



## Economic Development Law

TNL 09/2016

Enacted on April 5, 2016

Amended April 25, 2016

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Hegus Clint Williams

Deposited in the Tla'amin Registry

May 9, 2016

Signature of Law Clerk

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**TABLE OF CONTENTS**

|                                                                          |           |
|--------------------------------------------------------------------------|-----------|
| <b>PREAMBLE.....</b>                                                     | <b>1</b>  |
| <b>WHEREAS: .....</b>                                                    | <b>1</b>  |
| <b>PART 1 - INTRODUCTORY PROVISIONS .....</b>                            | <b>3</b>  |
| Short title .....                                                        | 3         |
| Executive Council oversight.....                                         | 3         |
| Authority and application .....                                          | 3         |
| Definitions .....                                                        | 3         |
| Interpretation .....                                                     | 4         |
| Severability.....                                                        | 4         |
| Validity .....                                                           | 5         |
| Economic development mission .....                                       | 5         |
| Economic development values .....                                        | 5         |
| <b>PART 2 - ECONOMIC DEVELOPMENT ADMINISTRATION .....</b>                | <b>5</b>  |
| Economic development oversight.....                                      | 5         |
| Role of the Executive Council.....                                       | 6         |
| Economic Development Committee established and mandate .....             | 6         |
| Composition and operations .....                                         | 7         |
| Removal of Economic Development Committee member .....                   | 8         |
| Disputes regarding removal of Economic Development Committee member..... | 9         |
| Duties and powers of the Economic Development Committee.....             | 9         |
| Accountability .....                                                     | 11        |
| Office of the chief executive officer .....                              | 11        |
| Duties and powers of the chief executive officer .....                   | 11        |
| Reporting by chief executive officer .....                               | 13        |
| <b>PART 3 - BUSINESS PLANNING .....</b>                                  | <b>13</b> |
| Economic development plan.....                                           | 13        |
| Concept study .....                                                      | 14        |
| Business plan.....                                                       | 15        |
| Business plan updates and transition .....                               | 16        |
| Finance Committee consultation .....                                     | 17        |

|                                                              |           |
|--------------------------------------------------------------|-----------|
| Business mandates .....                                      | 17        |
| New Tla'amin Businesses .....                                | 17        |
| Implementation of business plans.....                        | 18        |
| <b>PART 4 - ECONOMIC DEVELOPMENT AGREEMENT .....</b>         | <b>19</b> |
| Executive Council authority .....                            | 19        |
| Terms of agreement .....                                     | 19        |
| <b>PART 5 - DIRECTIVES.....</b>                              | <b>20</b> |
| Directives by Executive Council.....                         | 20        |
| Consultation .....                                           | 20        |
| Tabling directives .....                                     | 20        |
| Notification of implementation.....                          | 20        |
| Restriction .....                                            | 20        |
| Implementation.....                                          | 20        |
| Best interests .....                                         | 21        |
| <b>PART 6 - DIRECTORS AND OFFICERS.....</b>                  | <b>21</b> |
| Definitions .....                                            | 21        |
| Duty of care of directors and officers .....                 | 21        |
| Duty to comply.....                                          | 21        |
| Reliance on statements .....                                 | 21        |
| Conflict of interest.....                                    | 22        |
| Obligation to assist auditor .....                           | 22        |
| Obligation to indemnify .....                                | 22        |
| Regulations .....                                            | 23        |
| <b>PART 7 - PROHIBITIONS .....</b>                           | <b>23</b> |
| Definitions .....                                            | 23        |
| Managing the relationship between politics and business..... | 24        |
| Prohibited and permitted businesses.....                     | 25        |
| <b>PART 8 - PREPAID LEASE FUND.....</b>                      | <b>25</b> |
| Prepaid Lease Fund established .....                         | 25        |
| Investment of Prepaid Lease Fund .....                       | 25        |

|                                                     |           |
|-----------------------------------------------------|-----------|
| Uses and advances from Prepaid Lease Fund .....     | 25        |
| Due diligence and transparency .....                | 26        |
| <b>PART 9 - GENERAL PROVISIONS.....</b>             | <b>26</b> |
| Regulations .....                                   | 26        |
| Economic development on Tla'amin Lands .....        | 26        |
| Offences .....                                      | 26        |
| Transition .....                                    | 27        |
| Amendments .....                                    | 27        |
| Consultation on proposed amendments .....           | 27        |
| Coming into force .....                             | 27        |
| <b><i>SCHEDULE A – Tla'amin Businesses.....</i></b> | <b>29</b> |

**PREAMBLE**

**WHEREAS:**

- A.** Tla'amin Ta'ow (*teachings*) are our traditional teachings and unwritten laws that our Ancestors lived by. In creating written laws, we continue to honour and uphold our Ancestral practices, teachings and core values. Through our laws, we reinforce the principles of respect, unity and connection to our lands and resources. We vow to keep these teachings and principles in mind in all that we do as Tla'amin people;
- B.** Through this Law and other Tla'amin enactments, we are continuing to exercise our inherent right of self-determination. The Tla'amin Government will govern in an accessible, accountable and transparent manner;
- C.** As we have always done, we continue to occupy our lands and carry out our Ta'ow (*teachings*) that require us to be stewards of our lands and resources today and always, and we are committed to the responsible, sustainable stewardship of lands, waters, air and other resources. In upholding our responsibilities, we will continue to seek the guidance of the Creator, our Ancestors and the knowledge of Tla'amin Elders as we protect and make decisions about managing our lands and resources;
- D.** Our vision of self-government and of a healthy, self-sufficient Tla'amin Nation began long ago with our Ancestors and our leadership of the past. Many of those who were involved in shaping and advancing our vision have passed on and we acknowledge their contributions and sacrifice. They put in place the foundation that we have built upon today. Those respected ones have cleared the path so that we, the Tla'amin Nation, could achieve our vision of "one heart, one mind, one Nation";
- E.** It is on this basis that we accept the obligations and responsibilities inherent in governing and work to blend our traditional and modern-day governing approaches, including the development of economic development laws;
- F.** The Tla'amin Nation believes that a healthy and prosperous future requires the Tla'amin Nation and Tla'amin Citizens to pursue economic development opportunities both on Tla'amin Lands and on our lands and waters in our traditional territories and that Tla'amin's economic development will foster a safer, stronger, healthier, more financially secure, more self-reliant and more sustainable community;
- G.** While recognizing that government often is better equipped to initiate economic development on a larger scale, we believe that economic development is best achieved when political influence and considerations are appropriately managed to not negatively impact sound business decision making;
- H.** This requires, however, that those who carry out economic development on behalf of the Tla'amin Nation or on Tla'amin Lands or on our lands and waters within our traditional territories must ensure that economic development is conducted in a way that is socially, economically and environmentally sustainable as well as being transparent, accountable and carried out in accordance with applicable law, including our traditional laws;
- I.** Through our written *Constitution* and this *Economic Development Law*, we reinforce our Nation's objectives including Tla'amin unity, good faith engagement among ourselves

and with our neighbours and maintaining enduring connections to our lands and resources;

