and who can participate?

Research Activity	Purpose	Who Will Be Invited to Participate?
<i>Elder-led experience sharing</i>	Captures experiences about COVID-19 vaccine and pandemic from the view of an elder	All recognized Elders in the NCN First Nations and communities
<i>Family talking circles</i>	Captures experiences about COVID-19 vaccine and pandemic from the view of a family	Families that have heritage with NCN Nations
<i>Youth photovoice</i>	Captures experiences about COVID-19 vaccine and pandemic from the view of a youth	All youth aged 12-24 years old (to be determined by youth group in each Nation)
<i>Baseline Survey</i>	Captures information about vaccination status and side effects	Anyone aged 5 or older.
<i>Follow-up Survey</i>	Captures updated information about vaccination status and side effects	Anyone who receives COVID-19 vaccine (either primary series or booster) from NTC nurses during the study period
<i>Dried Blood Spot</i>	Measures antibody levels	Anyone aged 5 or older.



Last Updated	November 10th, 2022	For	Ucluelet First Nation
<i>This is a living document subject to change.</i>			

<i>Venous Blood Sample</i>	Measures specific COVID-19 fighting antibody levels and identifies if you have recently been infected	Anyone aged 12 or older.
----------------------------	-------------------------------------------------------------------------------------------------------	--------------------------

Why are blood samples being collected?

Through blood samples we will be able to identify how many antibodies your body has produced from recent infection and/or vaccination. In addition, venous blood samples will show how effective COVID-19 fighting antibodies are in fighting infection.

What happens to my blood sample after it is collected?

Blood samples will be transported to the National Microbiology Laboratory (NML) in Winnipeg. Blood samples will be used only for the purpose of this research project. The leadership of NTC will work closely with each Nation and the Biospecimen Guardian to determine how the remaining blood samples will be handled after being analyzed; destroyed, stored, or returned to community.

What is a Biospecimen Guardian?

Being mindful of NCN communities’ history of non-consensual and harmful medical research, the project has been designed with informed consent, data sovereignty, and respectful treatment of experiences and biological samples as priorities. A biospecimen guardian who is a NCN member will oversee the collection, transport, laboratory processing, and safe return to community of blood samples and testing results in a culturally appropriate way.

Can I participate in the project if I haven’t been vaccinated?

Yes. For all activities, with exception of the follow-up questionnaire, the project is welcoming both unvaccinated and vaccinated participants (with any type and number of COVID-19 vaccine shots they received).

If I agree to share my experiences, what will be done with the information?

Each Nation and individual will be able to decide what is done with the information collected. Your information will be protected and used only for what you agree to participate in. If you change your mind and don’t want your information stored, or analyzed, or used in the study, let us know! We will respect your decision.

Where and how will information collected be stored?

- All data collected for this project will be handled in accordance with NTC’s data governance policies and the First Nation’s principles of Ownership, Control, Access, and Possession (OCAP®).
- The data will be managed by NTC COVID-19 Research Team during the study period and will be held for five years after completion of the project, unless any First Nation indicates otherwise. After five years, NTC COVID-19 Research Team will consult with each First



Last Updated	November 10th, 2022	For	Ucluelet First Nation
<i>This is a living document subject to change.</i>			

Nation’s leadership on whether to destroy or keep the blood samples and data for future use.

- Paper forms of data, such as questionnaire and consent/assent forms, are stored at a locked, secure place at NTC Office. Electronic data will be stored on a NTC controlled server at Population Data BC (PopDataBC), housed at the University of British Columbia, and will be de-identified. Access to de-identified data will be granted to the authorized research team members for analysis.

Are you giving COVID-19 vaccines?

No. We are not giving any vaccines including the new Bivalent Vaccine. We are only doing COVID-19 vaccine research to better understand the effect of the vaccines and the pandemic on Nuuchahnulth communities.

Are you providing medical advice on the COVID-19 vaccines?

No. Our team is not providing medical advice on COVID-19 vaccines. Please contact your health care provider for advice on this topic.

Do I have to participate in all research activities?

No. You can participate in all, some, or none of the activities, it’s up to you. You can also change your mind and withdraw at any time.

How can this research potentially benefit Nuuchahnulth-aht?

This project provides opportunities for Nuuchahnulth-aht to

- share your voice and experience with COVID-19 pandemic and vaccine in your Nations, communities, and families living both at home and away from home.
- know your antibody levels and strength in ‘fighting’ future COVID-19 infections and make informed decisions on vaccinations.
- understand safety of the COVID-19 vaccine by documenting side effects following COVID-19 vaccination.
- co-create the health research to meet needs and desires of your community.

Through increased understanding and knowledge, the project may potentially help to:

- plan and improve future health care services and pandemic responses
- empower participating Nations to develop their own data governance and management pathways
- build research capacity and capability across Nuuchahnulth First Nations.

Where will research activities be done?

Data will be collected in each of the participating NCN communities, plus cities including Port Alberni, Nanaimo, Vancouver, Campbell River, and Victoria.

Who can participate in the COVID-19 Vaccine Project?



Last Updated	November 10th, 2022	For	Ucluelet First Nation
<i>This is a living document subject to change.</i>			

- Nuu-chah-nulth-aht living both in-community/on-reserve and away from home/in urban areas.
- People living in NCN communities that may not be Nuu-chah-nulth (e.g., a spouse, other family members)
- Volunteers/staff for NCN Nations and NTC

Can I participate if I haven't been vaccinated?

Yes. For all activities, with exception of the follow-up questionnaire, the project is welcoming both unvaccinated and vaccinated participants (with any type and number of COVID-19 vaccine shots received).

When is this research happening and when do I need to decide if I want to participate?

The project is ongoing now until March 31, 2023 and we are working with each Nation individually to plan data collection days. There will be ongoing engagement/information sharing leading up to data collection.

For more information, contact community-based researcher for Ucluelet First Nation:

Sierra Boudreau

sierra.boudreau@nuuchahnulth.org

250-221-0959



**NUU-CHAH-NULTH TRIBAL COUNCIL
COVID-19 RESEARCH**

COMMUNITY DINNER

Join NTC for a second session to learn about their COVID-19 Research Project and how our community members responded to COVID-19 vaccines.

All data is Nuu-chah-nulth owned and will represent the experience of the COVID-19 Pandemic.

NTC is looking for paid Community Educator support positions for this project! Interested?

**WEDNESDAY
FEB
22**

**CIX^wATIN CENTRE
GYMNASIUM
HITAĆU
5:00PM TO
7:00PM**

ALL RESIDENTS 5 YEARS AND UP MAY ATTEND.



QUESTIONS?

Email Sierra.Boudreau@nuuchahnulth.org or Call 250-221-0959

SHORELINE CLEAN-UP TRAINING



To ensure that oil spills in our territory can be effectively contained
POLARIS will be providing **Shoreline Cleanup Assessment
Technique Training (SCAT)**

Monday, February 27 - Wednesday, March 1

COURSE SCHEDULE

(subject to low tide windows)

Day 1

- Classroom

Day 2

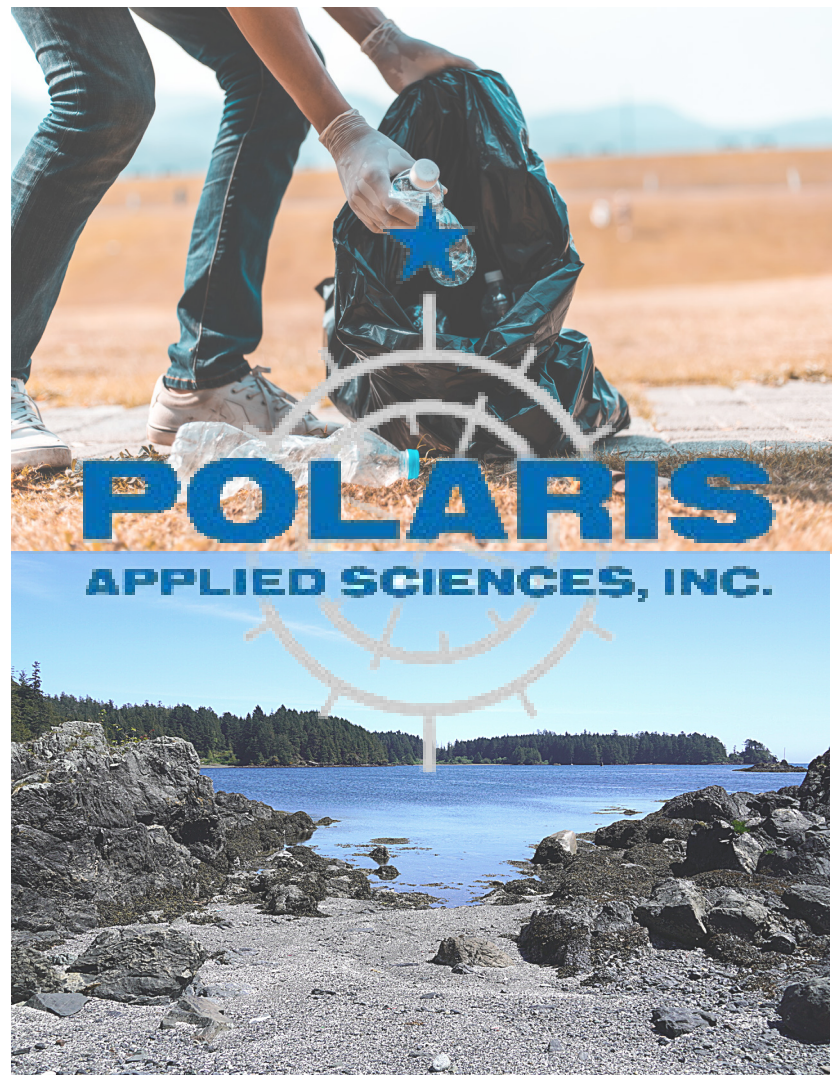
- Morning: Field activities
- Afternoon: Classroom

