

YUULU?IL?ATH GOVERNMENT

**CODE OF CONDUCT AND
CONFLICT OF INTEREST ACT**

YFNS 4/2011



OFFICIAL CONSOLIDATION – CURRENT TO OCTOBER 14, 2026

This is a certified true copy of the consolidated Code of Conduct and Conflict of Interest Act, YFNS 4/2011, current to October 14, 2026

Date: October 14, 2026

Signed: *Hamilton*
Law Clerk

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PREAMBLE

As a treaty first nation, Yuulu?il?ath assumes the responsibility of providing transparent and accountable government, blending hereditary and modern-day governing institutions. This requires Yuulu?il?ath officials to perform their duties and exercise their powers with honesty, integrity, impartiality and regard to the common good of all Yuulu?il?ath citizens.

To assist with realizing these goals, Yuulu?il?ath wishes to establish rules of conduct that all Yuulu?il?ath officials must abide by, as well as disclosure and enforcement processes aimed at ensuring Yuulu?il?ath officials abide by those rules and, if they do not, they are sanctioned appropriately.

Yuulu?il?ath adopts this Act based on these values.

PART 1 - INTRODUCTORY PROVISIONS

Short title

- 1.1 This Act may be cited as the Code of Conduct and Conflict of Interest Act (Yuulu?il?ath Government).

Executive oversight

- 1.2 The member of the Executive holding the finance portfolio is responsible for the executive oversight of this Act.

Application

- 1.3 This Act applies to all Yuulu?il?ath officials.

Definitions

- 1.4 In this Act,

“complainant” means the person who filed a complaint;

“complaint” means a complaint filed under section 6.1 or 6.2;

“human resources” means the person who is responsible for managing and advising on human resource-related matters for Yuulu?il?ath Government;

“immediate family” means, when used in reference to a Yuulu?il?ath official, the Yuulu?il?ath official’s spouse, son, daughter, parent or sibling;

“investigator” means the person appointed to investigate a complaint under section 6.1(d) or 6.2(d)(ii);

“private interests” includes, when used in reference to a Yuulu?il?ath official, the interests of the Yuulu?il?ath official’s immediate family;

“public office” means the office of a Yuulu?il?ath Government representative or a Yuulu?il?ath public employee;

“respondent” means the individual complained against in a complaint;

“volunteer” means a person who performs services for or on behalf of a Yuulu?il?ath institution of their own free will and without receiving, or expecting to receive, any wage, salary, or other compensation for those services, other than reimbursement of reasonable expenses actually incurred;

“Yuulu?il?ath appointee” means an individual appointed by the Yuulu?il?ath Government under a Yuulu?il?ath enactment; and

“Yuulu?il?ath official” includes, for the purposes of this Act,

- (a) a member of a committee of the Legislature as defined in the Committee Act (Yuulu?il?ath Government),
- (b) a member of a committee of the Executive as defined in the Committee Act (Yuulu?il?ath Government),
- (c) a volunteer, and
- (d) a Yuulu?il?ath appointee.

PART 2 - RULES OF CONDUCT

General duties

- 2.1** (a) A Yuulu?il?ath official must exercise his or her official powers and perform his or her official duties in such a manner as to maintain public confidence and trust in the integrity of the Yuulu?il?ath official.
- (b) A Yuulu?il?ath official must act honestly and in good faith with a view towards the best interests of the Yuulu?il?ath First Nation.
- (c) A Yuulu?il?ath official must demonstrate high ethical standards in professional dealings.
- (d) A Yuulu?il?ath Government representative must demonstrate high ethical standards in personal dealings.

Conflict of interest

- 2.2** A Yuulu?il?ath official must not exercise an official power or perform an official duty knowing that in doing so there is an opportunity to further his or her private interests.