- J. Further, we are committed to pursuing the economic, social and cultural wellbeing of our Nation with the aim of sustaining and improving the quality of life for present and future Tla'amin generations;
- K. It is our intention to accomplish this through transparent and accountable management of assets of the Tla'amin Nation, a Tla'amin Institution or a Tla'amin corporation;
- L. We vow to keep our Ta'ow (*teachings*) and these principles in mind in all that we do as Tla'amin people. The Tla'amin Nation adopts this Law based on these values and principles;
- M. Under section 31 of the *Constitution*, the Tla'amin Government may exercise any right, power, privilege or authority, and may carry out any duty, function or obligation, of the Tla'amin Nation or Tla'amin Government in accordance with Tla'amin law, the *Constitution* and the Final Agreement including making any law within the authority of the Tla'amin Government;
- N. Under paragraph 1 of Chapter 15 [*Governance*] of the Final Agreement, the Tla'amin Nation has the right to self-government, and the authority to make laws, as set out in the Final Agreement;
- O. Under paragraph 56 of Chapter 15 [*Governance*] of the Final Agreement, the Tla'amin Nation has the authority to make laws in relation to the use, possession, management and disposition of assets of the Tla'amin Nation, a Tla'amin Institution or a Tla'amin corporation; and
- P. Under paragraph 3 of Chapter 15 [*Governance*] of the Final Agreement, the authority of the Tla'amin Nation to make laws in relation to a subject matter under the Final Agreement includes the authority to make laws and do other things as may be necessarily incidental to exercising its authority.

**NOW THEREFORE** the Legislative Assembly enacts as follows:

## PART 1 - INTRODUCTORY PROVISIONS

### Short title

1. This Law may be cited as the *Economic Development Law*.

### Executive Council oversight

2. The member of the Executive Council who holds the finance portfolio is responsible for the executive oversight of this Law.

### Authority and application

3. (1) This Law is enacted under paragraph 56 of Chapter 15 [*Governance*] of the Final Agreement.  
  
(2) This Law applies to all Tla'amin corporations and Tla'amin Businesses.

### Definitions

4. In this Law,

“annual plan” has the meaning given to that expression in the Economic Development Agreement;

“business mandate” means the nature of business the Tla'amin Business is mandated to engage in under section 26;

“business plan” means a draft business plan approved by the Economic Development Committee in accordance with section 23 or 24;

“chief executive officer” means the office created under section 18(1) or the individual retained to hold that office, as the context may require;

“concept study” means a concept study prepared in accordance with section 22;

“constating documents” means, in respect of a Tla'amin Business, its articles of incorporation, partnership agreement or other similar document, as amended from time to time in accordance with its terms, the Economic Development Agreement and any applicable law;

“directive” means a directive given in writing by the Executive Council under section 31;

“director” means a member of the Holdings Board or an Operating Board;

“economic development committee” means the standing committee on economic development established under section 12;

“economic development plan” means the plan approved under section 10(2) and any updates to that plan approved by the Legislative Assembly in accordance with section 10(2);

“Economic Development Agreement” means the agreement entered into by the Executive Council, on behalf of Tla’amin Nation, Tla’amin Holdings Limited Partnership, Tla’amin Holdings Inc. and each Tla’amin Business in accordance with section 29;

“Holdings Board” means the board of directors of Tla’amin Holdings Inc.;

“in good standing” means not currently indebted to the Tla’amin Nation, or if indebted to the Tla’amin Nation, a written agreement to a plan for repayment has been entered into and there has been no defaults on any previous agreement(s) for repayment within the past two years;

“indebted to the Tla’amin Nation” includes but is not limited to: housing arrears, payments from guaranteed mortgages, payments arising from fraudulent claims for post-secondary assistance, income assistance, and other claims for financial support or reimbursement, and any substantiated damages to the Tla’amin Nation as evidenced and determined by the Executive Council;

“Operating Board” means the board of directors, management committee or other decision making body, as the context requires, of a Tla’amin Business;

“Prepaid Lease Fund” means the fund required to be established under section 49;

“Tla’amin Business” means any corporation, partnership, including a limited partnership or limited liability partnership but not a general partnership, or joint venture that is more than 50% owned by the Tla’amin Nation, Tla’amin Holdings Inc. or any Tla’amin Business, other than Tla’amin Holdings Limited Partnership or Tla’amin Holdings Inc., and that is identified in Column 1 of the table in Schedule A;

“Tla’amin Holdings Inc.” means the corporation with the name “Tla’amin Holdings Inc.” incorporated under the *Business Corporations Act* (British Columbia); and

“Tla’amin Holdings Limited Partnership” means the limited partnership with the name “Tla’amin Holdings Limited Partnership” registered under the *Partnership Act* (British Columbia).

## **Interpretation**

5. (1) In addition to the terms defined in section 4 of this Law, terms used in this Law may be defined in the *Interpretation Law*.
- (2) Only those defined terms that are capitalized in the *Interpretation Law* are presented capitalized in the text of the law, and all other defined terms are presented in lower case.
- (3) References to “this Law” include any regulations made under this Law.

## **Severability**

6. The provisions of this Law are severable, and where any provision of this Law is for any reason held to be invalid by a decision of a court of competent jurisdiction, the invalid portion

must be severed from the remainder of this Law and the decision that it is invalid must not affect the validity of the remaining portions of this Law.

### Validity

7. Nothing under this Law must be rendered void or invalid by
- (a) an error or omission in a notice, form or other document given or authorized under this Law; or
  - (b) a failure of the Tla'amin Nation or a Tla'amin official to do something within the required time.

### Economic development mission

8. The mission of Tla'amin Nation economic development is to
- (a) develop or invest in sustainable, responsible and profitable business enterprises;
  - (b) promote initiatives that will enhance employment and the quality of life of Tla'amin Citizens; and
  - (c) foster and support entrepreneurship among Tla'amin Citizens.

### Economic development values

9. To fulfil its purpose, this Law is intended to uphold the following values:
- (a) **Klossum qwygon (*Discipline*)**: Focus on the hard work necessary to ensure the best outcome for all and to allow Tla'amin Businesses to operate free from political interference;
  - (b) **Thah uth xwen (*Fairness*)**: Fair dealing and equal opportunity;
  - (c) **Ganuxwet (*Honesty*)**: Be truthful, sincere and transparent;
  - (d) **Tiy hegon metam (*Integrity*)**: Earn trust and confidence through actions to build a credible reputation;
  - (e) **Tees tahm (*Respect*)**: Honor our Ancestors and our connection to the land and a sustainable future for our children; and
  - (f) **Ah ah thum (*Sharing*)**: Interdependence, cooperation, and partnership are what give us the strength to achieve great things together.