Day 3

- Morning: Field activities
- Afternoon: Classroom

WHAT TO EXPECT

- **SCAT** training will introduce the issues that are likely to arise in association with shoreline oiling and treatment following a spill.
- **Transportation** to field site locations, high-visibility vest/coat and weather appropriate clothing and footwear is required.
- All other tools and equipment will be provided.
- Successful participants will receive a Certificate of Completion.
- **Limited seats available!**



To find out more or apply, contact
Catie.Bateman@ufn.ca

*Join Night Sun Bear in hita'cu for
group healing work, focusing around teachings
of the Sweatlodge.*



NIGHT SUN BEAR

CULTURAL COUNSELLING AND
LAND BASED HEALING PRACTICES LTD



Night Sun Bear

Cultural Counseling & Land Based Healing

Men's Group - Tuesday, March 7
Women's Group - Wednesday, March 8
Start time is 5:00pm

For a more details and to sign up, contact:
Samantha.Touchie@ufn.ca





Technical and Grammatical Amendments to the Yuułu?ił?ath Constitution

Technical and Grammatical Amendments to the Constitution were approved by the Legislature on **January 17, 2023**. The following pages include the updated Constitution and a copy with these underlined, tracked changes.

UFN.CA > GOVERNMENT > CONSTITUTION

NOTICE IN ACCORDANCE WITH YUULU?IL?ATH LAW



RESOLUTION OF THE YUULU?IL?ATH LEGISLATURE

Re: Technical and Grammatical Amendments to the Yuulu?il?ath Constitution

Resolution Number: 2023.01.17-02

Date of Legislature Meeting: January 17, 2023

Location of Legislature Meeting: Zoom

WHEREAS:

- A. The Yuulu?il?ath Constitution (the “**Constitution**”) was ratified on May 4, 2007 and came into force and effect on the effective date of the Maa-nulth Treaty;
- B. In accordance with section 8.8 of the Constitution, the Legislature may make technical or grammatical amendments to the Constitution by resolution;
- C. The Legislature wishes to make certain technical and grammatical amendments to the Constitution.

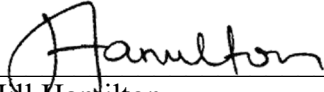
NOW THEREFORE BE IT RESOLVED THAT:

- 1. The Legislature approves the technical and grammatical amendments discussed in the briefing note from legal counsel to the Legislature entitled “Briefing Note – Constitutional Technical and Grammatical Amendments” dated January 11, 2023 and set out as tracked changes in the attached document, with text that is proposed to be added underlined and in red, and text that is proposed to be deleted crossed out and in red.
- 2. The Legislature directs the law clerk to publish the technical and grammatical amendments referred to in paragraph 1, including a copy of this resolution and a consolidated version of the Constitution.
- 3. Each technical or grammatical amendment made by this resolution is distinct and severable and a determination of illegality, invalidity or unenforceability of any amendment made by this resolution by a court of competent jurisdiction will not affect the validity or enforceability of any other amendment, unless as a result of that determination this resolution would fail in its essential purpose.

Moved by: Charles McCarthy

Seconded by: Lorri Touchie

Certified to be a true copy of the resolutions passed at a duly convened meeting of Legislature held on January 17, 2023 by:



Jill Hamilton
Yuulu?i?ath Law Clerk

YUULU?IL?ATH CONSTITUTION



This Constitution approved by Yuułu?il?ath eligible voters on May 4, 2007 with technical and grammatical amendments approved by the Legislature in accordance with section 8.8 on April 13, 2011, December 9, 2013 and January 17, 2023.

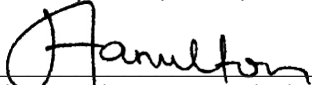
Signed 
Jill Hamilton, Law Clerk of the
Yuułu?il?ath First Nation

TABLE OF CONTENTS

PREAMBLE	5
CHAPTER 1 - RIGHTS AND FREEDOMS OF YUULU?IL?ATH CITIZENS	7
CHAPTER 2 - YUULU?IL?ATH GOVERNMENT STRUCTURE	9
CHAPTER 3 - LEGISLATIVE AUTHORITY	13
CHAPTER 4 - YUULU?IL?ATH LAND SYSTEM.....	17
CHAPTER 5 - FINANCIAL ADMINISTRATION AND ACCOUNTABILITY.....	19
CHAPTER 6 - CODE OF CONDUCT AND CONFLICT OF INTEREST	21
CHAPTER 7 - DISPUTE RESOLUTION	23
CHAPTER 8 - CONSTITUTIONAL AMENDMENTS	25
SCHEDULE 1 – YUULU?IL?ATH TRADITIONAL TERRITORY	27

PREAMBLE

A. Declaration of Yuulu?il?ath identity and territorial existence

Yuulu?il?ath, by this Constitution, declare our unique identity as a Nation and claim our rightful place in Canadian society.

We have, throughout time, functioned on and abided by an internal order based on our Ha'wiih and our Hahoulthee.

We have existed from time immemorial and have occupied and used the lands, waters and resources of our traditional territory, as set out in Schedule 1 to this Constitution, throughout history.

We draw our identity from our relationship to our lands and from our rich heritage, culture, language and our stories, myths and oral traditions.

We honour our ancestors and our elders and commit ourselves to the values that they preserved for us, values that provide us dignity and enhance our humanity.

As self-determining peoples, we accept the responsibilities inherent in governing ourselves and seek, with the assistance of Naas (the Creator), to govern with wisdom and respect for all people.

Through the act of governing, we assume the power to preserve our natural world and enhance our identity.

B. Declaration of Yuulu?il?ath rights and values

From this historic foundation we, Yuulu?il?ath, have adopted and shaped fundamental values that unite us and define us and upon which this Constitution is based.

These values include

- (a) a belief in, and reverence for, Naas,
- (b) honouring our ancestors,
- (c) respecting our elders,
- (d) respecting our family and kinship systems,
- (e) our unique language, and
- (f) respecting the land, air, water and environment which encompasses the Hahoulthee of our Ha'wiih.

As a distinct people, we possess certain fundamental and inalienable human rights, which have never been extinguished, ceded or surrendered. These include

- (a) the right to our traditional territory, including rights to water and beds of water,
- (b) the right to the resources within our traditional territory,
- (c) the right to govern within our traditional territory,
- (d) the right to utilize and protect our language,
- (e) the right to practice, protect and enhance our culture,
- (f) the right to the wealth of our traditional territory and a sound economic foundation,
- (g) the right to protect our sacred and spiritual sites,
- (h) the right to protect our family and kinship systems, and
- (i) the right to define ourselves and the criteria for the identification of our citizens.