Insider information

- 2.3** (a) A Yuulu?il?ath official must not use information that is obtained in the execution of his or her position as a Yuulu?il?ath official and is not available to the general public to further or seek to further the Yuulu?il?ath official's private interests.
- (b) A Yuulu?il?ath official must not communicate information referred to in subsection (a) to another person if the Yuulu?il?ath official knows, or reasonably ought to know, that the information may be used to further or seek to further the Yuulu?il?ath official's private interests.

Influence

- 2.4** A Yuulu?il?ath official must not use his or her position as a Yuulu?il?ath official to influence or seek to influence a decision of another person so as to further the Yuulu?il?ath official's private interests.

Acceptance of gifts or personal benefits

- 2.5** (a) A Yuulu?il?ath official must not accept a gift or personal benefit that might reasonably be seen to have been given to influence the Yuulu?il?ath official in the exercise of his or her official powers or the performance of his or her official duties.

- (b) Despite subsection (a), a Yuulu?il?ath official may accept a gift or personal benefit that is received
 - (i) in his or her personal capacity, or
 - (ii) as an incident of the protocol, customs or social obligations that normally accompany the responsibilities of his or her position.

PART 3 - PROCEDURE ON CONFLICT OF INTEREST

Disclosure and withdrawal

- 3.1** (a) A Yuulu?il?ath official who has reasonable grounds to believe that he or she has a conflict of interest in any matter must, if present at a meeting considering the matter,
- (i) disclose the general nature of the conflict of interest, and
 - (ii) withdraw from the meeting without participating in the discussion or voting on the matter.
- (b) The absence of a Yuulu?il?ath official from a meeting because of the requirement under subsection (a)(ii) must not be taken into account in determining whether a quorum is present for that meeting and, for the purposes of this subsection, the Yuulu?il?ath official must be counted as being present even though he or she is absent from all or a portion of the meeting.
- (c) Despite subsection (a)(ii), if a Yuulu?il?ath official who discloses a conflict of interest under subsection (a)(i) is the only person present at the meeting with the information necessary to make a decision on the matter, then the Yuulu?il?ath official may participate in the discussion but must not vote on the matter.
- (d) Despite subsections (a)(ii) and (c), if the operation of those subsections would result in there being fewer than three Yuulu?il?ath officials present at the meeting who can vote on the matter, then so long as they have complied with subsection (a)(i), all Yuulu?il?ath officials present at the meeting may participate in the discussion and vote on the matter.

Invitation to disclose and withdraw

- 3.2** A person who has reasonable grounds to believe that a Yuulu?il?ath official has a conflict of interest in any matter may, if present at a meeting considering the matter, inform the chair of the meeting who must in turn invite the Yuulu?il?ath official to disclose the conflict of interest and to withdraw from the meeting.

Record of disclosure and withdrawal

- 3.3** (a) If a Yuulu?il?ath official has complied with section 3.1, the secretary of the meeting must record both
- (i) the disclosure, and
 - (ii) the withdrawal.

- (b) If the meeting referred to in section 3.1 is a meeting of the Legislature, the Executive or a committee of either of them, the secretary of the meeting must file the information referred to in subsection (a) with the chief administrative officer as soon as practicable after the meeting.

Access to disclosure and withdrawal records

- 3.4** The chief administrative officer must make all information filed under section 3.3(b) available to any Yuulu?il?ath citizen for inspection at the Government House during regular business hours.

PART 4 - DISCLOSURE REQUIREMENTS

Private interests disclosure statement

- 4.1** Each Yuulu?il?ath Government representative must file with the chief administrative officer a private interests disclosure statement in the prescribed form
- (a) within 60 days after the earlier of the date on which he or she was elected, appointed or sworn into office, and
 - (b) within 30 days after the second anniversary of the date referred to in subsection (a).

Content of private interests disclosure statement

- 4.2** The private interests disclosure statement required under section 4.1 must identify
- (a) the name of each for-profit corporation, partnership, proprietorship or other business entity in which the Yuulu?il?ath Government representative or his or her immediate family has an interest,
 - (b) the name of each not-for-profit organization or charity in which the Yuulu?il?ath Government representative or his or her immediate family holds a membership, and
 - (c) the name of each for-profit corporation, not-for-profit organization or charity of which the Yuulu?il?ath Government representative or his or her immediate family is an officer or director.

