

NISGA'A LANGUAGE AND CULTURE ACT

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**NISGA'A LISIMS GOVERNMENT**

**WILP SI'AYUUKHL NISGA'A**

**NISGA'A LANGUAGE AND  
CULTURE ACT**

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## NISGA'A LANGUAGE AND CULTURE ACT

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**PART 1 – DEFINITIONS AND APPLICATION****Definitions****1.** In this Act:

“**director**” means the director appointed by the Executive under section 7;

“**fluency**” means the ability to converse in the language;

“**lip algaxam**” means the Nisga'a language;

“**lip wilaa loom**” means the Nisga'a culture;

“**Nisga'a [LCA]**” means the Nisga'a Language and Culture authority established by section 3;

“**Nisga'a Belonging**” means any object created by, traded to, commissioned by, or given as a gift to a Nisga'a person or Nisga'a community, or that originated from a Nisga'a community or Nisga'a heritage site and that has past and ongoing importance to Nisga'a culture or spiritual practices, but does not include any object traded to, commissioned by, or given as a gift to another aboriginal people;

“**Nisga'a Language plan**” means the language plan directed by the [NLCA] under section 13.

**Application of this Act****2.** This Act applies to the Nisga'a Nation, Nisga'a Villages, Nisga'a Institutions, and Nisga'a public officers.**PART 2 – NISGA'A LANGUAGE AND CULTURE AUTHORITY****Nisga'a Language and Culture Authority****3.** A Nisga'a Language and Culture authority is established, is an office reporting to Wilp Si'ayuukl Nisga'a, and shall be called the [Nisga'a Language and Culture Authority or NLCA – Nisga'a name to be determined].

## Purposes

4. (1) The purposes of the [NLCA] are to
  - (a) support and promote the use of lip algaxam'; and
  - (b) support, develop and promote lip wilaa loom'.
  
5. (1) Supporting and support Nisga'a efforts to reclaim, revitalize, maintain and strengthen the lip algaxam', includes but is not limited to:
  - (a) assess, from time to time, the status of the Nisga'a language and existing challenges,
  - (b) plan initiatives and activities for restoring and maintaining fluency in the Nisga'a language,
  - (c) create technological tools, educational materials and permanent records of the Nisga'a language, including audio and video recordings of fluent speakers of the languages and written materials such as dictionaries, lexicons and grammars of the languages, for the purposes of, among other things, the maintenance and transmission of the languages,
  - (d) support the Nisga'a language learning and cultural activities, including language mentorship, language nest and immersion programs, and promote, restore, or maintain the essential links that exist between Nisga'a language and culture,
  - (e) support entities specialized in the Nisga'a language,
  - (f) undertake research or studies in respect of the Nisga'a language.
  
6. (1) Support, develop and promote lip wilaa loom', includes but is not limited to:
  - (a) work with citizens to increase awareness and understanding of Nisga'a culture and heritage,
  - (b) develop and recommend policies and programs to Executive to protect and promote Nisga'a culture,
  - (c) carry out culture and heritage information and education programs for Nisga'a citizens,
  - (d) assist Nisga'a citizens in recognizing and developing cultural practices,
  - (e) return of Nisga'a Belongings, currently housed in Museums worldwide,
  - (f) establish and maintain a list of traditional names for places, features, items or things on Nisga'a Lands, and

- (g) establish and maintain a description of the traditional, permitted and prohibited uses at locations or in respect of features, items or things on Nisga'a Lands.

7. The Executive must appoint the director of the [NLCA].

**[NLCA] Board Members**

8. (1) The members of the [NLCA] Board are

- (a) the director, and
- (b) a representative of each of the following:
  - i. Council of Elders
  - ii. Nisga'a Village of New Aiyansh
  - iii. Nisga'a Village of Gitwinksihlkw
  - iv. Nisga'a Village of Laxgalt'sap
  - v. Nisga'a Village of Gingolx
  - vi. Prince Rupert/Port Edward Nisga'a Urban Local Area
  - vii. Vancouver Nisga'a Urban Local Area
  - viii. Terrace Nisga'a Urban Local Area
  - ix. Wilp Wilxo'oskwhl Nisga'a Institute
  - x. School District #92 (Nisga'a)
  - xi. Nisga'a Valley Health Authority
  - xii. Youth Council

(2) On the recommendation of the director, the representatives listed in subsection b shall be appointed by the Executive for a renewable term of three years, except that the first members appointed shall hold office for a renewable term of three to five years as expressed in their appointments.

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- (3) To be eligible for appointment to the [NLCA] Board, an individual must demonstrate
- (a) a keen interest in the Nisga'a Language;
  - (b) traditional or academic expertise concerning the history, diversity, status, use, teaching, development or needs of the Nisga'a Language or the willingness and ability to consider and apply such expertise;
  - (c) personal knowledge concerning more than one regional variant or dialect of the Nisga'a Language or the willingness to consider and respond to such knowledge;
  - (d) the capacity to assist the NLCA in performing its duties and exercising its powers; and
  - (e) any additional qualifications or factors to be considered on the recommendation of the director.
- (4) To be eligible for appointment to the [NLCA] Board, an individual must not hold office as an Officer of Nisga'a Lisims Government, the Chief Councillor or a Village Councillor of a Nisga'a Village Government, a Urban Local Representative, a director of a Nisga'a Urban Local Society, or a member of the Nisga'a Administrative Decisions Review Board.
- (5) The director is the chairperson of the [NLCA] Board.