CHAPTER 1 - RIGHTS AND FREEDOMS OF YUULU?IL?ATH CITIZENS

- 1.1 An individual is entitled to be a Yuulu?il?ath citizen if that individual
- (a) is enrolled under the Maa-nulth Treaty as a Yuulu?il?ath enrollee,
 - (b) was registered on the Ucluelet First Nation band list as of the day immediately preceding the effective date of the Maa-nulth Treaty,
 - (c) has been adopted as a child by a Yuulu?il?ath citizen under Canadian law, the Maa-nulth Treaty or in accordance with Nuu-chah-nulth custom,
 - (d) is a descendent of a Yuulu?il?ath citizen, or
 - (e) meets any other criteria established under Yuulu?il?ath citizenship laws.
- 1.2 Every Yuulu?il?ath citizen enjoys all of the individual rights and freedoms guaranteed under the Constitution of Canada and by the various instruments of human rights established in international law.
- 1.3 All Yuulu?il?ath citizens are equal under this Constitution and, based on this equality and in accordance with Yuulu?il?ath custom, possess
- (a) the right to participate in Yuulu?il?ath political activities and elections and to run for and hold elected office in accordance with Yuulu?il?ath law,
 - (b) the right to be informed about Yuulu?il?ath affairs,
 - (c) the right to be consulted regarding Yuulu?il?ath affairs,
 - (d) the right to express opinions and views on Yuulu?il?ath affairs,
 - (e) the right to equal employment opportunities within Yuulu?il?ath,
 - (f) the right to equal access to public services provided by Yuulu?il?ath,
 - (g) the right to a healthy life and environment and equal access to health care,
 - (h) the right to utilize the Nuu-chah-nulth language,
 - (i) the right to participate in Yuulu?il?ath culture and traditions consistent with the established practices and customs,
 - (j) the right to enter upon, remain on and leave Yuulu?il?ath lands in accordance with Yuulu?il?ath law,
 - (k) the freedom to pursue a livelihood within Yuulu?il?ath lands,

- (l) the freedom to contribute to the progress and development of Yuulu?il?ath, and
- (m) the freedom to achieve their fullest potential as individuals.

CHAPTER 2 - YUULU?IL?ATH GOVERNMENT STRUCTURE

- 2.1 The Yuulu?il?ath government consists of a legislative branch, an executive branch and a people's assembly known as the hitacu assembly.
- 2.2 Yuulu?il?ath may, in accordance with the Maa-nulth Treaty and the amending provisions of this Constitution, establish a judicial branch of the Yuulu?il?ath government.
- A. The Legislative branch**
- 2.3 All legislative powers assumed through this Constitution are vested in the Legislature.
- 2.4 The Legislature must be composed of eight members, as follows:
- (a) six elected members of the Legislature;
 - (b) one elected President; and
 - (c) one Ha'wiih chosen by the Yuulu?il?ath Ha'wiih in accordance with custom.
- 2.5 The elected members of the Legislature hold office for a term of four years.
- 2.6 The elected members of the Legislature must be Yuulu?il?ath citizens and at least 16 years of age.
- 2.7 The times, places and manner of holding elections must be established by the Legislature in a Yuulu?il?ath election law.
- 2.8 In the event of a tie vote for the position of President or for the final elected position on the Legislature, or upon an elected position on the Legislature becoming vacant, a by-election must be held within 30 days of the previous vote or the date the vacancy occurred.
- 2.9 The Legislature must, at the beginning of each term of office, select a chairperson to be responsible for chairing meetings of the Legislature and of the hitacu assembly and for ensuring that the decisions of the Legislature are implemented.
- 2.10 The chairperson of the Legislature must not be a member of the Legislature and may only vote in decisions of the Legislature to break a tie vote.
- 2.11 An advisory body composed of the Yuulu?il?ath Ha'wiih is established with the name Ha'wiih Advisory Council.
- 2.12 Representation on the Ha'wiih Advisory Council must be determined in accordance with custom.

- 2.13 The Legislature must consult with and seek the advice of the Ha'wiih Advisory Council in relation to Yuulu?i?ath culture and traditional values, Yuulu?i?ath custom and matters relating to this Constitution in accordance with Yuulu?i?ath law.
- 2.14 No Yuulu?i?ath law has force and effect until that law has been passed by a majority of a quorum of the Legislature and certified by the President.
- 2.15 Except for Yuulu?i?ath customary laws, all Yuulu?i?ath laws will be published and made available to Yuulu?i?ath citizens within ten days of coming into effect.

B. The Executive branch

- 2.16 The executive powers of the Yuulu?i?ath government are vested in the President and any individual member of the Legislature designated by a majority of a quorum of the Legislature to hold an executive portfolio.
- 2.17 The Legislature may establish or dissolve executive portfolios at any time.
- 2.18 Each member of the Executive is directly accountable to the Legislature and must report to the Legislature on a regular basis or as requested by the Legislature.
- 2.19 Members of the Executive have the duty and power to enforce Yuulu?i?ath laws and manage Yuulu?i?ath affairs, Yuulu?i?ath financial administration and the operation of the Yuulu?i?ath government in accordance with Yuulu?i?ath laws.
- 2.20 Subject to instructions given by the Legislature, the members of the Executive, within the areas of their respective portfolios, are responsible for representing Yuulu?i?ath in intergovernmental relations, including relations with other First Nations.
- 2.21 The President, as chief executive of the Yuulu?i?ath government, has the duty and power, subject to direction from the Legislature, to
- (a) represent the Yuulu?i?ath government in relations with local, provincial and federal governments, other First Nations and indigenous organizations nationally and internationally,
 - (b) ensure that Yuulu?i?ath citizens are fully informed on social, legal and political issues that affect Yuulu?i?ath,
 - (c) develop and maintain effective systems of communication with Yuulu?i?ath citizens, third parties and other governments,
 - (d) protect and enhance Yuulu?i?ath treaty rights,

- (e) ensure this Constitution and YuuluʻiĪʻath laws and policies are adhered to and enforced,
 - (f) develop and maintain a sound YuuluʻiĪʻath economy,
 - (g) promote and protect YuuluʻiĪʻath values, culture, traditions and language, and
 - (h) properly manage and administer the YuuluʻiĪʻath government.
- 2.22 The Legislature may designate a member of the Legislature to assume the powers and duties of the President on an interim basis in the event the President is, for whatever reason, unable to exercise the powers and perform the duties of that office.
- 2.23 The Legislature may establish any public institution or body that it deems necessary to perform the duties or exercise the powers of the YuuluʻiĪʻath government or to protect or advance the interests of YuuluʻiĪʻath.

C. Hitaʻu assembly

- 2.24 The hitaʻu assembly must be convened at least four times annually, with at least one meeting deemed to be the YuuluʻiĪʻath Annual General Assembly.
- 2.25 The hitaʻu assembly that is deemed to be the YuuluʻiĪʻath Annual General Assembly must include on its agenda the annual YuuluʻiĪʻath financial report, including remuneration paid to the Legislature.
- 2.26 The President, in consultation with the Legislature and the Haʻwiih Advisory Council, may at any time call a special hitaʻu assembly to address important YuuluʻiĪʻath issues.
- 2.27 The President must hold a hitaʻu assembly in accordance with procedures established by YuuluʻiĪʻath law.
- 2.28 Subject to section 2.29, every YuuluʻiĪʻath citizen has the right to attend and participate in a hitaʻu assembly.
- 2.29 Every YuuluʻiĪʻath citizen that has attained the age of 16 has the right to vote on any resolution presented at a hitaʻu assembly.
- 2.30 The hitaʻu assembly may, by a majority vote of those present and voting, pass a resolution making a recommendation to the Legislature or requiring a referendum on any issue, with that referendum to be held in accordance with a YuuluʻiĪʻath referendum law.

- 2.31 Any proposed resolution of the hitaçu assembly calling for a referendum must be provided to the chairperson of the Legislature in writing at least 45 days before the hitaçu assembly at which the resolution is to be considered.
- 2.32 Upon receipt of the proposed resolution, the President must ensure the date of the hitaçu assembly at which the proposed resolution is to be considered is made public and provided to all Yuulu?il?ath citizens.

D. Committees

- 2.33 The Legislature may establish standing or special committees to assist in the discharge of its powers and duties.
- 2.34 A committee may include any Yuulu?il?ath citizen over the age of 16 and must include at least one member of the Legislature.
- 2.35 All committee members who are members of the Legislature are ex officio and may not vote in committee decisions.
- 2.36 The Legislature must establish rules of procedure for each committee and must appoint all committee members in accordance with the committee's rules of procedure.
- 2.37 In appointing committee members, the Legislature must endeavour to ensure there is representation on the committee by Yuulu?il?ath citizens residing both on and off of Yuulu?il?ath lands.
- 2.38 Committee membership and the procedures for selecting committee members must be made public.
- 2.39 The standing committees must include:
- (a) a standing committee on finance;
 - (b) a standing committee on treaty implementation;
 - (c) a standing committee on economic development; and
 - (d) a standing committee on personnel.
- 2.40 All standing and special committees may make recommendations to the Legislature.