Supplemental disclosure statement

- 4.3** Each Yuulu?il?ath Government representative must file with the chief administrative officer a supplemental disclosure statement in the prescribed form within 30 days after a change in the circumstances of the Yuulu?il?ath Government representative or his or her immediate family occurs which results in the private interests disclosure statement filed under section 4.1 no longer being complete or accurate.

Disclosure statement for gifts or personal benefits

- 4.4** Each Yuulu?il?ath Government representative must file with the chief administrative officer a disclosure statement for gifts or personal benefits in the prescribed form within 30 days after the receipt of a gift or personal benefit referred to in section 2.5(b)(ii) that exceeds the prescribed value.

Access to disclosure statements

- 4.5** The chief administrative officer must make

- (a) private interests disclosure statements filed under section 4.1,
- (b) supplemental disclosure statements filed under section 4.3, and
- (c) disclosure statements for gifts or personal benefits filed under section 4.4

available to any Yuulu?il?ath citizen for inspection at the Government House during regular business hours.

PART 5 - INCOMPATIBLE OFFICES

Incompatible offices

- 5.1**
- (a) Subject to this section, the Government Personnel Act (Yuulu?il?ath Government) and any other Yuulu?il?ath enactment, an individual may simultaneously hold more than one public office.
 - (b) An individual must not simultaneously hold two public offices that are incompatible unless the simultaneous holding of those public offices is compelled or expressly authorized by Yuulu?il?ath law.
 - (c) Public offices are incompatible when any of the following circumstances are present:
 - (i) one public office may remove or exercise supervisory powers over the other;
 - (ii) based on the powers and duties of the public offices, there is a possibility of a significant clash of duties or loyalties between the public offices; or
 - (iii) public policy considerations make it improper for one individual to hold both public offices.

PART 6 - ENFORCEMENT

Complaint against a Yuulu?il?ath Government employee or volunteer other than the chief administrative officer

- 6.1** (a) Subject to subsection (b), if any person has reason to believe that a
- (i) a Yuulu?il?ath director,
 - (ii) a Yuulu?il?ath Government employee other than the chief administrative officer,
 - (iii) a volunteer,
 - (iv) an employee of a Yuulu?il?ath public institution, or
 - (v) an employee of a Yuulu?il?ath public corporation
- has contravened this Act, that person may file a written complaint with the chief administrative officer in the prescribed form.
- (b) If a Yuulu?il?ath Government representative becomes aware of any circumstances described in subsection (a), that individual must file a written complaint with the chief administrative officer in the prescribed form.
- (c) A complaint under subsection (a) or (b) must include
- (i) a statement of the grounds on which the complaint is based,
 - (ii) a statement of the details on which the complaint is based, and
 - (iii) all supporting documents upon which the complainant relies.
- (d) If a complaint is filed under subsection (a) or (b), subject to subsection (e) the chief administrative officer must appoint an investigator to investigate the complaint on such terms as the chief administrative officer considers appropriate.
- (e) The chief administrative officer may decide not to appoint an investigator if the chief administrative officer decides, in consultation with human resources or legal counsel, as appropriate,
- (i) to dismiss the complaint because the complaint is frivolous, vexatious or made in bad faith,
 - (ii) that they will investigate the complaint themselves, or
 - (iii) that, having regard to all the circumstances, no investigation is necessary or appropriate.

