



Nisga'a Lisims Government

T 250 633 3000 / F 250 633 2367

TF 1 866 633 0888

PO Box 231 / 2000 Lisims Dr

New Aiyansh BC / Canada V0J 1A0

NISGAANATION.CA

September 25, 2015

Nisga'a Village of Gitlaxt'aamiks  
Nisga'a Village of Gitwinksihlkw  
Nisga'a Village of Laxgalts'ap  
Nisga'a Village of Gingolx

Dear Chief and Council:

**Re: Nisga'a Government Amendment Act 2015**

I am pleased to provide you with a copy of the *Nisga'a Government Amendment Act 2015*. The Act amends sections 44, 45, and 47 of the *Nisga'a Government Act* in order to simplify and streamline the process of identifying and appointing members to the Council of Elders.

Prior to the passage of these amendments by Wilp Si'ayuukhl Nisga'a in July of this year, the Chief Councillor of each Nisga'a Village Government was obliged to provide to the President by a certain date the names of those Elders who met the qualifications and were prepared to accept an appointment as a member of the Council. After consultation with the Chair of the Council of Elders and the Chief Councillors, the President provided a recommended list of Elders to the Executive for approval, again by a certain date determined by the statute. In the previous years, any delay in the consultation, selection or appointment process meant that statutory timelines were missed.

The *Nisga'a Government Amendment Act 2015* now provides that the Chief Executive Officer (CEO) will maintain a roster of persons who meet the qualifications and are prepared to accept an appointment as a member of the Council of Elders. The CEO must provide reasonable opportunity for all persons who meet the qualifications to advise the CEO that they would be prepared to have their name included in the roster. The President will continue to consult with the Chairperson of the Council of Elders to provide, based on the roster, a list of eight or more persons whom the President recommends that the Executive appoint to the Council of Elders.

We are confident that amendments to the *Nisga'a Government Act* to allow for the maintenance of a roster will lead to a smoother and more efficient process for the appointment of members to the Council of Elders.



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The amendments have now been consolidated for convenience into the current, searchable *Nisga'a Government Act* available on the Nisga'a Nation website. If you have any questions or concerns please contact me at [colliera@nisgaa.net](mailto:colliera@nisgaa.net) or 250-633-3000.

Yours truly,

**NISGA'A LISIMS GOVERNMENT**

**Collier Azak**  
Chief Executive Officer

cc: Shirley Morven, Chairperson of the Council of Elders, Nisga'a Lisims Government  
Bev Azak, Manager, Ayuukhl Nisga'a Department, Nisga'a Lisims Government  
Cheryl Stephens, Executive Director, Nisga'a Lisims Government  
H. Mitchell Stevens, President, Nisga'a Lisims Government

NISGA'A LISIMS GOVERNMENT

WILP SI'AYUUKHL NISGA'A

NISGA'A GOVERNMENT AMENDMENT ACT, 2015

REGISTRY OF NISGA'A LAWS

This cover and the following 3 pages are a certified true copy of Nisga'a Government Amendment Act, 2015 the original of which is deposited in the Registry of Nisga'a Laws as document NLGSR 2015/06  
Date August 6 2015 Signed [Signature]

Wilp Si'ayuukhl Nisga'a enacted this legislation on July 28, 2015

Signed [Signature]  
H. Mitchell Stevens, President of the Nisga'a Nation

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*Section 44 amended**1. Section 44 of the Nisga'a Government Act is amended*

- (a) *by repealing subsections (2) and (3) and substituting the following:*
- (2) The Chief Executive Officer must, taking account of the objectives set out in subsection (9),
    - (a) maintain a roster of persons who meet the qualifications set out in subsection (1) and are prepared to accept an appointment as a member of the Council, and
    - (b) provide a reasonable opportunity for all persons who meet the qualifications set out in subsection (1) to advise the Chief Executive Officer that they would be prepared to have their name included in the roster referred to in paragraph (a).
  - (3) Each year, after consulting the Chairperson of the Council of Elders and before the Executive exercises its powers under subsection (4) in that year, the President must, from the roster maintained under subsection (2), provide to the Executive a list of the names of eight or more persons whom the President recommends for appointment to the Council of Elders. .
- (b) *by repealing subsection (6)(a) and substituting the following:*
- (a) after consulting the Chairperson of the Council of Elders, the President may, from the roster maintained under subsection (2), provide to the Executive a list of the names of one or more persons whom the President recommends for appointment to the Council of Elders, and , *and*
- (c) *in subsection (8)(b)*
- (i) *by striking out "by the President" in both places and substituting "by the Chief Executive Officer", and*
  - (ii) *by striking out "an authorization" and substituting "a declaration of having applied" in subparagraph (ii).*

*Section 45 amended*2. *Section 45 of the Nisga'a Government Act is amended*

(a) *by repealing subsection (1)(b) and substituting the following:*

(b) expires when the oath of office is taken by any member of the Council who is appointed under section 44(4) in the second November following the date of the appointment referred to in paragraph (a). . and

(b) *by repealing subsection (3) and substituting the following:*

(3) As soon as practicable following the appointment of a member of the Council under section 44, the Chairperson of the Council of Elders must administer the oath of office to that person at a meeting of the Executive or a sitting. .

*Section 47 amended*3. *Section 47(2)(b) of the Nisga'a Government Act is repealed and the following substituted:*

(b) expires when the oath of office is taken by any member of the Council who is appointed under section 44(4) in the November following the date of the selection referred to in paragraph (a). .