CHAPTER 3 - LEGISLATIVE AUTHORITY

- 3.1 The Legislature has the right to assume and exercise all law-making authorities set out in the Maa-nulth Treaty and any law-making authorities set out in non-Treaty agreements with Canada or British Columbia.
- 3.2 In accordance with the Maa-nulth Treaty, the Legislature has the authority to make laws for the following:
- (a) Yuulu?il?ath citizenship;
 - (b) Yuulu?il?ath government structures and procedures;
 - (c) Yuulu?il?ath lands and land management;
 - (d) Yuulu?il?ath resources on Yuulu?il?ath lands;
 - (e) Yuulu?il?ath public institutions and Yuulu?il?ath corporations;
 - (f) Yuulu?il?ath assets;
 - (g) adoption;
 - (h) child protection services;
 - (i) child care services;
 - (j) education in respect of kindergarten to grade 12;
 - (k) post-secondary education;
 - (l) education in respect of language and culture;
 - (m) solemnization of marriages;
 - (n) social development;
 - (o) health services;
 - (p) culture and heritage;
 - (q) management and distribution of fish and aquatic plants for domestic purposes;
 - (r) management and distribution of wildlife and migratory birds for domestic purposes;

- (s) renewable resource harvesting within federal and provincial parks and protected areas;
 - (t) water;
 - (u) preservation and conservation of the environment;
 - (v) taxation;
 - (w) public works;
 - (x) buildings and structures;
 - (y) regulation, licensing and prohibition of business;
 - (z) traffic, transportation, parking and highways;
 - (aa) public order, peace and safety;
 - (bb) emergency preparedness;
 - (cc) conflicts of interest;
 - (dd) conduct of public officials;
 - (ee) access to information;
 - (ff) enforcement of Yuulu?il?ath laws; and
 - (gg) any other law-making authority set out in the Maa-nulth Treaty or in any non-Treaty agreement with Canada or British Columbia.
- 3.3 On the effective date of the Maa-nulth Treaty, the Legislature must bring into force and effect:
- (a) rules of procedure for the Legislature,
 - (b) a Yuulu?il?ath election law,
 - (c) a Yuulu?il?ath code of conduct,
 - (d) a Yuulu?il?ath conflict of interest law,
 - (e) a Yuulu?il?ath financial administration law,
 - (f) a Yuulu?il?ath citizenship law,
 - (g) a Yuulu?il?ath land law,

-
- (h) a Yuulu?i?ath dispute resolution law,
 - (i) a Yuulu?i?ath referendum law, and
 - (j) any other law that the Legislature deems necessary for the proper management of Yuulu?i?ath affairs as of the effective date of the Maa-nulth Treaty.
- 3.4 To the extent that the Legislature chooses not to exercise a law-making authority set out in section 3.2, federal or provincial law in relation to that authority continue to apply until such time as the authority is exercised by the Legislature.
- 3.5 The Legislature must exercise any law-making authorities set out in non-Treaty agreements with Canada or British Columbia.
- 3.6 In the event of an inconsistency or conflict between this Constitution and any other Yuulu?i?ath law, the other Yuulu?i?ath law, to the extent of the inconsistency or conflict, is of no force or effect.

CHAPTER 4 - YUULU?I?ATH LAND SYSTEM

- 4.1 As of the effective date of the Maa-nulth Treaty, the underlying title to all Yuulu?i?ath lands is vested collectively in Yuulu?i?ath.
- 4.2 The quantity of Yuulu?i?ath lands, as set out in the Maa-nulth Treaty, must not be reduced except as provided for in the Maa-nulth Treaty and Yuulu?i?ath law.
- 4.3 The boundaries of Yuulu?i?ath lands as set out in the Maa-nulth Treaty must not be altered except as provided for in the Maa-nulth Treaty or if approved by at least 50% plus one of Yuulu?i?ath eligible voters in a referendum held to approve the boundary alteration.
- 4.4 Prior to the effective date of the Maa-nulth Treaty, the Legislature must develop Yuulu?i?ath land laws for review by Yuulu?i?ath citizens.
- 4.5 Yuulu?i?ath land laws must address, among other things, the following:
- (a) the nature and extent of the rights of individual Yuulu?i?ath citizens in and to Yuulu?i?ath lands;
 - (b) the powers of the Yuulu?i?ath government to administer, regulate, expropriate and grant interests in Yuulu?i?ath lands;
 - (c) any land transactions that require approval of Yuulu?i?ath citizens by referendum;
 - (d) procedures for raising title to, and registering interests in, Yuulu?i?ath lands;
 - (e) procedures for addressing interests of non-Yuulu?i?ath individuals in Yuulu?i?ath lands;
 - (f) the regulation of mortgages and other forms of security in relation to Yuulu?i?ath lands;
 - (g) procedures for zoning and land use planning; and
 - (h) any other matter that the Legislature deems necessary for comprehensive land laws.
- 4.6 Despite the conveyance or alienation of any estate or interest in Yuulu?i?ath lands, all lands that are subject to that estate or interest continue to be Yuulu?i?ath lands and subject to the jurisdiction of the Yuulu?i?ath government.

CHAPTER 5 - FINANCIAL ADMINISTRATION AND ACCOUNTABILITY

- 5.1 The Legislature, in exercising its financial powers, including the power to raise and expend revenues, must, by law, establish a system of financial management and administration that
- (a) is effective and efficient in the use of Yuulu?il?ath financial resources,
 - (b) is open and accountable, and
 - (c) includes standards comparable to those generally accepted for governments in Canada.
- 5.2 The Legislature must establish a standing committee on finance and that committee must make recommendations to the Legislature on any financial matter and in relation to any law regarding financial matters.
- 5.3 The Legislature must establish rules and terms of reference for the standing committee on finance, including such matters as:
- (a) rules of procedure;
 - (b) frequency of meetings;
 - (c) time periods for performing duties; and
- the ability to seek advice from persons with relevant expertise.
- 5.4 The Legislature must request and consider a report from the standing committee on finance prior to
- (a) preparing the annual Yuulu?il?ath financial report,
 - (b) entering into financial agreements or taxation agreements with Canada or British Columbia, or
 - (c) making laws that substantially affect the finances of Yuulu?il?ath.
- 5.5 The Legislature must prepare a draft annual budget for presentation at a hitaçu assembly each year at least 30 days prior to the fiscal year end.
- 5.6 The annual audited financial statements for Yuulu?il?ath, including the annual audited financial statements for any corporate entity owned, in whole or in part, by Yuulu?il?ath, must be presented at a hitaçu assembly within 90 days of the fiscal year end.

- 5.7 The Legislature may borrow money or guarantee loans in accordance with a Yuulu?il?ath law and that law must be reviewed by the hitacu assembly prior to being brought into force and effect.

CHAPTER 6 - CODE OF CONDUCT AND CONFLICT OF INTEREST

- 6.1 The Yuulu?i?ath government must be administered in a manner that
- (a) adheres to the highest ethical standards,
 - (b) efficiently uses Yuulu?i?ath resources,
 - (c) provides services on an equitable and impartial basis, and
 - (d) responds to the needs of Yuulu?i?ath citizens in a timely and accessible manner.
- 6.2 Members of the Legislature must conduct themselves at all times with integrity and respect for their positions and must place the interests of Yuulu?i?ath ahead of their own as they exercise their powers and perform their duties.
- 6.3 As of the effective date of the Maa-nulth Treaty, the Legislature must bring into force and effect a code of conduct and conflict of interest law.

CHAPTER 7 - DISPUTE RESOLUTION

- 7.1 On the effective date of the Maa-nulth Treaty, the Legislature must bring into force and effect a Yuulu?i?ath dispute resolution law which provides for, among other things, a process for challenging the validity of Yuulu?i?ath laws and a process for appealing or reviewing administrative decisions of the Yuulu?i?ath government or Yuulu?i?ath public institutions.

