



GWA'SALA-'NAKWAXDA'XW NATIONS

Aux'stila du gingananam

CHILD AND FAMILY

PROTECTION AND SUPPORT LAW

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1.0 INTRODUCTION

- 1.1 This law may be cited as the "*Aux'stila du gingananam Law*" and is referenced within as this "Law".
- 1.2 The purpose of this Law is to affirm the rights and jurisdiction of GNN, to protect GNN Children and Families, and to restore and build upon traditional laws and practices for protecting and uplifting GNN Children, GNN Young Adults, Families and the GNN community as a whole.
- 1.3 This Law is to be interpreted and administered based on the following principles:
- (a) each GNN Child is beloved, each is Dfugwe and Kwa'layu; they are to be protected, loved, educated and uplifted and their best interests are always the paramount consideration;
 - (b) GNN rights, laws and teachings are meant to protect, nurture and uplift GNN Children and Families;
 - (c) authority flows from GNN's inherent right to self-government, laws and teachings, and traditional Family and cultural systems, rather than being delegated from an external authority;
 - (d) priority is placed on maintaining the safety and protection of GNN children within GNN's community, culture, laws and teachings;
 - (e) guidance comes from 'N§mim Gi'gigame', Ninogaad, Ninoxs§la, grandparents, Matriarchs, and other culturally relevant supports;
 - (f) to be a healthy community, GNN must focus on both protecting GNN Children and supporting recovery and healing for Families who have suffered intergenerational trauma;
 - (g) GNN Children are meant to grow up knowing their language and culture, where they come from and where they belong, and that they are loved and supported;
 - (h) it is important to provide opportunities for cultural education, healing, ceremony and other supports meant to assist GNN Children, Families, leaders, community and GNN People to overcome trauma;
 - (i) the rights and distinct needs of a GNN Child with a disability are to be considered in order to promote the GNN Child's participation, to the same extent as other GNN Children, in Family and community activities;
 - (j) a GNN Child must be able to exercise their rights under this Law, including the right to have their views and preferences considered in decisions that

affect them, and they must be able to do so without discrimination, including discrimination based on sex or gender identity or expression;

- (k) the safety and wellbeing of GNN Children includes health, housing, food security and other relevant supports; and
- (l) where GNN People live, or if they have been adopted out or taken from GNN's community, must not be barriers to receiving support services.

2.0 INTERPRETATION

2.1 In this Law, the following terms shall have the meanings hereinafter ascribed to them, namely:

- (a) **"Applicable Laws"** means any and all relevant laws issued or implemented by the federal, provincial governments and GNN Council that apply to the provision of child and family services; -
- (b) **"Advocacy Services"** mean services to support GNN Children, GNN Young Adults, and their Families who are receiving Child and Family Services or Post-Majority Support Services from an Other Child and Family Services Provider;
- (c) **"Band List"** means the list of Persons that is maintained under section 8 of the *Indian Act* for GNN and includes such a list as may be made pursuant to membership rules adopted by GNN;
- (d) **"BCR"** means a validly passed resolution at a duly convened Council meeting;
- (e) **"CFCSA"** means the *Child, Family and Community Services Act*, RSBC 1996, c 46, and includes any successor legislation;
- (f) **"Child and Family Services"** means services to support children and families, including prevention services, early intervention services and child protection services;
- (g) **"Coordination Agreement"** means the tripartite agreement in relation to the exercise of GNN's legislative authority in relation to child and family services between GNN, Canada and British Columbia, and where context requires also includes any such agreement with another province as a party;
- (h) **"Council"** means the Chief and Council of the Gwa'sala-'Nakwaxda'xw Nations or any successor elected government of the Gwa'sala-'Nakwaxda'xw Nations and for the purposes of this Law means the Indigenous Governing Body as defined in the Federal Act, that is

authorized to act on behalf of the Gwa'sala-'Nakwaxda'xw Nations people, who hold rights recognized and affirmed by section 35 of the Constitution Act, 1982, including the inherent right of self-government in relation to Child and Family Services;

- (i) **"Cultural Connection Services"** include services that foster the ability of all GNN People to participate in, benefit from, learn from and pass along to future generations:
 - (i) the accumulated laws, teachings and wisdom of GNN ancestors, Hereditary Chiefs, Matriarchs, Gi'gigame', Ninogaad, and Ninoxs£la,
 - (ii) the traditions, customs, protocols, values, spirituality, ceremonies, ways of being, and ways of knowing of GNN;
 - (iii) the language, place names, and family names of GNN;
 - (iv) the knowledge and the practice of being healthy and whole members of a healthy and holistic family and community; and
 - (v) connections to the land and the life-sustaining resources of the land and waters of the GNN homelands;
- (j) **"Dtugwe"** includes the concept that GNN Children are precious gifts from heaven;
- (k) **"Family"** means a GNN Person's siblings, Parents, grandparents, uncles, aunts, cousins, and extended family members, who may be connected to them through blood, marriage, cultural adoption, ancestral names, or custom, and includes any Person who, through significant emotional connection with a GNN Person, is considered to be Family by that GNN Person;
- (l) **"Family Connection Services"** include services to locate GNN People who have been taken by Other Child and Family Services Providers, and their descendants, and connect them with their Families;
- (m) **"Federal Act"** means *An Act respecting First Nations, Inuit and Metis children, youth and families*. SC. 2019, c. 24, and includes any successor legislation;
- (n) **"Galgapothla"** includes the concept of holding hands and working together as a family or community to lift each other up;
- (o) **"Galgapothla Board Members"** means the individuals who are appointed by Council to govern the affairs of the Galgapothla Society pursuant to section 6.1;

- (p) **"Galgapothla Executive Director"** means the individual who is hired by the Galgapothla Society to be responsible for the overall management of the day-to-day operations of the Galgapothla Society pursuant to section 7.1, or their delegate;
- (q) **"Galgapothla Society"** means the separate legal entity created by operation of this Law pursuant to section 5.1 and consistent to 5.3 and includes a designate, alternate or successor entity;
- (r) **"Gi'gigame"** includes the concept of the Hereditary Chiefs or leaders of a family or of the community or other related First Nations;
- (s) **"GNN"** means the Gwa'sala-'Nakwaxda'xw Nations;
- (t) **"GNN Children"** means those GNN People who are under the age of 19;
- (u) **"GNN People"** means those individuals who are:
 - (i) listed or entitled to be listed on the Band List from time to time, or
 - (ii) have been confirmed as being connected to GNN by way of Regulation or witnessed in a Gukwdzi ceremony;
- (v) **"GNN Young Adults"** means those GNN People who are 19 years of age or over but under 27 years of age;
- (w) **"GNN Youth"** means those GNN Children who are 16 years of age or over but under 19 years of age;
- (x) **"Gukwdzi"** includes the concept of the building, sometimes known as a Big House, and the laws, culture, teachings, ceremonies, governance and practices that are practiced in relation to it;
- (y) **"Hereditary Chief"** means a leader who is appointed within the Gwa'sala or 'Nakwaxda'xw Nations in line with an Indigenous governance system which is passed down intergenerationally;
- (z) **"Involuntary Child and Family Services"** means Child and Family Services that do not require the consent of the Person receiving the services including assessing or investigating a report that a child may need protection, an application for a court order, or a removal;
- (aa) **"Kwa'layu"** includes the concept that each GNN Child is a reason for living and a reason for drawing the next breath for their Family;
- (bb) **"Ngmim9"** includes the concept of the GNN traditional kinship and clan system and traditional leadership which includes Gi'gigame', Ninogaad, Ninoxs la, grandparents, Matriarchs, and other culturally relevant supports;