Complaint against any other Yuulu?il?ath official

- 6.2** (a) Subject to subsection (b), if any person has reason to believe that a Yuulu?il?ath official other than a Yuulu?il?ath official listed in section 6.1(a) has contravened this Act, that person may file a written complaint with the law clerk in the prescribed form.
- (b) If a Yuulu?il?ath Government representative becomes aware of any circumstances described in subsection (a), that individual must file a written complaint with the law clerk in the prescribed form.
- (c) A complaint under subsection (a) or (b) must include
- (i) a statement of the grounds on which the complaint is based,
 - (ii) a statement of the details on which the complaint is based, and
 - (iii) all supporting documents upon which the complainant relies.
- (d) If a complaint is filed with the law clerk under subsection (a) or (b),
- (i) the law clerk must provide a copy of the complaint to the chairperson of the Legislature,
 - (ii) subject to subsections (e), (f) and (g), the chairperson of the Legislature, in consultation with the chief administrative officer, must as soon as reasonably practicable appoint an investigator to investigate the complaint, and
 - (iii) the law clerk must provide a copy of the complaint to the investigator.
- (e) If the complaint relates to the chief administrative officer, the chairperson of the Legislature must as soon as reasonably practicable appoint an investigator under subsection (d)(ii) in consultation with the Executive.
- (f) If the complaint relates to the chairperson of the Legislature, unless the chairperson is a Yuulu?il?ath Government employee, the law clerk must as soon as reasonably practicable appoint an investigator under subsection (d)(ii) in consultation with the Executive.
- (g) The chairperson of the Legislature may decide not to appoint an investigator if the chairperson decides, in consultation with human resources or legal counsel, as appropriate,

- (i) to dismiss the complaint because the complaint is frivolous, vexatious or made in bad faith, or
- (ii) that, having regard to all the circumstances, no investigation is necessary or appropriate.

Appointment of investigator

6.3 The chairperson of the Legislature or the chief administrative officer may appoint as an investigator any person who, in the opinion of the chairperson of the Legislature or the chief administrative officer, as applicable,

- (a) meets any prescribed criteria; and
- (b) is unbiased and qualified to investigate the complaint.

Investigation of complaint

- 6.4** (a) An investigator appointed under section 6.1(d) or 6.2(d)(ii) must investigate the complaint and
- (i) if appointed under section 6.1(d), within 30 days after their appointment, provide a written report to the chief administrative officer respecting the complaint, including the investigator's findings and recommendations, or
 - (ii) if appointed under section 6.2(d)(ii), within 30 days after their appointment, provide a written report to the Legislature respecting the complaint, including the investigator's findings and recommendations.
- (b) The chief administrative officer or the chairperson of the Legislature, as applicable, may, upon written request from the investigator, extend by up to 14 days the time for the investigator to provide a written report under subsection (a).
- (c) In investigating a complaint under subsection (a), the investigator
- (i) may require the complainant, the respondent or any Yuulu?il?ath official to
 - (A) be interviewed by the investigator in respect of the complaint, and
 - (B) produce to the investigator any or all records in that individual's possession relating to the complaint that are stored on a device owned by the Yuulu?il?ath Government or any device for which the individual receives reimbursement from Yuulu?il?ath Government,

- (ii) may invite an individual who is not referred to in paragraph (i), and who the investigator believes may be in possession of information relevant to the complaint, to
 - (A) be interviewed by the investigator in respect of the complaint, and
 - (B) produce to the investigator any or all records in that individual's possession relating to the complaint, and
 - (iii) must
 - (A) inform the respondent of the particulars of the complaint and any further information provided under paragraph (i) or (ii), and
 - (B) give the respondent a reasonable opportunity to respond to the complaint, and to any further information provided under paragraph (i) or (ii),
- on such terms and conditions and within such time as the investigator determines.
- (d) The investigator must provide a summary of their findings and recommendations to the respondent and the complainant at the same time the investigator provides their written report under subsection (a).

No contravention or inadvertent contravention found

6.5 If, after investigating a complaint, the investigator finds that the respondent has not contravened this Act or that the respondent has contravened this Act but

- (a) the respondent took all reasonable measures to prevent the contravention, or
- (b) the contravention was trivial, committed through inadvertence or an error of judgment made in good faith,

the investigator must recommend that no sanction be imposed.