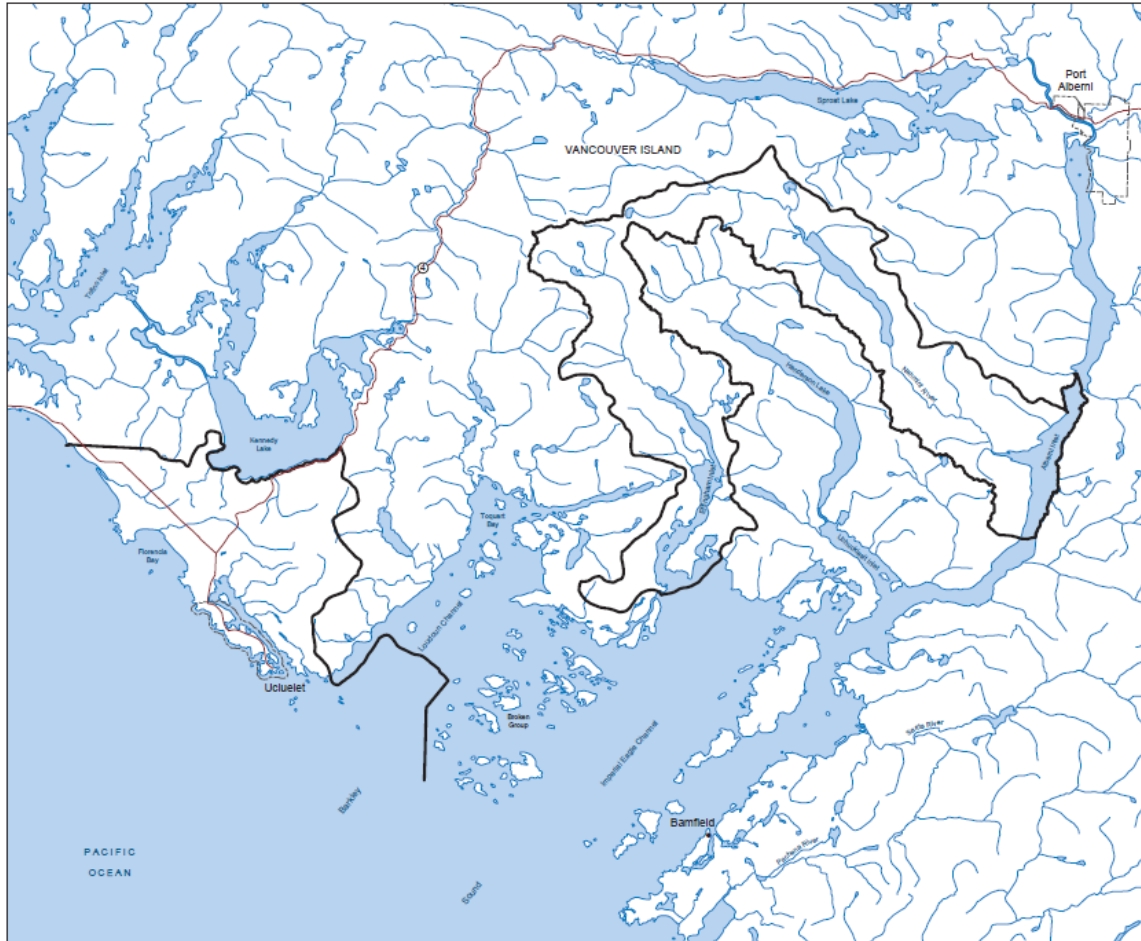
CHAPTER 8 - CONSTITUTIONAL AMENDMENTS

- 8.1 An amendment to this Constitution may only be initiated by
- (a) a resolution passed by a majority of a quorum of the Legislature, or
 - (b) the presentation of a petition to the Legislature signed by at least 40 Yuulu?i?ath citizens 16 years of age or older identifying the specific Constitutional amendment proposed.
- 8.2 Upon passage of a resolution or receipt of a petition identified in section 8.1, the Legislature must develop wording for the proposed Constitutional amendment.
- 8.3 Prior to conducting a referendum on the proposed amendment, the Legislature must
- (a) provide full information on the proposed amendment by way of written material and other forms of publication to all Yuulu?i?ath citizens,
 - (b) provide all Yuulu?i?ath citizens with at least 30 days' notice of a special hitaçu assembly, including the date, time and location of the Assembly, and a summary of the proposed amendment,
 - (c) conduct the special hitaçu assembly in order to seek the views of Yuulu?i?ath citizens on the proposed amendment,
 - (d) seek the advice of the Ha'wiih Advisory Council on the proposed amendment, and
 - (e) make any changes to the wording of the proposed amendment that the Legislature deems appropriate in light of the advice received from the hitaçu assembly and the Ha'wiih Advisory Council.
- 8.4 Within 30 days of the special hitaçu assembly, the Legislature must conduct a referendum on the proposed Constitutional amendment in accordance with the procedures set out in a Yuulu?i?ath referendum law.
- 8.5 This Constitution may be amended on the following basis:
- (a) in the period from the effective date of the Maa-nulth Treaty until the 10th anniversary of the effective date of the Maa-nulth Treaty, with the approval of at least 40% of Yuulu?i?ath eligible voters on the voters list at the time of the referendum;
 - (b) in the period from the 10th anniversary of the effective date of the Maa-nulth Treaty to the 20th anniversary of the effective date of the

Maa-nulth Treaty, with the approval of at least 50% of Yuulu?il?ath eligible voters on the voters list at the time of the referendum; and

- (c) any time after the 20th anniversary of the effective date of the Maa-nulth Treaty, with the approval of at least 60% of Yuulu?il?ath eligible voters on the voters list at the time of the referendum.
- 8.6 This Constitution is deemed to be amended as of the date of certification by the President of the required level of approval by Yuulu?il?ath eligible voters.
- 8.7 The Legislature must publish a notice of any approved Constitutional amendment.
- 8.8 Despite the provisions of this Chapter, the Legislature may, by a resolution passed by a majority of a quorum of the Legislature, make technical or grammatical amendments to this Constitution.

SCHEDULE 1 – YUULU?IL?ATH TRADITIONAL TERRITORY



TRACKED CHANGES

YUULU?IL?ATH CONSTITUTION



This Constitution approved by Yuułu?il?ath eligible voters on May 4, 2007 with technical and grammatical amendments approved by the Legislature in accordance with section 8.8 on April 13, 2011 and December 9, 2013

Signed _____

Jill Hamilton, Law Clerk of the
Yuułu?il?ath First Nation

TABLE OF CONTENTS

PREAMBLE 5
CHAPTER 1 - RIGHTS AND FREEDOMS OF YUULU?IL?ATH CITIZENS 7
CHAPTER 2 - YUULU?IL?ATH GOVERNMENT STRUCTURE 9
CHAPTER 3 - LEGISLATIVE AUTHORITY 13
CHAPTER 4 - YUULU?IL?ATH LAND SYSTEM..... 17
CHAPTER 5 - FINANCIAL ADMINISTRATION AND ACCOUNTABILITY..... 19
CHAPTER 6 - CODE OF CONDUCT AND CONFLICT OF INTEREST 21
CHAPTER 7 - DISPUTE RESOLUTION 23
CHAPTER 8 - CONSTITUTIONAL AMENDMENTS 25
SCHEDULE 1 – YUULU?IL?ATH TRADITIONAL TERRITORY 27

PREAMBLE

A. Declaration of Yuulu?il?ath ~~i~~Identity and ~~t~~Territorial ~~e~~Existence

~~The~~ Yuulu?il?ath, by this Constitution, declare our unique identity as a Nation and claim our rightful place in Canadian society.

We have, throughout time, functioned on and abided by an internal order based on our Ha'wiih and our Hahoulthee.

We have existed from time immemorial and have occupied and used the lands, waters and resources of our traditional territory, as set out in Schedule 1 to this Constitution, throughout history.

We draw our identity from our relationship to our lands and from our rich heritage, culture, language and our stories, myths and oral traditions.

We honour our ancestors and our elders and commit ourselves to the values that they preserved for us, values that provide us dignity and enhance our humanity.

As self-determining peoples, we accept the responsibilities inherent in governing ourselves and seek, with the assistance of Naas (the Creator), to govern with wisdom and respect for all people.

Through the act of governing, we assume the power to preserve our natural world and enhance our identity.

B. Declaration of Yuulu?il?ath ~~r~~Rights and ~~y~~Values

From this historic foundation we, ~~the~~ Yuulu?il?ath, have adopted and shaped fundamental values that unite us ~~and~~, define us and upon which this Constitution is based.

These values include:

- (a) a belief in, and reverence for, Naas,
- (b) honouring our ancestors,
- (c) respecting our elders,
- (d) respecting our family and kinship systems,
- (e) our unique language, and
- (f) ~~a respect for~~ respecting the land, air, water and environment which encompasses the Hahoulthee of our Ha'wiih.

As a distinct people, we possess certain fundamental and inalienable human rights, ~~rights~~ which have never been extinguished, ceded or surrendered. These include, ~~without~~ ~~limitation:~~

- (a) the right to our traditional territory, including rights to water and beds of water,
- (b) the right to the resources within our traditional territory,
- (c) the right to govern within our traditional territory,
- (d) the right to utilize and protect our language,
- (e) the right to practice, protect and enhance our culture,
- (f) the right to the wealth of our traditional territory and a sound economic foundation,
- (g) the right to protect our sacred and spiritual sites,
- (h) the right to protect our family and kinship systems, and
- (i) the right to define ourselves and the criteria for the identification of our citizens.