- (cc) **"N mim Meeting"** means a meeting involving the 'Ngmim9 of a GNN Child to develop or implement a Ngmima Plan;
- (dd) **"N mim Plan"** means a plan, developed through a 'Ngmim9 Meeting, which details supports or services to a GNN Child or Family and measurable goals for those supports or services;
- (ee) **"Ninogaad"** includes the concept of GNN men who are wise ones, elders and knowledge-keepers;
- (ff) **"Ninox la"** includes the concept of GNN women who are wise ones, elders and knowledge-keepers;
- (gg) **"Mount Waddington Regional District"** means the geographic area covered by the Regional District of Mount Waddington;
- (hh) **"Matriarch"** means a woman who hold positions of power and have the moral force of authority in the Gwa'sala or 'Nakwaxda'xw Nations;
- (ii) **"Other Child and Family Services Provider"** means any ministry, official, agency, Indigenous Governing Body or Person with the legislative authority to provide Involuntary Child and Family Services, who is granted such authority by a piece of legislation other than this Law;
- (jj) **"Parent"** means:
 - (i) the biological mother or father of a child;
 - (ii) a Person to whom custody of a child has been granted by a court of competent jurisdiction or by an agreement; or
 - (iii) a Person with whom a child resides and who stands in place of the child's biological mother or father;
- (kk) **"Person"** unless otherwise specified or the context otherwise implies, includes any individual, corporation, partnership, society or party, and their personal or legal representatives;
- (ll) **"Post-Majority Support Services"** means services or support to assist GNN Young Adults who, as children, received Child and Family Services under this Law, a province or territory's child welfare legislation or an Indigenous child and family services law;
- (mm) **"Regulation"** includes a BCR, order, regulation, rule, rule of court, form, tariff of costs or fees, proclamation, by-law, resolution or other instrument issued, made or established:
 - (i) in the execution of a power conferred by or under the authority of Applicable Laws, or

- (ii) by or under the authority of Council; and
- (nn) **"Voluntary Child and Family Services"** means Child and Family Services that must have the consent of the Person receiving the services.

3.0 APPLICATION, PHASED IMPLEMENTATION, AND COMING INTO FORCE

3.1 GNN has jurisdiction over Child and Family Services for all GNN People, wherever they may live, including those who never received their name under GNN traditional laws and practices, do not have *Indian Act* status, or who have been adopted into GNN or adopted out or taken away from GNN's community.

3.2 This Law applies to:

- (a) GNN People; and
- (b) any Other Child and Family Services Provider, individual or other entity:
 - (i) carrying out programs or services in relation to GNN People or
 - (ii) with guardianship responsibilities for a GNN Child.

3.3 This Law shall come into force on a day to be named by Regulation after it has been presented in the Gukwdzi or to Hereditary Chiefs, Matriarchs, Gi'gigame', Ninogaad, and Ninoxs.§.1a and there has been a consensus or ceremony in favour of bringing it into force.

3.4 Subject to the Coordination Agreement and funding availability, the Galgapothla Society:

- (a) shall provide Voluntary Child and Family Services to GNN Children and GNN Families residing in the Mount Waddington Regional District including;
 - (i) services or support to assist GNN Families to provide a safe and nurturing environment for GNN Children;
 - (ii) services or support for GNN Youth including support for GNN Youth to live independently when they are unable to safely reside with their Parents or guardians; and
 - (iii) care arrangements for GNN Children who are unable to safely reside with their Parents or guardians;
- (b) shall provide Post-Majority Support Services to GNN Young Adults residing in the Mount Waddington Regional District;
- (c) shall provide Cultural Connection Services, Family Connection Services and Advocacy Services to GNN People who ordinarily reside in British

Columbia, including those who are residing in the Mount Waddington Regional District;

- (d) may provide Cultural Connection Services, Family Connection Services and Advocacy Services to GNN People who do not ordinarily reside in British Columbia, wherever they may live; and
 - (e) may provide services as set out in any bilateral agreement with an Other Child and Family Services Provider.
- 3.5 For greater certainty, in order to implement a phased approach to implementation of this Law, Council may, by Regulation, based upon the recommendation of the Galgapothla Society, amend this Law and direct and authorize the Galgapothla Society to provide additional services or services in additional geographic areas.
- 3.6 Unless amended by Regulation pursuant to 3.5, the Galgapothla Society shall not provide Involuntary Child and Family Services.
- 3.7 An Other Child and Family Services Provider may continue to provide services to assist GNN Children, GNN Young Adults and GNN Families, if the Galgapothla Society does not provide equivalent services or if otherwise agreed to by GNN.
- 3.8 For certainty where a service is provided by the Galgapothla Society, an Other Child and Family Services Provider may only provide services to GNN Children, GNN Young Adults, and GNN Families as agreed to by the Galgapothla Executive Director.

4.0 RIGHTS AND BEST INTERESTS OF GNN CHILDREN

- 4.1 GNN Children enjoy the legal rights and privileges of a child deriving from the laws of GNN, the Constitution Act 1982, the Canadian Human Rights Act, the United Nations Declaration on the Rights of Indigenous Peoples, the United Nations Declaration on the Rights of the Child, and the United Nations Convention on the Rights of the Child, and without limiting the generality of the forgoing the right to:
- (a) have a name and identity within GNN culture;
 - (b) be free from forced assimilation, or removal from GNN's community and culture;
 - (c) be free from any kind of discrimination based on their GNN identity;
 - (d) be free from shame and denigration for belonging to GNN's community and culture;
 - (e) belong to GNN's community;

- (f) belong to and be connected to their 'N.§.mim.§.;
- (g) be loved;
- (h) be supported;
- (i) grow up knowing GNN's language and culture;
- U) know where they come from and where they belong;
- (k) access health care, education, social services, and ceremonial and cultural services without discrimination;
- (a) express their views and preferences about decisions that affect them; and
- (l) seek reconsideration regarding decisions that affect them.