Contravention found

6.6 If, after investigating a complaint, the investigator finds that the respondent has contravened this Act and none of the circumstances in section 6.5(a) or 6.5(b) apply, the investigator must recommend one or more of the following:

- (a) that no sanction be imposed;
- (b) that the respondent be reprimanded;
- (c) that the respondent publicly acknowledge his or her wrongful conduct;

- (d) that the respondent pay the Yuulu?il?ath Government the amount of any gains realized as a result of the contravention;
- (e) that the respondent be required to pay a fine not exceeding \$10,000;
- (f) that the respondent be removed from public office;
- (g) that the respondent be disqualified from holding public office for a period of up to eight years; or
- (h) that any other sanction the investigator considers appropriate be imposed.

Determination by the chief administrative officer

- 6.7** (a) The chief administrative officer must, within 30 days after receipt of the investigator's report under section 6.4(a)(i),
- (i) consider the report, and
 - (ii) make a determination as to
 - (A) whether the respondent has contravened this Act, and
 - (B) what sanction, if any, should be imposed on the respondent.
- (b) If the chief administrative officer does not appoint an investigator under section 6.1(e)(ii) or section 6.1(e)(iii), the chief administrative officer must
- (i) inform the respondent of the particulars of the complaint,
 - (ii) give the respondent a reasonable opportunity to respond to the complaint, and
 - (iii) within 30 days after receipt of the complaint, decide what consequence, if any, should be imposed on the respondent.
- (c) The chief administrative officer may impose any of the sanctions referred to in section 6.6 or any other sanction the chief administrative officer considers appropriate on the respondent.

Determination by the Legislature

- 6.8** (a) If the chairperson of the Legislature decides not to appoint an investigator under section 6.2(e), the chairperson must, as soon as reasonably practicable, provide a written report to the Legislature, with a copy to the respondent and the complainant, respecting the complaint and including a recommendation.

- (b) The Legislature must, within 30 days after receipt of the report of the investigator under section 6.4(a)(ii) or the chairperson under subsection (a),
 - (i) consider the report, and
 - (ii) make a determination as to
 - (A) whether the respondent has contravened this Act, and
 - (B) what sanction, if any, should be imposed on the respondent.
- (c) The Legislature must give the respondent a reasonable opportunity to make submissions before making a determination under subsection (b)(ii).
- (d) The respondent must not be present when the Legislature considers the report under section (b)(i) or makes a determination under subsection (b)(ii).
- (e) The Legislature may impose any of the sanctions referred to in section 6.6 or any other sanction the Legislature considers appropriate on the respondent.

Notice of determination

- 6.9** (a) The Legislature or the chief administrative officer, as applicable, must as soon as reasonably practicable provide notice of their decision under section 6.7 or 6.8, including written reasons for the decision, to the respondent and the complainant.
- (b) If the chief administrative officer dismisses the complaint under 6.1(e)(i), the chief administrative officer must, within 30 days after receipt of the complaint, provide notice of their decision, including written reasons for the decision, to the respondent and the complainant.

Publication of investigation report

- 6.10** (a) No person may publish, disclose, or otherwise make available an investigator's report or portion thereof, except as authorized in writing by
 - (i) the chief administrative officer, if the investigator was appointed by the chief administrative officer, or
 - (ii) the Legislature, if the investigator was appointed by the chairperson of the Legislature.
- (b) Prior to authorizing any disclosure, the chief administrative officer or the Legislature, as applicable, may redact any portions of the investigator's report that the chief administrative officer or Legislature deems necessary or appropriate, including where those portions contain information the disclosure of which may

or must be refused under section 2.9 of the Freedom of Information and Protection of Privacy Act (Yuulu?il?ath Government).