CHAPTER 1 - RIGHTS AND FREEDOMS OF YUULU?IL?ATH CITIZENS

- 1.1 An individual is entitled to be a Yuulu?il?ath citizen if that individual:
- (a) is enrolled under the Maa-nulth Treaty as a Yuulu?il?ath enrollee;
 - (b) was registered on the Ucluelet First Nation band list as of the day immediately preceding the effective date of the Maa-nulth Treaty;
 - (c) has been adopted as a child by a Yuulu?il?ath citizen under Canadian law, the Maa-nulth Treaty or in accordance with Nuuchah-nulth custom;
 - (d) is a descendent of a Yuulu?il?ath citizen; or
 - (e) meets ~~the~~ any other criteria established under Yuulu?il?ath citizenship laws.
- 1.2 Every Yuulu?il?ath citizen enjoys all of the individual rights and freedoms guaranteed under the Constitution of Canada and by the various instruments of human rights established in international law.
- 1.3 All Yuulu?il?ath citizens are equal under this Constitution and, based on this equality and in accordance with Yuulu?il?ath ~~customary law~~, possess:
- (a) the right to participate in Yuulu?il?ath political activities and elections; and to run for and hold elected office in accordance with Yuulu?il?ath law;
 - (b) the right to be informed about Yuulu?il?ath affairs;
 - (c) the right to be consulted regarding Yuulu?il?ath affairs;
 - (d) the right to express opinions and views on Yuulu?il?ath affairs;
 - (e) the right to equal employment opportunities within Yuulu?il?ath;
 - (f) the right to equal access to public services provided by Yuulu?il?ath;
 - (g) the right to a healthy life and environment and equal access to health care;
 - (h) the right to utilize the Nuuchah-nulth language;
 - (i) the right to participate in Yuulu?il?ath culture and traditions consistent with the established practices and customs.

- (j) the right to enter upon, remain on and leave Yuulu?i?ath lands in accordance with ~~this Constitution and~~ Yuulu?i?ath laws_{2,5};
- (k) the freedom to pursue a livelihood within Yuulu?i?ath lands_{2,5};
- (l) the freedom to contribute to the progress and development of Yuulu?i?ath_{2,5} and
- (m) the freedom to achieve their fullest potential as individuals.

CHAPTER 2 - YUULU?IL?ATH GOVERNMENT STRUCTURE

- 2.1 The Yuulu?il?ath government consists of a legislative branch, an executive branch and a people's assembly known as the [hHita?eu aAssembly](#).
- 2.2 Yuulu?il?ath may, in accordance with the [Maa-nulth Treaty and the](#) amending provisions of this Constitution, establish a judicial branch of the Yuulu?il?ath government.
- A. The Legislative [bBranch](#)**
- 2.3 All legislative powers assumed through this Constitution are vested in the Legislature.
- 2.4 The Legislature must be composed of eight members, [consisting of as follows](#):
- (a) six elected members of the Legislature;
 - (b) one elected President; and
 - (c) one Ha'wiih chosen by the [Yuulu?il?ath](#) Ha'wiih in accordance with custom.
- 2.5 The elected members of the Legislature hold office for a term of four years.
- 2.6 The elected members of the Legislature must be Yuulu?il?ath citizens and at least 16 years of age.
- 2.7 The times, places and manner of holding elections must be established by the Legislature in a Yuulu?il?ath election law.
- 2.8 In the event of a tie vote for the position of President or for the final elected position on the Legislature, or upon an elected position on the Legislature becoming vacant, a by-election must be held within 30 days of the previous vote or the date the vacancy occurred.
- 2.9 The Legislature must, at the beginning of each term of office, select a chairperson to be responsible for chairing meetings of the Legislature and of the [hHita?eu aAssembly](#) and for ensuring that the decisions of the Legislature are implemented.
- 2.10 The chairperson of the Legislature must not be a member of the Legislature and may only vote in decisions of the Legislature to break a tie vote.
- 2.11 An advisory body composed of the Yuulu?il?ath Ha'wiih (~~the Yuulu?il?ath hereditary chiefs~~) is established with the name Ha'wiih Advisory Council.

- 2.12 Representation on the Ha'wiih Advisory Council must be determined in accordance with ~~customary practices~~.
- 2.13 The Legislature must consult with and seek the advice of the Ha'wiih Advisory Council in relation to Yuulu?i?ath culture and traditional values, Yuulu?i?ath ~~customary laws~~ and matters relating to this Constitution in accordance with Yuulu?i?ath law ~~the rules of procedure for the Legislature~~.
- 2.14 No Yuulu?i?ath law has force and effect until that law has been passed by a majority of a quorum of the Legislature and certified by the President.
- 2.15 Except for Yuulu?i?ath customary laws, all Yuulu?i?ath laws will be published and made available to Yuulu?i?ath citizens within ten days of coming into effect.

B. The Executive bBranch

- 2.16 The executive powers of the Yuulu?i?ath government are vested in the President and any individual member of the Legislature designated by a majority of a quorum of the Legislature to hold an executive ~~specific~~ portfolio.
- 2.17 The Legislature may establish or dissolve executive portfolios at any time.
- 2.18 Each member of the Executive is directly accountable to the Legislature and must report to the Legislature on a regular basis or as requested by the Legislature.
- 2.19 Members of the Executive have the duty and power to enforce Yuulu?i?ath laws and manage Yuulu?i?ath affairs, Yuulu?i?ath financial administration and the operation of the Yuulu?i?ath government in accordance with Yuulu?i?ath laws.
- 2.20 Subject to instructions given by the Legislature, the members of the Executive, within the areas of their respective portfolios, are responsible for representing ~~the~~ Yuulu?i?ath in intergovernmental relations, including relations with other First Nations.
- 2.21 The President, as chief executive of the Yuulu?i?ath government, has the duty and power, subject to direction from the Legislature, to:
- (a) represent the Yuulu?i?ath government in relations with local, provincial and federal governments, other First Nations and indigenous organizations nationally and internationally;
 - (b) ensure that Yuulu?i?ath citizens are fully informed on social, legal and political issues that affect ~~the~~ Yuulu?i?ath;
 - (c) develop and maintain~~ing~~ effective systems of communication with Yuulu?i?ath citizens, third parties and other governments;

- (d) protect and enhance YuuluʻiĪʻath treaty rights;
- (e) ensure this Constitution and YuuluʻiĪʻath laws and policies are adhered to and enforced;
- (f) develop and maintain a sound YuuluʻiĪʻath economy;
- (g) promote and protect YuuluʻiĪʻath values, culture, traditions and language; and
- (h) properly manage and administer the YuuluʻiĪʻath government.

2.22 The Legislature may designate a member of the Legislature to assume the powers and duties of the President on an interim basis in the event the President is, for whatever reason, unable to exercise the powers and perform the duties of that office.

2.23 The Legislature may establish any public institution or body that it deems necessary to perform the duties or exercise the powers of the YuuluʻiĪʻath government or to protect or advance the interests of ~~the~~ YuuluʻiĪʻath.

C. **Hitaʻeu aAssembly**

2.24 The ~~h~~Hitaʻeu ~~a~~Assembly must be convened at least four times annually, with at least one meeting deemed to be the YuuluʻiĪʻath Annual General Assembly.

2.25 The ~~h~~Hitaʻeu ~~a~~Assembly that is deemed to be the YuuluʻiĪʻath Annual General Assembly must include on its agenda the ~~-~~annual YuuluʻiĪʻath financial report, including remuneration paid to the Legislature.

2.26 The President, in consultation with the Legislature and the Haʻwiih Advisory Council, may at any time call a special ~~H~~Hitaʻeu ~~Assembly~~ assembly to address important YuuluʻiĪʻath issues.

2.27 The President must ~~convene~~ hold the a ~~H~~Hitaʻeu ~~a~~Assembly in accordance with procedures established by ~~the Legislature~~ YuuluʻiĪʻath law.

2.28 Subject to section 2.29, every YuuluʻiĪʻath citizen has the right to attend and participate in ~~the a~~ hHitaʻeu aAssembly.

2.29 Every YuuluʻiĪʻath citizen that has attained the age of 16 has the right to vote on any resolution presented at ~~the a~~ hHitaʻeu aAssembly.