4.2 This Law shall be administered and interpreted in accordance with the principle that it is in the best interests of GNN Children to ensure that:

- (a) their rights, including those rights enumerated *in* section 4.1, are fostered, supported, and protected; and
- (b) they are given effective means of exercising such rights.

4.3 Whenever the best interests of a GNN Child is being determined, culturally appropriate and reasonable efforts shall be made to obtain the views and preferences of:

- (a) the GNN Child, taking into account the mental, physical and psychological capacity of the GNN Child; and
- (b) the GNN Child's 'N.§.mimg_.

5.0 THE GALGAPOTHLA SOCIETY

5.1 There is established by operation of this Law, the Galgapothla Society consisting of Galgapothla Board Members appointed pursuant to section 6.1.

5.2 The Galgapothla Society has the capacity and, subject to this Law and any Regulation, the rights, powers and privileges of a natural person, including without limitation the power to:

- (a) sue and be sued;
- (b) enter into contracts;
- (c) acquire, hold and dispose of property;

- (d) hold, spend, invest and borrow money, and secure or guarantee the repayment of money borrowed; and
 - (e) do other things ancillary to the exercise of its rights, powers and privileges.
- 5.3 The Galgapothla Society remains an entity incorporated under this Law, but, subject to any requirements of this Law, may continue incorporation pursuant to the *Societies Act*, and may incorporate and register under federal or provincial legislation for the same purposes and on the same terms as set out in this Law.
- 5.4 On the request of Council, the Galgapothla Society shall provide Council with all information, excluding personal information, that is reasonably necessary for Council to review the effectiveness of the Child and Family Services and Post-Majority Support Services provided pursuant to this Law.
- 5.5 The objective of the Galgapothla Society is to oversee the development and provision of Child and Family Services, Advocacy Services, Cultural Connection Services, Family Connection Services and Post-Majority Support Services in accordance with this Law.
- 5.6 In furthering its objective, the Galgapothla Society shall:
- (a) periodically review the effectiveness of this Law, and recommend possible amendments to GNN;
 - (b) establish processes and policies regarding the administration of this Law including:
 - (i) establishing risk management strategies and processes;
 - (ii) preparing and implementing strategic plans, which may include specific initiatives related to:
 - (A) prevention services;
 - (B) protection services;
 - (C) food security;
 - (D) housing;
 - (E) facilities and programs; and
 - (F) language and culture.
 - (iii) carrying out or arranging for administration, reporting, and financial accountability relating to Child and Family Services, Advocacy Services, Cultural Connection Services, Family Connection Services and Post-Majority Support Services;
 - (iv) establishing standards and policies for Child and Family Services, Advocacy Services, Cultural Connection Services, Family Connection Services and Post-Majority Support Services;

- (v) establishing and maintaining a 24/7 Advocacy Services telephone line;
 - (vi) establishing policies and procedures to ensure practice compliance and quality assurance for case review and critical incident investigation and processes;
 - (vii) establishing and licensing, in alignment with Applicable Laws, of care homes and other residential facilities;
 - (viii) ensuring the enforcement of this Law; and
 - (ix) creating and managing human resource complaints processes;
- (c) oversee the administration and implementation of this Law;
- (d) oversee the administration of agreements and coordination with:
- (i) Other Child and Family Services Providers;
 - (ii) other GNN entities and agencies; and
 - (iii) government entities and other parties;
- (e) collect data regarding Child and Family Services, Advocacy Services, Cultural Connection Services, Family Connection Services and Post-Majority Support Services; and
- (f) do everything reasonably necessary, suitable, proper, convenient or incidental to these activities and objectives.

5.7 The Galgapothla Society shall carry out activities and achieve its purposes on a not-for-profit basis.

5.8 Council may, by Regulation or pursuant to any agreement between GNN and the Galgapothla Society, transfer or approve the transfer of money, funds, resources or assets to the Galgapothla Society for the purposes of the Galgapothla Society fulfilling its duties and responsibilities.

5.9 The Galgapothla Society may raise funds by any lawful means and receive funding directly from the federal and provincial governments, and from any other agencies, entities, individuals or First Nations, but may not enter into financing agreements or provide security for such agreements, without prior written approval from Council.

6.0 GALGAPOTHLA SOCIETY BOARD MEMBERS

6.1 Subject to discussion with Hereditary Chiefs, Matriarchs, Gi'gigame', Ninogaad, and Ninoxsr!la, Council shall:

- (a) appoint, by Regulation, the Galgapothla Board Members who will govern the Galgapothla Society; and
 - (b) create Regulations regarding the eligibility, appointment, number, terms of service, remuneration, termination, and other matters respecting the Galgapothla Board Members.
- 6.2 It is the intention of GNN that the appointment of Galgapothla Board Members be confirmed through ceremony in the Gukwdzi.
- 6.3 It is the intention of GNN that the Galgapothla Board Members include:
- (a) at least 1 Hereditary Chief from each of the Gwa'sala and 'Nakwaxda'xw Nations;
 - (b) at least 1 Matriarch from each of the Gwa'sala and 'Nakwaxda'xw Nations; and
 - (c) at least 1 individual with child and family or social work training or experience.
- 6.4 Galgapothla Board Members shall undergo training on an ongoing basis in order to become and remain knowledgeable and capable of fulfilling the demands of their position including, as necessary and subject to funding availability, training in relation to:
- (a) GNN culture and traditions;
 - (b) trauma-informed practices or other practices for dealing with the legacies of colonialism;
 - (c) the provision of Child and Family Services; and
 - (d) relevant accreditations and designations.
- 6.5 Each Galgapothla Board Member shall hold office for a fixed term set out by Regulation passed pursuant to section 6.1 **Error! Reference source not found.**, unless they resign, or are dismissed by Council following discussion with Hereditary Chiefs, Matriarchs, Gi'gigame', Ninogaad, and Ninoxs.Şla.
- 6.6 The Galgapothla Board Members may make policies governing:
- (a) practice standards and procedures for Galgapothla Board Members subject to the principles and requirements of this Law;
 - (b) the avoidance and mitigation of conflicts of interest for Galgapothla Board Members;
 - (c) the business and affairs of the Galgapothla Society; and

- (d) the calling and conduct of meetings of Galgapothla Board Members and various committees established by the Galgapothla Society, and the business of the Galgapothla Society and committees generally.
- 6.7 Where the Board of Directors does not make a policy under section 6.6, the Board of Directors may provide direction to the Executive Director upon request.
- 6.8 The Galgapothla Board Members shall immediately provide a copy of all policies to Council after a policy is made.
- 6.9 Every Galgapothla Board Member, shall:
- (a) always act in a manner that is consistent with the laws of GNN and values;
 - (b) always act in a manner that fully recognizes that each GNN Child is rnugwe and Kwa'layu; and
 - (c) meet all eligibility requirements as may be prescribed by Council.