Whistleblower protection

- 6.11** (a) A Yuulu?il?ath institution, a Yuulu?il?ath official or a contractor of the Yuulu?il?ath First Nation must not retaliate against a person who makes a complaint in good faith.
- (b) The chief administrative officer and the Executive must take all necessary steps to ensure that subsection (a) is not contravened and must report any contravention or suspected contravention to the Legislature.

PART 7 - GENERAL PROVISIONS

Regulations

- 7.1** The Executive may make regulations which it considers necessary or advisable for the purposes of this Act.

Limitation on actions

- 7.2** (a) For certainty and pursuant to 13.35.1 and 13.35.4 of Chapter 13 Governance of the Maa-nulth Treaty, no action for damages lies or may be commenced against any Yuulu?il?ath official or former Yuulu?il?ath official for anything done or omitted to be done under this Act.
- (b) Despite 13.35.2, 13.35.3, 13.35.5 and 13.35.6 of Chapter 13 Governance of the Maa-nulth Treaty, no action for damages lies or may be commenced against a Yuulu?il?ath institution, Yuulu?il?ath official or former Yuulu?il?ath official for anything done or omitted to be done under this Act if they acted in good faith in the performance of their duties or the exercise of their powers.

Commencement

- 7.3** This Act comes into force on the Maa-nulth Treaty effective date.

LEGISLATIVE HISTORY

Code of Conduct and Conflict of Interest Act YFNS 4/2011 enacted April 1, 2011

Amendments

Section	Amendment	In Force
6.5(e)	YFNS 44/2015, s.4.3	April 14, 2015
Preamble	YFNS 82/2023, s.3.1(a)	May 10, 2023
1.4	YFNS 82/2023, s.3.1(b)	May 10, 2023
1.2	YFNS 87/2025, s.5.1(a)	March 24, 2025
1.4	YFNS 87/2025, s.5.1(b)	March 24, 2025
3.3(b), 3.4, 4.1, 4.3, 4.4, 4.5, 6.2(a), 6.2(b), 6.3(a), 6.3(a)(ii), 6.3(b), 6.4, 6.5, 6.5(h), 6.6(a), 6.6(b), 6.6(c), 6.7, 6.7(a), 6.7(c)(i)(B), 6.7(c)(ii)(B)(I), 6.7(c)(ii)(B)(II), 6.7(c)(iii), 6.7(c)(iv), 6.8(b)	YFNS 87/2025, s.5.1(c)	March 24, 2025
6.2(a)	YFNS 87/2025, s.5.1(d)	March 24, 2025
1.4, 4.1, 4.2(a)- (c), 4.3, 4.4, 6.2(a)-(b), 6.5(d), 6.7(b)	YFNO 63/2026, s.6(a)	April 15, 2026
1.4	YFNO 63/2026, s.6(b)	April 15, 2026
1.1	YFNO 63/2026, s.6(c)	April 15, 2026
5.1(a)	YFNO 63/2026, s.6(d)	April 15, 2026
5.1(c)(i)	YFNO 63/2026, s.6(e)	April 15, 2026
1.2	YFNS 94/2026, s.2.1(a)	October 14, 2026
1.4	YFNS 94/2026, s.2.1(b)	October 14, 2026
2.1(c)	YFNS 94/2026, s.2.1(c)	October 14, 2026
2.1	YFNS 94/2026, s.2.1(d)	October 14, 2026
Part 6	YFNS 94/2026, s.2.1(e)	October 14, 2026

Amending Acts:

YFNS 44/2015	Enforcement Framework Amendment Act No. 2 enacted April 14, 2015
YFNS 82/2023	Committee Structure Amendment Act enacted March 13, 2023
YFNS 87/2025	Administration Structure Amendment Act enacted March 24, 2025
YFNS 94/2026	Code of Conduct and Conflict of Interest Act Amendment Act enacted October 14, 2026

Regulations enacted under this Act:

YFNR 2/2011	Disclosure Forms Regulation
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Orders:

YFNO 63/2026	Law Clerk Order enacted April 15, 2026
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