2.30 The hHitaʻeu aAssembly may, by a majority vote of those ~~in attendance~~ present and voting, pass a resolution making a recommendation to the Legislature or

requiring a referendum on any issue, with that referendum to be held in accordance with a Yuulu?il?ath referendum law ~~established by the Legislature~~.

2.31 Any proposed resolution of the hHita?eu aAssembly calling for a referendum must be provided to the ~~President~~ chairperson of the Legislature in writing at least 45 days before the hHita?eu aAssembly at which the resolution is to be considered.

2.32 Upon receipt of the proposed resolution, the President must ensure the date of the hHita?eu aAssembly at which the proposed resolution is to be considered is made public and provided to all Yuulu?il?ath citizens.

D. Committees

2.33 The Legislature may establish standing or special committees to assist in the discharge of its powers and duties.

2.34 ~~All committees~~ may include any Yuulu?il?ath citizen over the age of 16 and ~~will~~ must include at least one member of the Legislature.

2.35 All committee members who are members of the Legislature are ex officio and may not vote in committee decisions.

2.36 The Legislature must establish ~~terms of reference~~ rules of procedure for each committee and must appoint all committee members in accordance with the committee's ~~terms of reference~~ rules of procedure.

2.37 In appointing committee members, the Legislature must endeavour to ensure there is representation on the committee by Yuulu?il?ath citizens residing both on and off of Yuulu?il?ath lands.

2.38 Committee membership and the procedures for selecting committee members must be made public.

2.39 The standing committees must include:

- (a) a standing committee on finance;
- (b) a standing committee on treaty implementation;
- (c) a standing committee on economic development; and
- (d) a standing committee on personnel.

2.40 All standing and special committees may make recommendations to the Legislature.

CHAPTER 3 - LEGISLATIVE AUTHORITY

- 3.1 The ~~Yuulu?il?ath government~~ Legislature has the right to assume and exercise all law-making authorities set out in the Maa-nulth Treaty and any law-making authorities set out in non-Treaty agreements with Canada or British Columbia.
- 3.2 In accordance with ~~the respective provisions of~~ the Maa-nulth Treaty, the Legislature has the authority to make laws for the following:
- (a) Yuulu?il?ath citizenship;
 - (b) Yuulu?il?ath government structures and procedures;
 - (c) Yuulu?il?ath lands and land management;
 - (d) Yuulu?il?ath resources on Yuulu?il?ath lands;
 - (e) Yuulu?il?ath public institutions and Yuulu?il?ath corporations;
 - (f) Yuulu?il?ath assets;
 - (g) aAdoption;
 - (h) cChild protection services;
 - (i) cChild care services;
 - (j) eEducation in respect of kindergarten to grade 12;
 - (k) pPost-secondary education;
 - (l) eEducation in respect of language and culture;
 - (m) sSolemnization of marriages;
 - (n) sSocial development;
 - (o) hHealth services;
 - (p) cCulture and heritage;
 - (q) mManagement and distribution of fish and aquatic plants for domestic purposes;
 - (r) mManagement and distribution of wildlife and migratory birds for domestic purposes;

- (s) ~~r~~Renewable resource harvesting within federal and provincial parks and protected areas;
- (t) ~~w~~Water;
- (u) ~~p~~Preservation and conservation of the environment;
- (v) ~~t~~Taxation;
- (w) ~~p~~Public works;
- (x) ~~b~~Buildings and structures;
- (y) ~~r~~Regulation, licensing and prohibition of business;
- (z) ~~t~~Traffic, transportation, parking and highways;
- (aa) ~~p~~Public order, peace and safety;
- (bb) ~~e~~Emergency preparedness;
- (cc) ~~c~~Conflicts of interest;
- (dd) ~~c~~Conduct of public officials;
- (ee) ~~a~~Access to information;
- (ff) ~~e~~Enforcement of Yuulu?il?ath laws; and
- (gg) ~~a~~Any other law-making authority set out in the Maa-nulth Treaty or in any non-Treaty agreement with Canada or British Columbia.

3.3 On the effective date of the Maa-nulth Treaty, the ~~Yuulu?il?ath~~-Legislature must bring into force and effect:

- (a) rules of procedure for the Legislature_{3.5};
- (b) a Yuulu?il?ath election law_{3.5};
- (c) a Yuulu?il?ath code of conduct_{3.5};
- (d) a Yuulu?il?ath conflict of interest law_{3.5};
- (e) a Yuulu?il?ath financial administration law_{3.5};
- (f) a Yuulu?il?ath citizenship law_{3.5};
- (g) a Yuulu?il?ath land law_{3.5};

- (h) a Yuulu?i?ath dispute resolution law^{3.5}
 - (i) a Yuulu?i?ath referendum law^{3.5} and
 - (j) any other law that the Legislature deems necessary for the proper management of Yuulu?i?ath affairs as of the effective date of the Maa-nulth Treaty.
- 3.4 To the extent that the Legislature chooses not to exercise a law-making authority set out in section 3.2, federal or provincial law in relation to that authority continue to apply until such time as the authority is exercised by the Legislature.
- 3.5 The Legislature must exercise any law-making authorities set out in non-Treaty agreements with Canada or British Columbia.
- 3.6 In the event of an inconsistency or conflict between this Constitution and ~~the provisions of any~~ other Yuulu?i?ath law, the other Yuulu?i?ath law, to the extent of the inconsistency or conflict, is of no force or effect.

CHAPTER 4 - YUULU?IL?ATH LAND SYSTEM

- 4.1 As of the effective date of the Maa-nulth Treaty, the underlying title to all Yuulu?il?ath lands is vested collectively in ~~the~~ Yuulu?il?ath.
- 4.2 The quantity of Yuulu?il?ath lands, as set ~~it~~-out in the Maa-nulth Treaty, must not be reduced except as provided for in the Maa-nulth Treaty [and Yuulu?il?ath law](#).
- 4.3 The boundaries of Yuulu?il?ath lands as set out in the Maa-nulth Treaty must not be altered except as provided for in the Maa-nulth Treaty or if approved by at least 50% plus one of Yuulu?il?ath eligible voters in a referendum held to approve the boundary alteration.
- 4.4 Prior to the effective date of the Maa-nulth Treaty, the Legislature must develop ~~a~~ Yuulu?il?ath land laws [for review by Yuulu?il?ath citizens](#).
- 4.5 ~~The~~ Yuulu?il?ath land laws [must address, among other things, the following:](#)
- (a) the nature and extent of the rights of individual Yuulu?il?ath citizens in and to Yuulu?il?ath lands;
 - (b) the powers of the Yuulu?il?ath government to administer, regulate, expropriate and grant interests in Yuulu?il?ath lands;
 - (c) [any](#) land transactions that ~~will~~ require approval of Yuulu?il?ath citizens by referendum;
 - (d) procedures for raising title to, and registering interests in, Yuulu?il?ath lands;
 - (e) procedures for addressing interests of non-Yuulu?il?ath individuals in Yuulu?il?ath lands;
 - (f) the regulation of mortgages and other forms of security in relation to Yuulu?il?ath lands;
 - (g) procedures for zoning and land use planning; and
 - (h) any other matter that the Legislature deems necessary for ~~a~~ comprehensive land laws [.](#)
- 4.6 Despite the conveyance or alienation of any estate or interest in Yuulu?il?ath lands, all lands that are subject to that estate or interest continue to be Yuulu?il?ath lands and subject to the jurisdiction of the Yuulu?il?ath government.

CHAPTER 5 - FINANCIAL ADMINISTRATION AND ACCOUNTABILITY

- 5.1 The Legislature, in exercising its financial powers, including the power to raise and expend revenues, must ~~make a by~~ law, ~~to~~ establish a system of financial management and administration that ~~is~~:
- (a) is effective and efficient in the use of Yuulu?il?ath financial resources;[;]
 - (b) is open and accountable;[;] and
 - (c) includes standards comparable to those generally accepted for governments in Canada.
- 5.2 The Legislature must establish a standing committee on finance and that committee must make recommendations to the Legislature on any financial matter and in relation to any law regarding financial matters.
- 5.3 The Legislature must establish rules and terms of reference for the standing committee on finance, including such matters as:
- (a) rules of procedure;
 - (b) frequency of meetings;
 - (c) time periods for performing duties; and
- the ability to seek advice from persons with relevant expertise.
- 5.4 The Legislature must request and consider a report from the standing committee on finance prior to:
- (a) preparing the annual Yuulu?il?ath financial report;[;]
 - (b) entering into financial agreements or taxation agreements with Canada or British Columbia;[;] or
 - (c) making laws that substantially affect the finances of Yuulu?il?ath.
- 5.5 The Legislature must prepare a draft annual budget for presentation at a hHita?eu Assembly ~~assembly~~ each year at least 30 days prior to the fiscal year end.
- 5.6 The annual audited financial statements for Yuulu?il?ath, including the annual audited financial statements for any corporate entity owned, in whole or in part, by Yuulu?il?ath, must be presented at a hHita?eu a ~~Assembly~~ within 90 days of the fiscal year end.