7.0 GALGAPOTHLA EXECUTIVE DIRECTOR

- 7.1 The Galgapothla Society shall hire a Galgapothla Executive Director, who shall report directly to the Galgapothla Board Members.
- 7.2 The Galgapothla Executive Director shall be responsible for the overall management of the day-to-day operations of the Galgapothla Society to ensure the purposes of the Galgapothla Society are fulfilled in accordance with this Law.
- 7.3 In accordance with approved budgets and available funding, the Galgapothla Executive Director may hire employees or contract with any necessary professionals or advisors for the purpose of carrying on the business of the Galgapothla Society, and may determine their conditions of service.
- 7.4 Subject to any of the laws of GNN or GNN Regulations, the Galgapothla Executive Director may delegate to any employee, Person or class of Persons any or all powers, duties, or functions of the Galgapothla Executive Director under this Law. A delegation of the Galgapothla Executive Director's powers under this section shall be in writing, with notice to the Board of Directors of the Galgapothla Society, and may include any terms or conditions the Galgapothla Executive Director considers advisable.
- 7.5 The Galgapothla Executive Director, each employee of the Galgapothla Society, and any delegate of the Galgapothla Executive Director shall undergo training on an ongoing basis in order to become and remain knowledgeable and capable of fulfilling the demands of their position including, as necessary and subject to funding availability, training in relation to:

- (a) GNN culture and traditions;
- (b) trauma-informed practices or other practices for dealing with the legacies of colonialism;
- (c) the provision of Child and Family Services; and
- (d) relevant accreditations and designations.

7.6 The Galgapothla Executive Director may receive authority delegated from any government or Other Child and Family Services Provider, and in relation a GNN Child who is in the custody or under the guardianship of that government or Other Child and Family Services Provider, shall exercise such authority in a manner that is consistent with this Law.

8.0 DISCLOSURE AND CONFIDENTIALITY

8.1 The Galgapothla Executive Director may collect and use and disclose personal information to provide services under this Law.

8.2 All personal information obtained under this Law is confidential.

8.3 For greater certainty, the following laws do not apply to information obtained under this Law:

- (a) *Freedom of Information and Protection of Privacy Act*, RSBC 1996 c165;
- (b) *Personal Information Protection Act*, SBC 2003 c 63; or
- (c) *Access to Information Act*, RSC, 1985, c. A-1.

8.4 A Person shall not disclose information obtained under this Law unless such disclosure is:

- (a) to the individual to whom the information relates;
- (b) made with the consent of the individual to whom the information relates;
- (c) necessary to ensure the safety or well-being of a GNN Child;
- (d) necessary to ensure the safety of a Person, other than a GNN Child;
- (e) necessary to plan or provide services for a GNN Child;
- (f) necessary to provide Family Connection Services to a GNN Person;
- (g) required by a court order;

- (h) necessary to carry out the purposes of this Law;
 - (i) to the legal counsel or advocates for the parties to any dispute resolution process; or
 - U) authorized by Council, by Regulation.
- 8.5 If the Galgapothla Executive Director requests personal information that is in the custody or control of a Person or public body on the basis that such information is reasonably necessary to ensure the safety and wellbeing of a GNN Child, or provide Family Connection Services to a GNN Person, the custodian of such information shall, unless it is subject to a claim of privilege based on a solicitor-client relationship, immediately provide it.
- 8.6 The Galgapothla Executive Director shall, as soon as reasonably possible, inform any individual whose personal information is disclosed pursuant to section 8.5:
- (a) the personal information that was collected;
 - (b) the reason that the personal information was requested; and
 - (c) the protocols in place to ensure that the information remains confidential.
- 8.7 A person who contravenes section 8.2 or 8.4 commits an offence.
- 8.8 Sections 8.2 to 8.7 apply despite any federal or provincial law to the contrary.
- 8.9 A federal or provincial law is of no force and effect if it:
- (a) requires disclosure of information obtained under this Law in a manner that is inconsistent with section 8.4; or
 - (b) prohibits disclosures of information in a manner that is inconsistent with section 8.4.
- 8.10 The Galgapothla Executive Director shall maintain an updated list of GNN Children.
- 8.11 When requested by an Other Child and Family Services Provider, or other relevant authorities, the Galgapothla Executive Director shall confirm whether a child or youth is on the list of GNN Children.
- 8.12 If provided with prior written confirmation that the list will remain confidential and not be shared, the Galgapothla Executive Director may, from time to time, provide a copy of the present list of all GNN Children to an Other Child and Family Services Provider in accordance with:
- (a) this Law, any GNN privacy laws, or any Regulations;

- (b) any agreements with Other Child and Family Service Providers; or
- (c) a court order.

8.13 Without limiting section 8.5, if an Other Child and Family Services Provider becomes aware that they have had an interaction with a GNN Child or Family, they shall comply with the terms of any written agreement with GNN regarding the notification of the Galgapothla Executive Director and the provision of information.

8.14 Without limiting section 8.5, if an Other Child and Family Services Provider does not have an applicable written agreement with GNN, and they become aware that they have had an interaction with a GNN Child or Family, they shall immediately alert the Galgapothla Executive Director and provide all details and information regarding the interaction to the Galgapothla Executive Director.

9.0 FAMILY FINDING

9.1 As soon as possible after the effective date of this Law and on an ongoing basis, the Galgapothla Executive Director shall work with Gi'gigame', Ninogaad, Ninoxs la, Matriarchs, any individual hired or appointed to assist with Family Connection Services, the GNN community, Other Child and Family Services Providers, and any other relevant entity to identify and locate all GNN People and lost Family members who have been taken away from GNN's community, including children who have been adopted or are now adults.

9.2 When the Galgapothla Executive Director locates a GNN Person or a lost Family member, the Galgapothla Executive Director shall coordinate with the 'N mim of the GNN Person or lost Family member to develop a plan to reconnect with them and take steps to welcome them back home.

10.0 DUTY TO PROTECT SAFETY AND FOSTER WELLBEING

10.1 Every person has axu'stila du ginganaman and must watch out for GNN Children in order to foster their wellbeing and protect their safety.

10.2 A person may fulfill their duty to foster the wellbeing of GNN Children by requesting the support of the Galgapothla Executive Director.

10.3 Any person who has well-founded concerns regarding the safety or wellbeing of a GNN Child shall immediately take any step reasonably necessary to safeguard that GNN Child's safety and wellbeing in the short term, in accordance with the laws of GNN, Canada and British Columbia.