**Member Remuneration**

9. (1) The cost of remuneration, if any, of a member must be borne
- (a) in the case of the director and the member appointed under subparagraph 8(1)(b)(i) by the Nisga'a Nation; and
  - (b) in the case of the member appointed by a Nisga'a Village under paragraph 8(1)(b) by the Nisga'a Village;
  - (c) in the case of the member appointed by a Nisga'a Urban Local Area under subparagraph 8(1)(b) by the corresponding Nisga'a Urban Local Society;
  - (d) by Wilp Wilxo'oskwhl Nisga'a Institute in the case of the member appointed under subparagraph 8(1)(b)(ix);
  - (e) by School District #92 (Nisga'a) in the case of the member appointed under subparagraph 8(1)(b)(x);
  - (f) by Nisga'a Valley Health Authority in the case of the member appointed under subparagraph 8(1)(b)(xi); and
  - (g) by Youth Council in the case of the member appointed under subparagraph 8(1)(b)(xii);

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**Power to Establish Committees**

10. (1) In order to perform its duties under this Act, the [NLCA] may
- (a) establish committees, under the terms and conditions that the [NLCA] considers appropriate;
  - (b) conduct the reviews, hearings or meetings and receive the submissions or reports that the [NLCA] considers appropriate;
  - (c) develop, review, recommend or administer surveys or tests that evaluate Nisga'a language proficiency for purposes including the certification of an individual's educational or employment skill or competency level in the Nisga'a language;
  - (d) authorize or accredit the use, reproduction, and representation of Nisga'a cultural symbols and practices;
  - (e) index or publish information concerning any matter within the authority of the [NLCA]; and
  - (f) advise or submit reports or recommendations to the Executive at its own initiative, concerning any matter within the authority of the [NLCA].
- (2) Subject to this Act, the [NLCA] may establish rules and procedures
- (a) applying to the [NLCA]; and
  - (b) governing the work, priorities and business of the [NLCA] and the manner in which its duties will be exercised and its powers will be performed.

**PART 3 – VETTING COMMITTEE****Vetting Committee**

11. (1) At the recommendation of the director, [NLCA] shall establish the Vetting Committee to standardize and authenticate lip algaxam'.
- (2) The Vetting Committee shall be comprised of at least five members with representatives from each Nisga'a Village or Nisga'a tribe, where practicable.
- (3) To be eligible for the Vetting Committee an individual must demonstrate
- (a) exceptional fluency in the Nisga'a Language;
  - (b) traditional or academic expertise concerning the history, diversity, status, use, teaching, development or needs of the Nisga'a Language or the willingness and ability to consider and apply such expertise;

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- (c) personal knowledge concerning more than one regional variant or dialect of the Nisga'a Language or the willingness to consider and respond to such knowledge;
  - (d) the capacity to assist the Vetting Committee in performing its duties and exercising its powers; and
  - (e) any additional qualifications or factors to be considered on the recommendation of the director.

**Certification of Standards**

12. (1) The [NLCA] shall establish certification standards for:
- (a) translators and interpreters;
  - (b) language instruction; and
  - (c) materials translated or published in lip algaxam'.

**PART 4 – LANGUAGE PLAN**

13. (1) The [NLCA] may direct a Nisga'a Institution to create a Nisga'a Language Plan, which must include the organizational measures, policies and practices proposed support and promote the use of Lip algaxam' and Lip Wilaa Loom' in the Nisga'a Organization; and
- (2) The [NLCA] may provide or publish guidelines for additional information to be included in a Nisga'a Language plan.
14. [NLCA] may create policies for access to Ayuukhl Nisga'a Archives.
15. [NLCA] may create policies for storage, access and loan of materials at the Nisga'a Museum.

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**PART 5 – GENERAL****Annual Report**

16. (1) Annually, the director must present a report to Wilp Si'ayuukhl Nisga'a advising it generally:
- (a) on the status of the Nisga'a language and culture,
  - (b) planned initiatives and activities for restoring and maintaining fluency in the Nisga'a language and supporting Nisga'a culture,
  - (c) the results of any research or studies, and
  - (d) any recommendations the director may have in relation to its purposes.
- (2) The director, by report to Wilp Si'ayuukhl Nisga'a, may suggest consideration of amendments to this Act or another Nisga'a enactment affecting language or culture

**Regulations**

17. (1) The Executive may make regulations it considers necessary or advisable for the purposes of this Act.
- (2) Without limiting subsection (1), the Executive may make regulations in respect of
- (a) the preservation, promotion and development of
    - (i) the culture of Nisga'a Nation, including its history, laws, ceremonies, symbols, songs, dances, storytelling, and traditional naming practices, and
    - (ii) the Nisga'a language,
  - (b) the conservation and protection of, and access to, heritage resources on Nisga'a including archeological sites, traditional use sites, culturally modified trees, trails and routes, burial or other funeral sites, structural features and cultural landscapes,
  - (c) Nisga'a Belongings owned by Nisga'a Nation, and
  - (d) Nisga'a Belongings in the possession of other people,

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**Commencement**

18. This Act comes into force by regulation of the Executive.