- 5.7 The Legislature may borrow money or guarantee loans ~~subject to a law made for such purposes~~ in accordance with a Yuulu?il?ath law and that law must be reviewed by the hHitaceu aAssembly prior to being brought into force and effect.

CHAPTER 6 - CODE OF CONDUCT AND CONFLICT OF INTEREST

- 6.1 The Yuulu?i?ath government must be administered in a manner that:
- (a) adheres to the highest ethical standards^{2,5}
 - (b) efficiently uses Yuulu?i?ath resources^{2,5}
 - (c) provides services on an equitable and impartial basis^{2,5} and
 - (d) responds to the needs of Yuulu?i?ath citizens in a timely and accessible manner.
- 6.2 Members of the Legislature must conduct themselves at all times with integrity and respect for their positions and must place the interests of ~~the~~ Yuulu?i?ath ahead of their own as they exercise their powers and perform their duties.
- 6.3 As of the effective date of the Maa-nulth Treaty, the Legislature must bring into force and effect a code of conduct and conflict of interest law.

CHAPTER 7 - DISPUTE RESOLUTION

- 7.1 On the effective date of the Maa-nulth Treaty, the Legislature must bring into force and effect a Yuulu?il?ath dispute resolution law which provides for, among other things, a process for challenging the validity of Yuulu?il?ath laws and a process for appealing or reviewing administrative decisions of the Yuulu?il?ath government or Yuulu?il?ath public institutions.

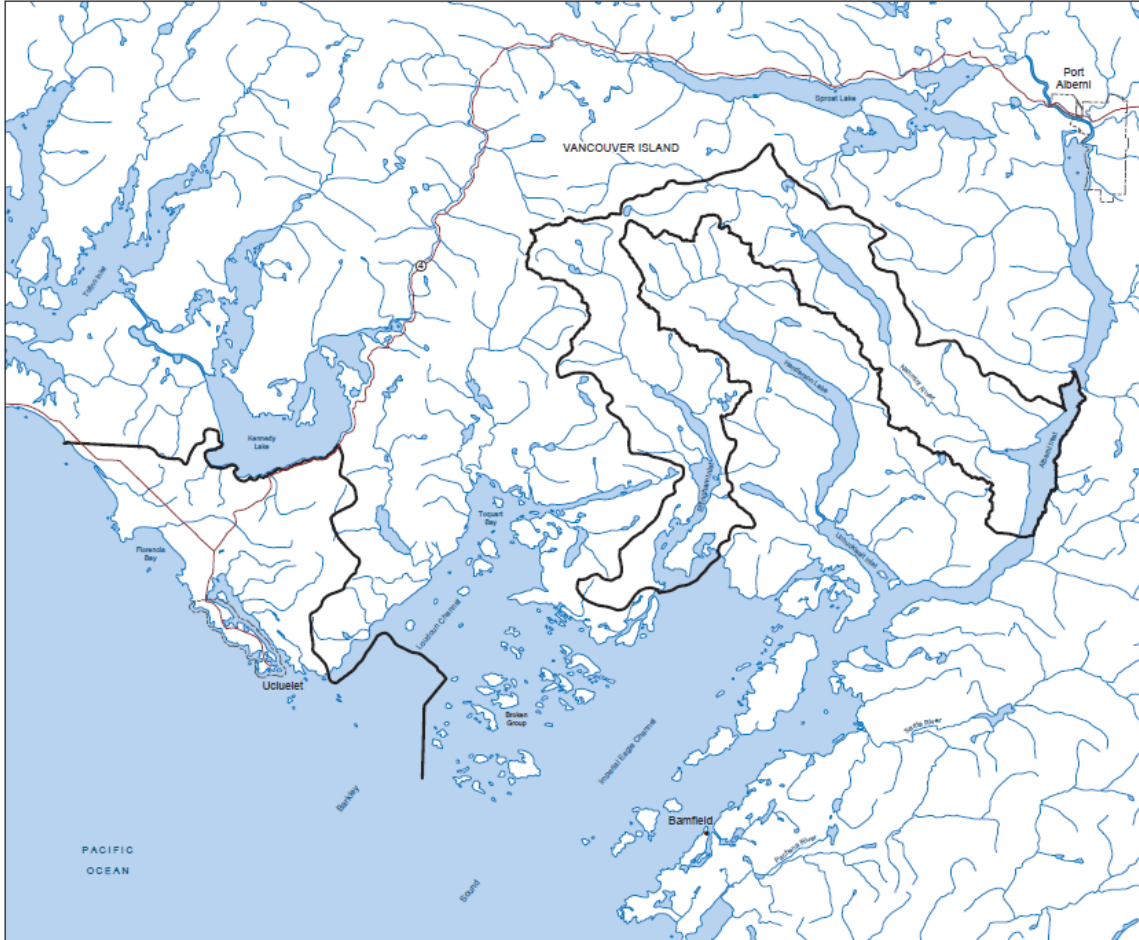
CHAPTER 8 - CONSTITUTIONAL AMENDMENTS

- 8.1 An amendment to this Constitution may only be initiated by:
- (a) a resolution passed by a majority of a quorum of the Legislature,; or
 - (b) the presentation of a petition to the Legislature signed by at least 40 Yuulu?i?ath citizens 16 years of age or older identifying the specific Constitutional amendment proposed.
- 8.2 Upon passage of a resolution or receipt of a petition identified in section 9.1, the Legislature must develop wording for the proposed Constitutional amendment.
- 8.3 Prior to conducting a referendum on the proposed amendment, the Legislature must:
- (a) provide full information on the proposed amendment by way of written material and other forms of publication to all Yuulu?i?ath citizens,;
 - (b) provide all Yuulu?i?ath citizens with at least 30 days' notice of a special hHita?eu aAssembly, including the date, time and location of the Assembly, and a summary of the proposed amendment,;
 - (c) conduct the special hHita?eu aAssembly in order to seek the views of Yuulu?i?ath citizens on the proposed amendment,;
 - (d) seek the advice of the Ha'wiih Advisory Council on the proposed amendment,; and
 - (e) make any changes to the wording of the proposed amendment that the Legislature deems appropriate in light of the advice received from the hHita?eu aAssembly and the Ha'wiih Advisory Council.
- 8.4 Within 30 days of the special Hhita?eu aAssembly, the Legislature must conduct a referendum on the proposed Constitutional amendment in accordance with the procedures set out in ~~the a~~ Yuulu?i?ath referendum law.
- 8.5 This Constitution may be amended on the following basis:
- (a) in the period from the effective date of the Maa-nulth Treaty until the 10th anniversary of the effective date of the Maa-nulth Treaty, with the approval of at least 40% of Yuulu?i?ath eligible voters on the voters list at the time of the referendum,;
 - (b) in the period from the 10th anniversary of the effective date of the Maa-nulth Treaty to the 20th anniversary of the effective date of the

Maa-nulth Treaty, with the approval of at least 50% of Yuulu?il?ath eligible voters ~~and~~ on the voters list at the time of the referendum; ~~5~~ and

- (c) any time after the 20th anniversary of the effective date of the Maa-nulth Treaty, with the approval of at least 60% of Yuulu?il?ath eligible voters on the voters list at the time of the referendum.
- 8.6 This Constitution is deemed to be amended as of the date of certification by the President of the required level of approval by Yuulu?il?ath eligible voters.
- 8.7 The Legislature must publish a notice of ~~the~~ any approved Constitutional amendment.
- 8.8 Despite the provisions of this Chapter, the Legislature may, by a resolution passed by a majority of a quorum of the Legislature, make technical or grammatical amendments to this Constitution.

SCHEDULE 1 – YUULU?IL?ATH TRADITIONAL TERRITORY



Hosted by the YG nursing and early childhood education staff who will be on hand to answer any questions about the young ones' health and development.

MONTHLY BABY GROUP

nanayaᑕaatuk

"taking care of babies"

An informal gathering where parents and caregivers with babies up to 2 years old can meet to socialize, share stories, and enjoy a healthy snack while the children play!

**1ST
WEDNESDAY
EVERY
MONTH**

10:00am to 11:00am
**q^wayaᑕiikᑦiis Childcare
Centre**



For more information, contact Judy Gleeson, RN: (778) 942-0579