- 10.4 No action for damages may be brought against a person for taking reasonable steps to immediate steps to safeguard the safety and wellbeing of a GNN Child unless the person is unless that person is grossly negligent.
- 10.5 Section 10.4 does not apply if a person:
- (a) knowingly did not have a well-founded concern regarding the safety or wellbeing of the GNN Child;
 - (b) is employed expressly for the purpose of providing Child and Family Services; or
 - (c) takes the steps with a view to a gain.
- 10.6 Any person who reasonably believes that a GNN Child is in need of protection shall make a report to an Other Child and Family Services Provider who has legislative authority to assess the GNN Child's safety needs and provide Child and Family Services.
- 10.7 Without limiting the generality of section 10.6, the Galgapothla Executive Director shall make a report to an Other Child and Family Services Provider who has legislative authority to assess a GNN Child's safety needs and provide Child and Family Services if the Galgapothla Executive Director has reason to believe that a GNN Child is in need of protection because Voluntary Child and Family Services provided by the Galgapothla Executive Director were necessary to protect the GNN Child and:
- (a) a GNN Family either revokes consent to or ceases to engage in Voluntary Child and Family Services;
 - (b) the Galgapothla Executive Director determines that the provision of Voluntary Child and Family Services may no longer be adequate to protect a GNN Child; or
 - (c) the GNN Family's ordinary residence has changed to be outside the Mount Waddington Regional District.
- 10.8 If an Other Child and Family Services Provider investigates the safety or wellbeing of a GNN Child, they shall comply with any written agreement with **GNN**.
- 10.9 If an Other Child and Family Services Provider does not have an applicable written agreement with GNN, and they investigate the safety or wellbeing of a GNN Child, they shall:
- (a) notify the Galgapothla Executive Director immediately;

- (b) involve the Galgapothla Executive Director in the investigation to the extent that it is reasonably possible;
- (c) immediately provide the Galgapothla Executive Director with a complete copy their findings and all documents related to the investigation; and
- (d) not make any decision or take any measure respecting a GNN Child, unless:
 - (i) they have provided notice to the Galgapothla Society and received the consent of the Galgapothla Executive Director; or
 - (ii) the decision or measure needs to be taken or made immediately in order to safeguard the safety and wellbeing of the GNN Child.

10.1 O If a GNN Child is in an immediate danger, then until a 'N9mimg Meeting can occur, an Other Child and Family Services Provider may remove a GNN Child and temporarily place the GNN Child in the care of:

- (a) family or close friends of the GNN Child; or if no safe option is readily available
- (b) another safe and responsible person that recognizes that GNN Children are *nrugwe* and *Kwa'layu* and will treat the GNN Child accordingly.

11.0 Child Safety

11.1 A GNN Child is in need of protection in the following circumstances:

- (a) if the GNN Child has been, or is likely to be, physically harmed by their Parent;
- (b) if the GNN Child has been, or is likely to be, sexually abused or exploited by their Parent;
- (c) if the GNN Child has been, or is likely to be, physically harmed, sexually abused or sexually exploited by another person and the GNN Child's Parent is unwilling or unable to protect the GNN Child;
- (d) if the GNN Child has been, or is likely to be, physically harmed because of neglect by their Parent;
- (e) if the GNN Child is emotionally harmed by
 - (i) their Parent's conduct; or
 - (ii) living in a situation where there is domestic violence by or towards a person with whom the GNN Child resides;

- (f) if the GNN Child is deprived of necessary health care;
- (g) if the GNN Child's development is likely to be seriously impaired by a treatable condition and their Parent refuses to provide or consent to treatment;
- (h) if the GNN Child's Parent is unable or unwilling to care for them and has not made adequate provision for their care;
- (i) if the GNN Child is or has been absent from home in circumstances that endanger their safety or well-being;
- U) if the GNN Child's Parent is dead and adequate provision has not been made for the GNN Child's care;
- (k) if the GNN Child has been abandoned and adequate provision has not been made for their care;
- (l) if the GNN Child is in the care of the Galgapothla Executive Director or an Other Child and Family Services Provider by agreement, and the GNN Child's Parent is unwilling or unable to resume care when the agreement is no longer in force; or
- (m) if the GNN Child is in the care of the Galgapothla Executive Director by agreement, and the GNN Child's Parent is unable to resume care and unwilling to continue the agreement.

11.2 For the purpose of subsection 11.1(b) and 11.1(c), but without limiting the meaning of "sexually abused" or "sexually exploited", a GNN Child has been or is likely to be sexually abused or sexually exploited if the child has been, or is likely to be,

- (a) encouraged or helped to engage in prostitution; or
- (b) coerced or inveigled into engaging in prostitution.

11.3 For the purpose of subsection 11.1(a) and 11.1(c), but without limiting the circumstances that may increase the likelihood of physical harm to a GNN Child, a GNN Child is more likely to be physically harmed when they are living in a situation where there is domestic violence by or towards a person with whom the child resides.

11.4 For the purpose of subsection 11.1(e) a GNN Child is emotionally harmed if the child demonstrates severe

- (a) anxiety;
- (b) depression;

- (c) withdrawal; or
 - (d) self-destructive or aggressive behaviour.
- 11.5 For certainty, a GNN Child does not need protection in the circumstances described in subsection 11.1(d) or 11.1(h) solely on the basis of socioeconomic conditions, including the following:
- (a) poverty;
 - (b) the lack of adequate housing or infrastructure; or
 - (c) the state of health of a Parent of the child.

12.0 'NAMIMA MEETINGS

- 12.1 The Galgapothla Executive Director shall make best efforts to coordinate a 'N§mim§ Meeting as soon as reasonably possible if:
- (a) the Galgapothla Executive Director is of the opinion that action needs to be taken to foster the wellbeing of a GNN Child;
 - (b) a request has been made to the Galgapothla Executive Director for support fostering the wellbeing of a GNN Child;
 - (c) the Galgapothla Executive Director becomes aware that a GNN Child will be subject to any significant measure by an Other Child and Family Services Provider; or
 - (d) a request has been made to change a 'N§mim§ Plan in accordance with subsection 12.11.
- 12.2 The Galgapothla Executive shall determine who may attend a 'Ngmim§ Meeting, and may invite involved or relevant staff from GNN programs, Other Child and Family Services Providers and other entities and programs to attend a 'Ngmim§ Meeting. To the extent that it is in the best interests of a GNN Child the Galgapothla Executive shall invite the following individuals to attend a 'Ngmim§ Meeting:
- (a) the GNN Child;
 - (b) the Gi'gigame' of the GNN Child's 'Ngmim§;
 - (c) individuals with relevant cultural knowledge, based on their relationship and role within the community and GNN Child's 'Ngmim§, including Ninogaad, Ninoxsgla, Matriarchs and others;