## PART 2 - ECONOMIC DEVELOPMENT ADMINISTRATION

### Economic development oversight

10. (1) Subject to subsection (2), primary oversight responsibility for economic development is vested in the Executive Council.

- (2) On or before November 30, 2018 and on or before November 30 of every year thereafter, the Legislative Assembly must,
  - (a) consider the economic development plan recommended by the Executive Council under section 11(a); and
  - (b) approve, by resolution, an economic development plan for the next five years.

### **Role of the Executive Council**

**11.** Without limiting section 10 and in accordance with this Law, the Executive Council's oversight responsibility for economic development includes the following:

- (a) reviewing and, after considering the recommendation of the Economic Development Committee and, if acceptable, recommending for approval by the Legislative Assembly a proposed economic development plan prepared in accordance with section 21;
- (b) reviewing and after considering the recommendation of the Economic Development Committee and, if acceptable, approving concept studies prepared in accordance with section 22 for new business opportunities to be included in the economic development plan;
- (c) reviewing and, after considering the recommendation of the Economic Development Committee and, if acceptable, approving business plans prepared in accordance with section 23 for new business opportunities to be implemented and owned or operated by an existing or new Tla'amin Business on behalf of the Tla'amin Nation;
- (d) negotiating, or providing direction to the chief executive officer to negotiate on its behalf,
  - (i) rights under the Final Agreement, or
  - (ii) other agreements for the Tla'amin Nationthat may impact on economic development for the Tla'amin Nation or Tla'amin Citizens, after considering the advice of the Economic Development Committee provided under section 16(f); and
- (e) reviewing and, if acceptable, approving the annual financial statements of Tla'amin Holdings Limited Partnership and the Tla'amin Businesses, after considering the comments of the Economic Development Committee under section 16(i).

### **Economic Development Committee established and mandate**

**12. (1)** The Economic Development Committee is established as a standing committee of the Legislative Assembly.

- (2) The mandate of the Economic Development Committee is to provide information to assist the Executive Council in fulfilling its oversight responsibilities for economic development and reporting to the Legislative Assembly on economic development activities of the Tla'amin Nation.

### **Composition and operations**

**13. (1)** The Economic Development Committee is composed of

- (a) the member of the Executive Council who has responsibility under the *Government Law* for the finance and administration house post,
  - (b) the Hegus,
  - (c) two Tla'amin Citizens appointed by the Legislative Assembly, who are not members of the Legislative Assembly, each of whom must
    - (i) have a British Columbia Certificate of Graduation (Dogwood Diploma) or equivalent,
    - (ii) be in good standing with the Tla'amin Nation,
    - (iii) have relevant experience, education or demonstrated interest in business, as determined by the Legislative Assembly, andappointed for a stated term of years; and
  - (d) three other individuals appointed by the Legislative Assembly who are not members of the Legislative Assembly, and possess
    - (i) a degree from a post-secondary institution, or
    - (ii) a professional designation, or
    - (iii) a minimum of five years of relevant business experience, as determined by the Legislative Assembly, andappointed for a stated term of years.
- (2) For certainty, the Economic Development Committee must include a majority of individuals who are not members of the Legislative Assembly.
- (3) The chief executive officer performs a supporting role to the Economic Development Committee, and must be notified of, and attend, all meetings of the Economic Development Committee.
- (4) The Legislative Assembly will appoint the chair of the Economic Development Committee, who must not be an elected official.
- (5) The Economic Development Committee will appoint a vice-chair, who must not be an elected official.

- (6) A matter to be decided by the Economic Development Committee should, to the greatest extent possible, be decided by consensus.
- (7) The chair of the Economic Development Committee may cast a vote on any matter to be decided by the Economic Development Committee.
- (8) If a vote on a matter to be decided by the Economic Development Committee results in a tied vote, the chair of the Economic Development Committee may cast a second vote to break that tie.
- (9) The Economic Development Committee must meet at least four times each year.
- (10) Subject to the availability of adequate resources authorized under the annual budget for the applicable fiscal year, the Executive Council must provide the Economic Development Committee with the administrative support and the resources for engaging consultants, technical experts and other persons the Economic Development Committee reasonably requires to fulfill its responsibilities under this Law.
- (11) The maximum term of office for an individual appointment to the Economic Development Committee under paragraph (1)(1)(c) or (1)(1)(d) is four years from the date of his or her appointment.
- (12) An individual appointed to the Economic Development Committee may be reappointed for one or more consecutive terms after the Legislative Assembly has considered that individual's annual performance evaluation, if any, for his or her role as a director of the Holdings Board.
- (13) For certainty, an individual appointed to the Economic Development Committee under paragraph (1)(1)(c) may resign.
- (14) If an individual appointed to the Economic Development Committee resigns from the Holdings Board or otherwise ceases to be a Holdings Board member, he or she is deemed to have resigned or has otherwise ceased to be a member of the Economic Development Committee as of the date he or she ceased to be a Holdings Board member.
- (15) Subject to section 14(3), if there is a vacancy on the Economic Development Committee because of an individual's resignation, death or otherwise, the Legislative Assembly must appoint a replacement for the balance of that individual's term then remaining as soon as practicable in accordance with this section.

#### **Removal of Economic Development Committee member**

- 14. (1)** The Legislative Assembly will only remove an individual appointed to the Economic Development Committee under section 13(1)(c) or 13(1)(d) in one or more of the following circumstances:
  - (a) the individual is persistently absent from meetings of the Economic Development Committee or the Holdings Board;

- (b) the individual engages in conduct which amounts to impropriety, dishonesty or serious illegal activity;
  - (c) the individual exerts undue influence over other individuals on the Economic Development Committee or the Holdings Board;
  - (d) the individual breaches any conflict of interest rules applicable to them in their role as a member of the Economic Development Committee or as a Holdings Board member;
  - (e) the individual is not in good standing with the Tla'amin Nation;
  - (f) the individual is grossly incompetent; or
  - (g) the individual is not acting in accordance with applicable laws, the economic development plan or this Law.
- (2) A dispute regarding the removal of an individual from the Economic Development Committee under subsection (1) will be dealt with in accordance with section 15.
- (3) The Legislative Assembly must not fill a vacancy on the Economic Development Committee created by the removal of an individual from the Economic Development Committee under subsection (1) until 30 days after their removal or until a dispute regarding that removal is resolved in accordance with section 15, whichever is later.
- (4) An individual appointed to the Economic Development Committee under sections 13(1)(a) to 13(1)(b) because of their office will cease to be a member of the Economic Development Committee on the date they cease to hold that office.
- (5) For certainty, if an individual ceases to be a member of the Economic Development Committee in accordance with subsection (4), the Legislative Assembly must only appoint the individual that subsequently holds the applicable office to fill that vacancy on the Economic Development Committee.

### **Disputes regarding removal of Economic Development Committee member**

- 15.** If a dispute arises regarding the removal of an individual from the Economic Development Committee under section 14 and that individual gives notice to the chair of the Economic Development Committee of that dispute within 30 days of their removal, that dispute may be referred by that individual to the Review and Appeal Panel in accordance with section 17(1)(a) of the *Review and Appeal Law*.

### **Duties and powers of the Economic Development Committee**

- 16.** Without limiting section 12, the duties and powers of the Economic Development Committee include the following:
- (a) developing and making recommendations to the Executive Council, with the assistance of the chief executive officer, for a proposed economic development plan prepared in accordance with section 21;

- (b) annually updating the economic development plan in accordance with section 21(2);
- (c) providing direction to the chief executive officer, subject to the availability of adequate resources authorized under the annual budget for the applicable fiscal year, for
  - (i) researching and developing new business opportunities to be owned or operated by an existing or new Tla'amin Business, and
  - (ii) preparing concept studies and business plans for those new business opportunities;
- (d) reviewing and making recommendations to the Executive Council on concept studies prepared by the chief executive officer in accordance with section 22;
- (e) reviewing draft business plans prepared by the chief executive officer in accordance with section 23 and making recommendations to the Executive Council on which new business opportunities should
  - (i) be implemented and owned or operated by an existing or new Tla'amin Business on behalf of the Tla'amin Nation,
  - (ii) be left to be developed and owned or operated by a Tla'amin Citizen and, if applicable, which Tla'amin Citizen should be offered the opportunity, or
  - (iii) not be implemented or pursued;
- (f) advising the Executive Council on negotiations involving
  - (i) rights under the Final Agreement, and
  - (ii) other agreements for the Tla'amin Nationthat may impact on economic development for the Tla'amin Nation or Tla'amin Citizens;
- (g) providing direction to the chief executive officer for negotiating the terms of any agreements for approval by the Executive Council that are necessary or advisable to establish new business relationships with other persons in order to pursue new business opportunities to be jointly owned or operated by an existing or new Tla'amin Business;
- (h) communicating with and providing appropriate information to Tla'amin Citizens concerning the economic development of the Tla'amin Nation, Tla'amin Businesses and the economic development plan;
- (i) reviewing and providing comments to the Executive Council on the annual financial statements of Tla'amin Holdings Limited Partnership and each Tla'amin Business;

- (j) directing Tla'amin Nation employees assigned, and any consultants, technical experts or other persons engaged to assist the Economic Development Committee to perform its duties under this Law; and
- (k) performing any additional duties or exercising any additional powers assigned to the Economic Development Committee by the Executive Council.

### **Accountability**

- 17. (1)** The Economic Development Committee must report to the Legislative Assembly by oral or written report at meetings of the Legislative Assembly when requested by the Hegus.
- (2) The Economic Development Committee must report to the Executive Council by oral or written report at meetings of the Executive Council when requested by the Hegus.

### **Office of the chief executive officer**

- 18. (1)** The office of chief executive officer is established.
- (2) The Operating Board of Tla'amin Management Services Inc. must retain an individual to hold the office of chief executive officer.

### **Duties and powers of the chief executive officer**

- 19.** The chief executive officer must perform the following duties and may exercise the following powers:
- (a) assist the Economic Development Committee in developing a proposed economic development plan in accordance with section 21 for review by the Executive Council and approval by the Legislative Assembly;
  - (b) ensure a copy of the most current economic development plan available for viewing by Tla'amin Citizens at the office of Tla'amin Management Services Inc.;
  - (c) identify new business opportunities and research and prepare, as directed by the Economic Development Committee and in accordance with section 22, concept studies for new business opportunities for review by the Economic Development Committee;
  - (d) research and prepare, as directed by the Economic Development Committee and in accordance with section 23, business plans for new business opportunities for review by the Economic Development Committee;
  - (e) provide the Economic Development Committee with information and technical or logistical support that is necessary or advisable in order for the Economic Development Committee to advise the Executive Council on negotiations involving rights under the Final Agreement that may impact on economic development for the Tla'amin Nation or Tla'amin Citizens;

- (f) negotiate, as directed by the Economic Development Committee and on behalf of Tla'amin Nation, the terms of any agreements for approval by the Executive Council that are necessary or advisable to establish new business relationships with other persons in order to pursue new business opportunities to be jointly owned or operated by an existing or new Tla'amin Business;
- (g) identify and apply for grants or funding available from Canada, British Columbia or other persons for First Nations economic development, for other types of economic development or for developing business opportunities;
- (h) assist the Tla'amin Businesses in developing business relationships with other persons on behalf of the Tla'amin Nation;
- (i) assist the Holdings Board and the Operating Boards, in accordance with the Economic Development Agreement, to develop appropriate governance and fiscal policies and procedures and director, officer and committee terms of reference for the Holdings Board and each Operating Board;
- (j) develop and maintain an operations manual for the Holdings Board and each Operating Board that includes the applicable
  - (i) constating documents,
  - (ii) business mandate,
  - (iii) operational policies and procedures, and
  - (iv) director, officer and committee terms of reference for each Tla'amin Business;
- (k) deposit at the Tla'amin Governance House and make available to the Holdings Board and each Operating Board, as applicable, the operations manual, maintained under paragraph (j);
- (l) assist the Holdings Board and the Operating Boards, in accordance with the Economic Development Agreement, to acquire necessary operational infrastructure for Tla'amin Holdings Inc. and each Tla'amin Business;
- (m) provide Tla'amin Citizens with business development and entrepreneurship information;
- (n) provide Tla'amin Citizens with information concerning business planning and financing strategies for businesses to be developed, owned or operated by Tla'amin Citizens;
- (o) provide the applicable Tla'amin Citizen with information concerning any new business opportunities that the Executive Council has determined will not be implemented and owned or operated by an existing or new Tla'amin Business and has directed under section 27(1)(b) that the new business opportunity is better suited to be owned or operated by a Tla'amin Citizen;

- (p) at the request of the chair of the Economic Development Committee, report on the activities of Tla'amin Businesses by oral or written report at meetings of the
  - (i) Annual General Meeting of the Tla'amin Nation,
  - (ii) Legislative Assembly, or
  - (iii) Executive Council; and
- (q) perform any additional duties or exercise any additional powers assigned to the chief executive officer
  - (i) under this or any other Tla'amin enactment, or
  - (ii) by the Holdings Board.

#### **Reporting by chief executive officer**

**20.** In performing the duties and exercising the powers set out in section 19, the chief executive officer will report to the chair of the Economic Development Committee.