- (d) the Parents of the GNN Child;
 - (e) all the relatives of the GNN Child; and,
 - (f) the GNN Child's current caregiver.
- 12.3 'N2mim2 Meetings shall be held following GNN protocol for speaking and decision making.
- 12.4 The Galgapothla Executive Director shall seek consensus amongst those present at a 'Ngmim2 Meeting. However, consensus is not required for the Galgapothla Executive Director to finalize a 'N2mim2 Plan.
- 12.5 A 'N2mim2 Plan finalized by the Galgapothla Executive Director pursuant to section 12.4 must be as consistent as possible with a Family's wishes expressed in the 'N2mima Meeting process.
- 12.6 If the Galgapothla Executive Director finalizes a 'N2mim2 Plan pursuant to section 12.4, then any of the individuals listed in section 12.2 may seek a review of the 'N2mim2 Plan by the Elders Dispute Advisory Body.
- 12.7 At a 'N2mim2 Meeting, the Galgapothla Executive Director shall:
- (a) assess safety issues concerning a GNN Child and determine whether a 'N2mim2 Plan will adequately address safety issues such that there is no reason to believe the GNN Child is in need of protection;
 - (b) assess a GNN Child or Young Adult's needs in consultation with the individuals in attendance at the 'N2mim2 Meeting;
 - (c) coordinate and facilitate the 'N2mim2 Meeting;
 - (d) record decisions made at the 'N2mim2 Meeting; and
 - (e) suggest services and measures to foster and ensure the safety and wellbeing of the GNN Child or GNN Young Adult, and support their Family as a whole to thrive.
- 12.8 One purpose of a 'N2mim2 Meeting is to create a 'N2mim2 Plan to foster and ensure the safety and wellbeing of the GNN Child or Young Adult and support their Family as a whole to thrive. The 'N2mim2 Plan decided upon at a 'N2mim2 Meeting shall be specific to the circumstances of each Family, but shall identify at a minimum:
- (a) measures to:

- (i) connect the GNN Child or Young Adult and their Family with their cultural identity, including through ceremonies and other cultural practices;
 - (ii) protect the GNN Child or Young Adult from harm; and
 - (iii) help the GNN Child or Young Adult and their Family to thrive;
- (b) goals based on:
- (i) what the GNN Child or Young Adult and their Family want to change;
 - (ii) an assessment of the GNN Child or Young Adult's needs;
 - (iii) the outcomes of previous measures taken in relation to the GNN Child or Young Adult; and
 - (iv) relevant cultural milestones and cultural processes;
- (c) the priorities for different measures and goals;
- (d) strategies to implement measures and reach goals;
- (e) individuals responsible for implementing measures and taking steps to meet goals;
- (f) indicators of when goals have been achieved and measures deemed effective;
- (g) consequences and courses of action that will occur if an individual does not follow the 'Ngmimg Plan; and,
- (h) a review date, when a new 'Ngmimg Meeting shall be held and progress towards the goals and effectiveness of measures shall be reviewed.

12.9 A 'Ngmimg Plan may identify, as appropriate, Advocacy Services, Cultural Connection Services, Family Connection Services, Involuntary Child and Family Services, Voluntary Child and Family Services and Post-Majority Support Services.

12.1 O The measures identified in a 'Ngmimg Plan may include:

- (a) cultural measures, including:
 - (i) plans to teach GNN Children and Families what it means to be **GNN**, including the history of crests, songs, and dances;
 - (ii) traditional healing processes and ceremony; and
 - (iii) land-based learning and healing;

- (b) counselling, including counselling for:
 - (i) marriage;
 - (ii) mental health;
 - (iii) addictions; and
 - (iv) trauma;
- (c) health care;
- (d) supportive services including:
 - (i) in-home support;
 - (ii) out-of-home wrap-around supports for the entire Family;
 - (iii) respite care;
 - (iv) daycare;
 - (v) parenting programs;
 - (vi) prenatal services for expectant mothers;
 - (vii) financial assistance; and
 - (viii) services to support GNN Children who witness domestic violence;
- (e) housing, including:
 - (i) transition housing;
 - (ii) safe homes;
 - (iii) Family housing; and,
 - (iv) housing for GNN Youth and GNN Young Adults;
- (f) services to support GNN Youth and GNN Young Adults, including but not limited to:
 - (i) financial assistance;
 - (ii) housing; and
 - (iii) education;
- (g) voluntary arrangements related to the guardianship, care and custody of a GNN Child including:
 - (i) short term changes to the guardianship, care or custody of a **GNN** Child;
 - (ii) long term changes to the guardianship, care or custody of a GNN Child;

- (iii) sharing of the guardianship, care or custody of a GNN Child;
 - (iv) arrangements to supervise the individuals with guardianship, care or custody of a GNN Child; and
 - (v) arrangements for visiting and caring for a GNN Child; and,
- (h) adoption.
- 12.11 Unless otherwise stated in a 'Ngmimg Plan an individual who has guardianship, care or custody of a GNN Child pursuant to a 'Ngmimg Plan has the following rights and responsibilities:
- (i) to consent to health care for the GNN Child;
 - (ii) to make necessary decisions about the GNN Child's education, spiritual and cultural upbringing; and
 - (iii) to exercise any other rights and to carry out any other responsibilities of a Parent of the GNN Child, except the right to consent to the GNN Child's adoption.
- 12.12 All individuals listed in section 12.2 shall receive notification of the 'N_amim_a Plan created at a 'Ngmimg Meeting.
- 12.13 The Galgapothla Executive Director may develop a provisional 'Ngmimg Plan to foster and ensure the safety and wellbeing of any GNN Child and support the healing of their Family, until such time as a 'Ngmimg Meeting is held.
- 12.14 Any person listed in section 12.2 may request a 'Ngmimg Meeting to change a 'Ngmimg Plan.
- 12.15 Disputes regarding a 'Ngmimg Plan will be resolved at a 'Ngmimg Meeting, or by the Elders Dispute Advisory Body pursuant to section 15.0.
- 12.16 The Galgapothla Executive Director implement, or oversee the implementation of the 'Ngmimg Plan.
- 12.17 A 'Ngmimg Plan shall:
- (a) be followed by the Galgapothla Executive Director when delivering Child and Family Services or Post-Majority Support Services; and
 - (b) subject to any written agreement with GNN, be considered by any Other Child and Family Services Provider when delivering Child and Family Services or Post-Majority Support Services.

13.0 ADOPTION

13.1 Notwithstanding any law, Regulation or policy to the contrary:

- (a) birth Parents may continue to have a role in the life of a GNN Child that has been adopted; and
- (b) any person who has information regarding GNN Children who have been adopted out of GNN's community, shall immediately provide the Galgapothla Executive Director with the information necessary to contact the GNN Child.