### **PART 3 - BUSINESS PLANNING**

#### **Economic development plan**

- 21. (1)** The economic development plan approved by the Legislative Assembly under section 10(2) must contain the following: *[Amended April 25, 2016]*<sup>1</sup>
- (a) a brief overview of each new business opportunity
    - (i) for which a concept study has been prepared, and
    - (ii) which the Executive Council, under section 22(5), has approved;
  - (b) the priority determined by the Legislative Assembly, on the recommendation of the Economic Development Committee, for each new business opportunity referred to in paragraph (a);
  - (c) a report from each Tla'amin Business for the previous five year period setting out
    - (i) how that Tla'amin Business is fulfilling its business mandate,
    - (ii) the financial results of the operations of that Tla'amin Business for the previous five fiscal years,

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<sup>1</sup> The subsection enacted on April 5, 2016, originally read:  
(1) The economic development plan approved by the Legislative Assembly under section **PART 2 - 10(2)** must contain the following:  
Amended April 25, 2016, to:  
(1) The economic development plan approved by the Legislative Assembly under section 10(2) must contain the following:

- (iii) the number of Tla'amin Citizens employed by that Tla'amin Business and the full time equivalent of their positions during the reporting period,
    - (iv) the number of contracting and training opportunities provided by that Tla'amin Business to other Tla'amin Businesses, businesses owned or operated by Tla'amin Citizens and to Tla'amin Citizens during the reporting period, and
    - (v) how the information provided under subparagraphs (i) to (iv) compares to the information reported for those subparagraphs in the previous economic development plan for that Tla'amin Business;
  - (d) the plan of each Tla'amin Business for the following five years on how it intends to
    - (i) fulfill its business mandate,
    - (ii) increase its revenues and profitability,
    - (iii) increase the number of Tla'amin Citizens employed by that Tla'amin Business and increase the full time equivalent of those positions, and
    - (iv) increase the number of contracting and training opportunities provided by that Tla'amin Business to other Tla'amin Businesses, businesses owned or operated by Tla'amin Citizens and to Tla'amin Citizens;
  - (e) a brief overview of each new business opportunity currently being researched, or which should be researched, by the chief executive officer; and
  - (f) a communications plan on how the Economic Development Committee will inform Tla'amin Citizens on the current status of economic development for the Tla'amin Nation and its Tla'amin Businesses and the strategic plan for economic development for the following five years.
- (2) The Economic Development Committee will annually, by resolution, update the economic development plan by adding to it the concept studies approved by the Executive Council in accordance with section 22(5).
  - (3) The chief executive officer must have a copy of the most current economic development plan available for viewing by Tla'amin Citizens at the office of Tla'amin Management Services Inc.

### **Concept study**

- 22. (1)** The Economic Development Committee may, by resolution and subject to the availability of adequate resources authorized under the annual budget for the applicable fiscal year, direct the chief executive officer to prepare a concept study for a new business opportunity.
- (2) A concept study must include the following for the new business opportunity:
  - (a) a brief description of the purpose of the business, the goods or services to be offered and the potential location of the business;

- (b) a brief overview of the market for the goods or services to be offered, including target consumers and competitors;
  - (c) an estimate of the financial resources and capital required to establish and sustain the business for the first five years and potential financing strategies to acquire those financial resources or potential sources for the capital required, including, where applicable, potential business partners;
  - (d) an overview of the possible risks facing the business and possible action that could be taken to mitigate those risks; and
  - (e) an overview of employment and training opportunities for Tla'amin Citizens.
- (3) A direction under subsection (1) may include a requirement for the chief executive officer to consult with one or more Operating Boards when preparing the concept study.
- (4) The Economic Development Committee must review a concept study prepared in accordance with subsections (1) and (2) and, if acceptable, may refer a concept study to the Executive Council with a recommendation for its approval.
- (5) If a concept study is referred to the Executive Council under subsection (4), the Executive Council may review that concept study and, if acceptable and by resolution, approve the new business opportunity described in that concept study to be included in the economic development plan and, if approved by the Executive Council, in accordance with this subsection, that new business opportunity is deemed to be included in the economic development plan as of the date of that resolution.

### **Business plan**

- 23.** (1) If a concept study for a new business opportunity has been approved by the Executive Council and the new business opportunity is included in the economic development plan in accordance with section 2222(5), the Economic Development Committee may, by resolution and subject to the availability of adequate resources authorized under the annual budget for the applicable fiscal year, direct the chief executive officer to prepare a comprehensive business plan for that new business opportunity.
- (2) A draft business plan must include the following for the new business opportunity:
- (a) a detailed description of the purpose of the business, the specific goods or services to be offered and the location of the business;
  - (b) a comprehensive analysis of the market for the goods or services to be offered, including target consumers, competitors and estimated market share;
  - (c) the financial resources and capital required to establish and sustain the business for the first five years and the financing strategies to acquire those financial resources or sources for the capital required, including, where applicable, the business partners that have expressed interest in participating in the business and the capital they will contribute;

- (d) an estimate of the profit or loss of the business for the first five years, including projected financial statements and estimates of return on investment;
  - (e) an assessment of the possible risks facing the business and what action should be taken to mitigate those risks;
  - (f) an overview of the expected employment and training objectives for Tla'amin Citizens in the business for the first five years;
  - (g) a description of the corporate structure and governance structure for the business;
  - (h) a description of any other requirements to implement the business such as the purchase, leasing, surveying, registration or rezoning of land or other approvals required from the Tla'amin Government or other applicable government; and
  - (i) an assessment of the business as compared to other new business opportunities identified in the economic development plan in terms of likely return on investment, risks and sustainability.
- (3) A direction under subsection (1) may include a requirement for the chief executive officer to consult with one or more Operating Boards when preparing the draft business plan.
- (4) The Economic Development Committee must review a draft business plan prepared in accordance with subsections (1) and (2) and may refer that draft business plan to the Executive Council for consideration under section 27 with its recommendation that the new business opportunity with the applicable draft business plan
- (a) be approved and implemented and owned or operated by an existing or new Tla'amin Business on behalf of the Tla'amin Nation and what the business mandate for that Tla'amin Business should be;
  - (b) be left to be developed and owned or operated by a Tla'amin Citizen and, if applicable, which Tla'amin Citizen should be offered the opportunity; or
  - (c) not be implemented or pursued.

### **Business plan updates and transition**

- 24. (1)** Each Tla'amin Business that is an original signatory to the Economic Development Agreement must, no later than November 30, 2017, prepare a draft business plan for the business of that Tla'amin Business for the next five years that includes the content set out in section 23(2)(a) to section 23(2)(f), with the necessary changes in the details, for approval by the Holdings Board in accordance with subsection (3).
- (2) Each Tla'amin Business must at least six months before the expiration of its current business plan, prepare a draft business plan for the next five years that includes the content set out in section 23(2)(a) to section 23(2)(f), with the necessary changes in the details, for approval by the Holdings Board in accordance with subsection (3).

- (3) The Holdings Board must consider a draft business plan provided by a Tla'amin Business under subsection (1) or (2) within 60 days and either
  - (a) approve the draft business plan for the following five years, with or without conditions; or
  - (b) amend and approve the draft business plan, with or without conditions.

### **Finance Committee consultation**

#### **25. (1) The Executive Council must, before**

- (a) recommending an economic development plan to the Legislative Assembly, or
- (b) approving a business plan,

refer the matter to the Finance Committee for its review and give full and fair consideration to any comments or recommendations provided by the finance committee in relation to any financial implications of the economic development plan or business plan, as applicable, for the Tla'amin Nation.

- (2) The Finance Committee may engage independent consultants, technical experts or other persons to advise the Finance Committee for its review under paragraph (1)(a).

### **Business mandates**

#### **26. (1) The business mandate for each Tla'amin Business named in Column 1 of the table in Schedule A is set out in Column 3 of the table in Schedule A next to its name and registration number.**

- (2) A Tla'amin Business must only engage in activities that
  - (a) reasonably fall within its business mandate or that are necessarily ancillary or incidental to that business mandate;
  - (b) are contemplated in its annual plan or are necessarily ancillary or incidental to the activities contemplated in that annual plan;
  - (c) are strictly in compliance with the Economic Development Agreement; and
  - (d) are substantially in compliance with all applicable laws.

### **New Tla'amin Businesses**

- 27. (1) If a business plan is referred to the Executive Council under section 23(4), the Executive Council may review that business plan and, if acceptable and by order, direct that the new business opportunity described in that business plan**
  - (a) be implemented and owned or operated by an existing or new Tla'amin Business on behalf of the Tla'amin Nation and what the business mandate for that Tla'amin Business will be; or

- (b) be left to be developed and owned or operated by a Tla'amin Citizen and, if applicable, which Tla'amin Citizen should be offered the opportunity; or
  - (c) not be implemented or pursued.
- (2) If the Executive Council directs under subsection (1) that the new business opportunity described in that business plan be implemented and owned or operated by a new Tla'amin Business on behalf of the Tla'amin Nation, that order is deemed to amend the table in Schedule A by
- (a) adding to the table in Schedule A an additional row with
    - (i) the name of the new Tla'amin Business, as soon as it has been registered, in Column 1 of that new row,
    - (ii) the registration number of the new Tla'amin Business, as soon as it has been registered, in Column 2 of that new row, and
    - (iii) the business mandate of the new Tla'amin Business in Column 3 of that new row; and
  - (b) adding to the table in Schedule A a second additional row with
    - (i) the name of the new Tla'amin Business, as soon as it has been registered, in Column 1 of that new row,
    - (ii) the registration or incorporation number of the new Tla'amin Business, as soon as it has been registered, in Column 2 of that new row, and
    - (iii) the business mandate of the new Tla'amin Business in Column 3 of that new row.
- (3) If the Executive Council directs under subsection (1) that the new business opportunity described in that business plan be implemented and owned or operated by an existing Tla'amin Business on behalf of the Tla'amin Nation, that order is deemed to amend the table in Schedule A by adding a brief description of the nature of the new business opportunity to the existing business mandate of that Tla'amin Business in Column 3 next to the name and registration number of that Tla'amin Business.

### **Implementation of business plans**

- 28.** (1) The applicable Tla'amin Business must, to the greatest extent possible, conduct its business in accordance with the applicable business plan.
- (2) The annual plan for each Tla'amin Business must include a description of any anticipated material deviations in its operations from the applicable business plan for the period covered by the annual plan.
  - (3) The reporting requirements referred to in section 30(i) must also include a requirement that each Tla'amin Business report to Tla'amin Holdings Limited Partnership on any

material deviations in its operations from the applicable business plan for the period covered by the report.

#### **PART 4 - ECONOMIC DEVELOPMENT AGREEMENT**

##### **Executive Council authority**

- 29.** (1) Subject to section 30, the Executive Council must, by regulation, enter into an Economic Development Agreement on behalf of the Tla'amin Nation, as represented by the Tla'amin Government, with Tla'amin Holdings Limited Partnership, as represented by Tla'amin Holdings Inc., and each Tla'amin Business.
- (2) Any amendment to the Economic Development Agreement requiring the approval of the Tla'amin Nation may be approved by the Executive Council, by order.

##### **Terms of agreement**

**30.** The Economic Development Agreement must contain terms addressing the following matters:

- (a) the process by which a new Tla'amin Business is added as a party to, and bound by the terms of, the Economic Development Agreement;
- (b) the composition of, criteria for appointment and term of each member of each Operating Board;
- (c) the circumstances under which a member of an Operating Board can be removed from office;
- (d) directives issued by the Executive Council under Part 5;
- (e) major decisions of a Tla'amin Business that cannot be made without the approval of the Executive Council;
- (f) major decisions of a Tla'amin Business that cannot be made without the approval of the Holdings Board;
- (g) annual planning requirements for a Tla'amin Business;
- (h) reporting requirements that require Tla'amin Holdings Limited Partnership to report to the Executive Council on its financial and operational circumstances no less than quarterly;
- (i) reporting requirements that require each Tla'amin Business to report to Tla'amin Holdings Limited Partnership on its financial and operational circumstances no less than quarterly; and
- (j) operational policies and procedures and director, officer and committee terms of reference that must be developed, adopted and implemented by each Operating Board.

## **PART 5 - DIRECTIVES**

### **Directives by Executive Council**

- 31.** The Executive Council may, subject to section 35, issue a directive to a Tla'amin Business respecting the following matters that relate to that Tla'amin Business if the Executive Council is of the opinion that it is in the best interest of the Tla'amin Nation to do so:
- (a) a major decision, as that term is defined in the Economic Development Agreement, of Tla'amin Holdings Limited Partnership or Tla'amin Holdings Inc. that is stated in that agreement to require approval of the Executive Council; or
  - (b) any other responsibilities of the Executive Council set out in this Law, the constating documents of Tla'amin Holdings Limited Partnership or Tla'amin Holdings Inc. or any applicable law as it relates to a Tla'amin Business.

### **Consultation**

- 32.** Before a directive is issued under section 31, the Executive Council must refer the matter to, and give full and fair consideration to any recommendation from, the Economic Development Committee with respect to the content and effect of the directive.

### **Tabling directives**

- 33.** The Executive Council must cause a copy of a directive issued under section 31 to be laid before the Legislative Assembly at the first meeting of the Legislative Assembly after the directive is issued.

### **Notification of implementation**

- 34.** Upon implementing a directive issued in accordance with this Part and completing all actions required to be taken by that directive, Tla'amin Holdings Inc. or a Tla'amin Business, as applicable, must notify the Executive Council in writing that the directive has been implemented.

### **Restriction**

- 35.** No directive may be issued under section 31 that is
- (a) intended, or is likely, to interfere with an operational decision, as those terms are defined and qualified in section 46; or
  - (b) contrary to the annual plan or business mandate of Tla'amin Holdings Limited Partnership, Tla'amin Holdings Inc. or a Tla'amin Business, as applicable.