13.2 The Galgapothla Executive Director shall arrange a 'N.§mim.§ Meeting with GNN Children who have been adopted out of GNN's community and their adoptive parents, to determine a plan for the GNN Child to maintain their connection to **GNN**.

13.3 GNN Children including, for greater certainty, GNN Children who are in the custody of any Other Child and Family Services Provider may only be adopted in accordance with the customary adoption practices of GNN, following a 'N.§.mim.§ Meeting. Such an adoption shall be recognized with the same force as though it were a court order pursuant to the *Adoption Act*.

13.4 The Galgapothla Executive Director may provide financial assistance to a Person who adopts a GNN Child who was in the custody of the Galgapothla Executive Director.

14.0 PLACEMENT

14.1 If a 'N.§mim.§ Plan provides that a GNN Child will be voluntarily placed in the care of the Galgapothla Executive Director then the Galgapothla Executive Director has exclusive custody of the GNN Child and is responsible for the GNN Child's care, maintenance and well-being. The GNN Child shall remain in the custody of the Galgapothla Executive Director until:

- (a) the Galgapothla Executive Director determines that the Parents or other Family of the GNN Child are ready, willing and able to parent the GNN Child;
- (b) the Parents revoke consent for the GNN Child being placed in the care of the Galgapothla Executive Director; or,
- (c) the GNN Child is adopted in accordance with this Law.

14.2 When a GNN Child is in the custody of the Galgapothla Executive Director, the right of the Galgapothla Executive Director to the custody of the GNN Child takes precedence over the rights given by any order or agreement not made at a

'N.9.mim.9. Meeting respecting guardianship, custody, access, contact, parenting time or the GNN Child's place of residence.

- 14.3 If an Other Child and Family Services Provider makes a placement decision regarding any GNN Child that is in their care, then in doing so they shall comply with any written agreement with GNN.
- 14.4 If an Other Child and Family Services Provider does not have an applicable written agreement with GNN, they shall not make a placement decision regarding any GNN Children that are in their care, without the consent of the Galgapothla Executive Director.
- 14.5 If a GNN Child is placed outside of their Family home by an Other Child and Family Services Provider, the Galgapothla Executive Director shall make best efforts to conduct a 'N.9.mim.9. Meeting as soon as reasonably possible to develop a 'N.9.mim.9. Plan regarding the placement.
- 14.6 The following shall be considered in the 'N.9.mim.9. Plan when determining whether a placement is consistent with the best interests of a GNN Child:
 - (a) the customs and traditions of **GNN**;
 - (b) the possibility of placing the **GNN** Child with or near siblings, or other Family members who are children; and
 - (c) the GNN Child's ability be involved in GNN school, community and cultural events.
- 14.7 For greater certainty, a 'N.9.mim.9. Plan developed pursuant to section 14.5 shall include:
 - (a) plans to maintain and foster the GNN Child's attachment and emotional ties to their Family;
 - (b) identification of services necessary to ensure a placement that is in the best interests of the GNN Child;
 - (c) provision of financial assistance to all families that accept a GNN Child to be placed in their home; and
 - (d) provision for reassessment, on an ongoing basis, as to whether it is appropriate to place the GNN Child with:
 - (i) one of their Parents, if the GNN Child does not reside with one of their Parents; or
 - (ii) another adult member of the GNN Child's Family, if the GNN Child does not reside with such a member of their Family or one of their Parents.

- 14.8 If a GNN Child who is in the care of the Galgapothla Executive Director dies, the Galgapothla Executive Director shall:
- (a) contact the appropriate authority to carry out an external investigation to determine the cause and circumstances of the death;
 - (b) notify the GNN Child's Family;
 - (c) notify the local police service and Provincial Coroner;
 - (d) consent to an autopsy of the body of the GNN Child; and
 - (e) in consultation with the GNN Child's Family, arrange for the burial or other disposition of the body of the GNN Child.

15.0 ELDERS DISPUTE ADVISORY BODY.

- 15.1 GNN shall, by Regulation, establish an Elders Dispute Advisory Body.
- 15.2 The Elders Dispute Advisory Body shall provide guidance regarding the resolution of any disputes concerning a GNN Child:
- (a) at a 'Ngmimg Meeting,
 - (b) involving Other Child and Family Services Providers; and
 - (c) involving court processes relating to a GNN Child and their safety and well-being.
- 15.3 Disputes respecting a 'Ngmimg! Plan will be resolved by the individuals listed in section 12.2 at one or more 'Ngmimg Meetings, with guidance of the Elders Dispute Advisory Body if necessary.
- 15.4 The individuals listed in section 12.2 may, by consensus, refer a dispute to the Elders Dispute Advisory Body, who shall then have the final authority to make a decision respecting the dispute.
- 15.5 If an individual listed in section 12.2 submits a review of a 'Ngmimg Plan that has been finalized by the Galgapothla Executive Director pursuant to section 12.4, then the Elders Dispute Advisory Body shall then have the final authority to make a determination regarding the 'Ngmimg Plan.
- 15.6 The Elders Dispute Advisory Body shall help develop processes and mechanisms to help guide the resolution of disputes under this Law in a manner that is transparent, fair to all parties, consistent with GNN teachings, and addresses the underlying causes of disputes.

- 15.7 The Elders Advisory Body has discretion to determine the process or mechanism that, in the circumstances of a particular dispute, is appropriate to guide the resolution of the dispute, which may include resolving the dispute in a Gukwdzi process.
- 15.8 The Elders Dispute Advisory Body shall develop an alternative model to provincial court to act as the adjudication and dispute resolution mechanism in relation to GNN Child and Family Service matters.
- 15.9 In performing its duties under this Law, the Elders Dispute Advisory Body shall rely on:
- (a) GNN culture and customary practices;
 - (b) the wisdom and experience of Hereditary Chiefs, Matriarchs, Gi'gigame', Ninogaad, and NinoxsQla.
- 15.10 Subject to discussion with the Elders Dispute Advisory Body, Hereditary Chiefs, Matriarchs, Gi'gigame', Ninogaad, and NinoxsQla Council may, by Regulation amend this Law to adopt alternative adjudication and dispute resolution mechanisms that will apply to all GNN Child and Family Service matters under this Law.