### **Implementation**

- 36.** The Holdings Board or applicable Operating Board must ensure that a directive issued in accordance with this Part is implemented in a prompt and efficient manner and, if in so doing, the Holdings Board or applicable Operating Board acts in accordance with section 39,

no member of the Holdings Board or applicable Operating Board is liable for any consequences arising from implementing that directive.

### **Best interests**

37. Compliance by the Holdings Board or applicable Operating Board with a directive given in accordance with this Part is deemed for all purposes to be in the best interests of Tla'amin Holdings Limited Partnership, Tla'amin Holdings Inc. or the applicable Tla'amin Business.

## **PART 6 - DIRECTORS AND OFFICERS**

### **Definitions**

38. In this Part, unless the context requires otherwise,

“board” means an Operating Board or the Holdings Board, as applicable;

“director” means a member of a board; and

“officer” means an officer of Tla'amin Holdings Inc. or a Tla'amin Business, as applicable.

### **Duty of care of directors and officers**

39. Every director and every officer, in exercising their powers or performing their duties of that position, must

- (a) act honestly and in good faith with a view to the best interests of the Tla'amin Business; and
- (b) exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

### **Duty to comply**

40. Every director and every officer must comply with this Law, the regulations, the constating documents of the applicable Tla'amin Business or any subsidiary and any directive issued to that Tla'amin Business by the Executive Council in accordance with Part 5.

### **Reliance on statements**

41. A director or officer is not liable for a breach of their duty under section 39 or 40 if they rely in good faith on

- (a) financial statements of the applicable Tla'amin Business represented to them by an officer of that Tla'amin Business or in a written report of the auditor of that Tla'amin Business as fairly reflecting the financial condition of that Tla'amin Business; or
- (b) a report of a lawyer, accountant, engineer, appraiser or other person whose position or profession lends credibility to the statement that person has made.

### **Conflict of interest**

**42.** Directors and officers must comply with the *Conflict of Interest Law* and the *Tla'amin Entities Conflict of Interest Regulation*.

### **Obligation to assist auditor**

**43. (1)** On the demand of an auditor of a Tla'amin Business, a present or former director, officer, employee or agent of that Tla'amin Business must provide

- (a) information and explanations, and
- (b) access to records, documents, books, accounts and vouchers of the Tla'amin Business or any of its subsidiaries

that the auditor reasonably considers necessary or advisable, and that the director, officer, employee or agent is reasonably able to provide to enable the auditor to prepare any report required under this Law, the Economic Development Agreement or by the Holdings Board or an Operating Board.

(2) On demand of the auditor of a Tla'amin Business, a director of a Tla'amin Business must

- (a) obtain from a present or former director, officer, employee or agent of any subsidiary of a Tla'amin Business the information and explanations the auditor reasonably considers necessary or advisable, and that the present or former director, officer, employee or agent of the subsidiary of the Tla'amin Business is reasonably able to provide to enable the auditor to prepare any report required under this Law, the Economic Development Agreement, or by the Holdings Board or an Operating Board; and
- (b) provide the auditor with the information and explanations obtained under paragraph (a).

(3) An auditor of a Tla'amin Business may reasonably rely on any report of any other auditor of a Tla'amin Business.

### **Obligation to indemnify**

**44.** The Tla'amin Nation must, in accordance with the regulations, if any, and subject to the extent of indemnification permitted by the laws governing the applicable Tla'amin Business, indemnify a present or former director or officer, and their heirs and legal representatives, against all costs, charges and expenses, including an amount paid to settle any action or satisfy any judgment, that are reasonably incurred by them in respect of any civil, criminal, administrative or investigative action or proceeding to which they are a party by reason of being or having been a director or officer if they

- (a) acted honestly and in good faith with a view to the best interests of the applicable Tla'amin Business; and

- (b) in the case of any criminal or administrative action or proceeding that is enforced by a monetary penalty, believed on reasonable grounds that the director's or officer's conduct was lawful.

## **Regulations**

**45.** The Executive Council may make regulations under this Part

- (a) for the indemnification and advances under this Part, including terms and conditions governing them;
- (b) defining, for the purposes of this Part, the meaning of any word or expression used in it that is not defined in this Law;
- (c) prescribing circumstances in which a director or officer is presumed not to have fulfilled their duties to a Tla'amin Business; and
- (d) for the determination of the amounts to be paid as indemnification or advances under this Part.

## **PART 7 - PROHIBITIONS**

### **Definitions**

**46. (1)** In this Part,

"interfere with" means to interfere with or attempt to influence, either directly or indirectly, by promises, threats or by any other means, including the following:

- (a) to offer to pay, give, lend or procure an inducement, or give a reward or other benefit, to or for any person to have an operational decision made, not made, or be made in a certain manner, or
- (b) to intimidate, impede, attempt to persuade, punish or attempt to compel by threats, abduction, duress or fraudulent means an operational decision to be made, not made, or be made in a certain manner;

"operational decision" means a day-to-day management or administrative decision typically made by management of a trade or business engaged in primarily for the purposes of profit including the following:

- (a) the hiring, promotion, demotion, remuneration, discipline or termination of employment of personnel,
- (b) the assignment of duties or powers to personnel,
- (c) the acquisition of products or services in an amount that does not exceed the limits set out in the Economic Development Agreement for the acquisition of products or services by a Tla'amin Business,

- (d) the acquisition of capital assets in an amount that does not exceed the limits set out in the Economic Development Agreement for the acquisition of capital assets by a Tla'amin Business,
- (e) the disposition of capital assets in the normal course of business in an amount that does not exceed the limits set out in the Economic Development Agreement for the disposition of capital in the normal course of business by a Tla'amin Business,
- (f) the provision of services in the normal course of business that are within the business mandate of the Tla'amin Business,
- (g) the acquisition of credit facilities or loans in an amount that does not exceed the limits set out in the Economic Development Agreement for the acquisition of credit facilities or loans by a Tla'amin Business,
- (h) the opening of accounts at a bank or credit union in accordance with the Economic Development Agreement, and
- (i) the preparation of an annual plan; and

“senior member of government” means an elected official, an “officer” as defined in the *Administration and Finance Law* or a member of the Economic Development Committee.

(2) For certainty, “interfere with” and “operational decision” does not include

- (a) a decision or the making of a decision,
- (b) advice or the giving of advice,
- (c) approve or giving approval,
- (d) not approve or withholding approval, or
- (e) a recommendation or the making of a recommendation

that forms part of, or is necessarily ancillary or incidental to, any duty or power of a senior member of government given under this Law, any other Tla'amin enactment or the Economic Development Agreement, provided that duty is performed or power is exercised in good faith and for a purpose other than to interfere with an operational decision.

### **Managing the relationship between politics and business**

**47.** A senior member of government must not interfere with

- (a) an operational decision of a Tla'amin Business; or
- (b) a decision of an officer, director or employee of a Tla'amin Business made within the scope of their authority in the normal course of business.