16.0 INDEMNIFICATION AND LIABILITY

- 16.1 Provided that such people act honestly, in good faith and with a view to the best interests of the Galgapothla Society, GNN, GNN Children, GNN Young Adults, and GNN Families, the Galgapothla Society shall indemnify:
- (a) a Galgapothla Executive Director or former Galgapothla Executive Director;
 - (b) a Galgapothla Board Member, or former Galgapothla Board Member;
 - (c) a Person who acts or acted at the request of the Galgapothla Society;
 - (d) an employee or former employee of the Galgapothla Society;

and their heirs, estate and trustees against costs, charges and expenses, including any amount paid to settle an action or satisfy a judgment, reasonably incurred by that Person with respect to a civil, criminal or administrative action or proceeding to which that Person is made a party by reason of holding such a position, and in the case of a criminal or administrative action or proceeding that is enforced by a monetary penalty, only if that Person had reasonable grounds for believing that the conduct that is the subject of the action or proceeding was lawful.

16.2 No action lies or may be commenced or maintained against any individual, the Galgapothla Society, Council or the Elders Dispute Advisory Body in respect of anything done or omitted to be done in the exercise or intended exercise of any power under this Law or in the performance or intended performance of any duty or function under this Law, provided any act or omission occurred honestly, in good faith and with due regard for the best interests of the Galgapothla Society, GNN, GNN Children, GNN Young Adults, and GNN Families.

17.0 REVIEW AND AMENDMENT OF LAW

17.1 Subject to discussion with Hereditary Chiefs, Matriarchs, Gi'gigame', Ninogaad, and Ninoxs.ſ.la, Council may review and amend this Law from time to time.

18.0 AUTHORITY AND JURISDICTION

18.1 This Law is made pursuant to the authority of GNN's inherent jurisdiction and right to self-government as recognized and affirmed by:

- (a) Constitution Act, 1982, s. 35;
- (b) Articles 3 and 4 of the United Nations Declaration on the Rights of Indigenous Peoples;
- (c) the Federal Act; and
- (d) the CFCSA.

18.2 GNN's inherent jurisdiction includes jurisdiction to deliver and be involved in all Child and Family Services involving GNN People, wherever they may live.

18.3 This Law, as amended from time to time has, during the time it is in force, the force of law.

18.4 Nothing in this Law shall be construed so as to abrogate or derogate from the inherent rights, Treaty Rights or Aboriginal Rights of GNN.

18.5 For greater certainty, the Canadian Charter of Rights and Freedoms applies to GNN in the exercise of jurisdiction in relation to Child and Family Services under this Law to the extent that it does not abrogate or derogate from the inherent rights, treaty rights and aboriginal rights of **GNN**.

18.6 In the event that all or any part of any section or sections of this Law are found by any court of competent jurisdiction to be invalid, such sections shall be severable, and the remaining portions or sections shall remain in full force and effect.

18.7 If there is a conflict between this Law and federal or provincial laws, this Law prevails.

18.8 This Law is binding on the federal and provincial Crown.

19.0 REGULATIONS AND POLICY

19.1 Council may make any Regulations that it considers necessary or advisable for the purposes of implementing or administering this Law, including, but not limited to, Regulations:

- (a) for any purpose in relation to which Regulations or policies are provided for in this Law;
- (b) prescribing any matter or thing referred to in this Law as prescribed or to be prescribed;
- (c) defining words and expressions that are used but not defined in this Law;
- (d) setting or clarifying requirements;
- (e) approving forms, notices or processes;
- (f) setting or clarifying penalties;
- (g) delegating authorities or responsibilities under this Law to the Galgapothla Society, Galgapothla Board Members, Galgapothla Executive Director, or Elders Dispute Advisory Body or revoking or revising such delegations;
- (h) expanding or clarifying the powers, duties, or functions to be exercised or performed by the Galgapothla Society, Galgapothla Board Members, Galgapothla Executive Director, or Elders Dispute Advisory Body;
- (i) imposing limits on the powers, duties, or functions to be exercised or performed by the Galgapothla Society, Galgapothla Board Members, Galgapothla Executive Director, or Elders Dispute Advisory Body;
- (j) creating requirements regarding the eligibility, appointment, terms of service, remuneration, termination, and other matters respecting the Galgapothla Board Members;
- (k) creating requirements respecting investment by the Galgapothla Society;
- (l) creating requirements regarding the terms and conditions of agreements entered into by the Galgapothla Society;

- (m) creating requirements respecting the borrowing of money by the Galgapothla Society;
- (n) creating requirements respecting indemnities referred to in this Law, any terms and conditions of an indemnity, and the circumstances and manner in which an indemnity may be given;
- (o) adopting conflict of interest guidelines, codes of conduct and any other guidelines and policies in respect of Galgapothla Board Members, the Galgapothla Executive Director, and other officers and employees of the Galgapothla Society;
- (p) requiring the Galgapothla Society to prepare and provide records, reports and accounts;
- (q) creating requirements respecting loans provided by the Galgapothla Society; and
- (r) creating requirements generally respecting the operations of the Galgapothla Society and Elders Dispute Advisory Body.

20.0 OFFENCES

20.1 This Law incorporates by reference the processes and procedures set out in the *Offence Act*, RSBC 1996, c 338 subject to subsection 20.2, such modifications as are required for consistency with this Law and other Applicable Laws, and the following rules of interpretation:

- (a) without restricting the application of the rules under this section, necessary changes on points of detail may be made to any provision of the *Offence Act* to ensure compliance with the terminology and procedures outlined in this Law and other Applicable Laws;
- (b) for certainty, if this Law modifies a section of the *Offence Act*, and the same section is referenced in additional sections of the *Offence Act* that apply to this Law, the applicable section shall be interpreted subject to the modifications provided under this Law;
- (c) if a defined term has different meanings under the applicable sections of the *Offence Act* and this Law, the definition for the term provided under this Law prevails;

20.2 Section 5 of the *Offence Act* [general offence] does not apply to this Law.

20.3 A Person who contravenes this Law by doing an act it forbids, or omitting to do an act that it requires, commits an offence under this Law.

20.4 Where there is no specified penalty under this Law, the maximum fine or administrative penalty for an offence shall not be greater than the general limit for offences under the Offence Act.

21.0 GENERAL

21.1 The headings, recitals, and table of contents are for convenience of reference only and are not intended to describe, enlarge, or restrict the scope or meaning of this Law or any provision of it.

21.2 Unless it is otherwise clear from the context, the use of the singular includes the plural, and the use of the plural includes the singular.

21.3 "Includes" and "including" are not intended to be limiting.

21.4 The word "and" is used in its joint sense, meaning A and B, but not either alone.

This Aux'stila du gingananam Law is hereby duly enacted by Council on 2024 at Victoria, BC.

Aux vzk

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Duane Nelson (Councillor)

Dodie Rufus
Dodie Rufus(m.mcillor)

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ikus (Councillor)
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Hereditary Chief Paddy Walkus (Councillor)

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Fle ry Chief Willie Walkus (Councillor)

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Eddie Walkus (Councillor)

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Janine Sheard (Councillor)

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Hereditary Chief Gary Walkus (Councillor)