### **Prohibited and permitted businesses**

- 48.** (1) Except as otherwise provided in this Law or the regulations, a Tla'amin Entity must not
- (a) carry on a business as a proprietor or trustee;
  - (b) acquire any interest in a partnership as a general partner; or
  - (c) act in the capacity of trustee in respect of any property used or held in the course of carrying on a business.
- (2) If approved by the Executive Council by Order, a Tla'amin Entity may engage in a business that
- (a) is necessarily ancillary or incidental to the provision of programs, services or other functions of government;
  - (b) is not a trade or business engaged in primarily for the purposes of profit and, in the opinion of the Executive Council at any particular or future time, cannot result in any material liability or otherwise expose the property or resources of the Tla'amin Nation or Tla'amin Entity to any material risk; or
  - (c) derives income solely because of granting a lease or licence in, or in respect of,
    - (i) an interest in, or licence in relation to, Tla'amin Lands or resources on or under Tla'amin Lands,
    - (ii) any right of the Tla'amin Nation referred to in the Final Agreement, or
    - (iii) any other property of the Tla'amin Nation.

## **PART 8 - PREPAID LEASE FUND**

### **Prepaid Lease Fund established**

- 49.** The Tla'amin Capital Asset Limited Partnership must establish and maintain a Prepaid Lease Fund for the purpose of ensuring that prepaid lease revenues are managed in accordance with the economic development objectives of the Tla'amin Nation, as described in the economic development plan.

### **Investment of Prepaid Lease Fund**

- 50.** Money held in the account(s) for the Prepaid Lease Fund must be invested in accordance with section 60 [*Approved Investments*] of the *Administration and Finance Law*.

### **Uses and advances from Prepaid Lease Fund**

- 51.** (1) Annually, the earnings generated by the Prepaid Lease Fund in the previous years may be advanced from the Prepaid Lease Fund to fund the activities in the current year respecting the management of issues pertaining to the prepaid leases on Tla'amin Lands, including compliance with the terms of the prepaid leases.

- (2) No advances totaling over \$250,000 within a 12-month period from the Prepaid Lease Fund may be made without prior approval by resolution of the Holdings Board.
- (3) No advances totaling over \$500,000 within a 12-month period from the Prepaid Lease Fund may be made without prior approval by resolution of the Executive Council.

### **Due diligence and transparency**

- 52.** (1) Decisions with respect to advances from the Prepaid Lease Fund must follow a diligent review process that includes an examination of how the proposed advance relates to the planning completed in Part 3.
- (2) Evidence of the diligent review process described in subsection (1) and all records of the discussion and decisions by the Operating Board must be shared with the Economic Development Committee and the Executive Council.
  - (3) A public notice consisting of a description of the purpose of the advance and the diligent review process followed must be prepared by the chief executive officer or their delegate and the public notice must be published in the next edition of the monthly community newsletter, subject to reasonable exceptions.
  - (4) For greater certainty, advances made in section 51(1) are not subject to the public notice required in subsection (3).

## **PART 9 - GENERAL PROVISIONS**

### **Regulations**

- 53.** The Executive Council may make regulations which it considers necessary or advisable for the purposes of this Law.

### **Economic development on Tla'amin Lands**

- 54.** (1) Any economic development activities proposed on Tla'amin Lands must comply with all Tla'amin laws pertaining to Tla'amin Lands.
- (2) A Tla'amin Business must not dispose of a fee simple interest in Tla'amin Lands except in accordance with Tla'amin law.

### **Offences**

- 55.** (1) A Tla'amin Business that contravenes section 26 commits an offence and is liable, on summary conviction, to a fine not exceeding \$10,000.
- (2) A director or officer of a Tla'amin Business that knowingly authorizes an action of a Tla'amin Business that contravenes section 26 commits an offence and is liable, on summary conviction, to a fine not exceeding \$1,000.
  - (3) An individual who contravenes section 39, 40, 42, 43 or 47 commits an offence and is liable, on summary conviction, to a fine not exceeding \$1,000.

## Transition

- 56.** Each limited partnership and corporation listed in Column 1 of the table in Schedule A is a Tla'amin Business for purposes of this Law and has the business mandate set out in Column 3 of the table in Schedule A next to its name and registration number.

## Amendments

- 57. (1)** Subject to section 27, this Law may only be amended
- (a) after the Legislative Assembly has consulted with the Economic Development Committee, the Holdings Board and the Operating Boards in accordance with section 58; and
  - (b) by an affirmative vote of at least two-thirds of the members of the Legislative Assembly present and voting.
- (2) Despite subsection (1), the Executive Council may, by order, amend the content of Schedule A by adding or deleting information the Executive Council considers necessary or advisable to more accurately identify a Tla'amin Business or reflect its business mandate.

## Consultation on proposed amendments

- 58. (1)** The Legislative Assembly must, before enacting an amendment to this Law,
- (a) refer the proposed amendments to the Economic Development Committee and the Operating Boards for their review; and
  - (b) give full and fair consideration to any comments or recommendations provided by the Economic Development Committee and the Operating Boards in relation to the proposed amendments.
- (2) The Executive Council must, before making an order under section 57(2),
- (a) refer the proposed amendments to the Economic Development Committee and the applicable Operating Board for their review; and
  - (b) give full and fair consideration to any comments or recommendations provided by the Economic Development Committee and the applicable Operating Board in relation to the proposed amendments.

## Coming into force

- 59. (1)** This Law comes into force on the date it is enacted by the Legislative Assembly.
- (2) For greater certainty, this Law is in effect as of April 5<sup>th</sup>, 2016 and the corrections dated April 25, 2016 apply as of April 5<sup>th</sup>, 2016. *[Added April 25, 2016]*<sup>2</sup>

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<sup>2</sup> Subsection (2) was added April 25, 2016.

**THIS LAW IS HEREBY DULY ENACTED** by the Legislative Assembly on the 5th day of April, 2016 and **IS HEREBY DULY AMENDED WITH CORRECTIONS** on the 25<sup>th</sup> day of April, 2016 on Tla'amin Lands, in the Province of British Columbia.

**SCHEDULE A – TLA'AMIN BUSINESSES**

| <b>Column 1</b><br><b>Tla'amin Business</b>      | <b>Column 2</b><br><b>Registration No.</b> | <b>Column 3</b><br><b>Business Mandate</b>                                                                                                                  |
|--------------------------------------------------|--------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Pa'aje Silviculture Services Partner Inc.        | BC1064768                                  | Providing silviculture services                                                                                                                             |
| Tla'amin Holdings Limited Partnership            | [◆Number]                                  | Holding business interests of the Tla'amin Nation.                                                                                                          |
| Tla'amin Holdings Inc.                           | [◆Number]                                  | Acting as the general partner in Tla'amin Holdings Limited Partnership.                                                                                     |
| Tla'amin Capital Assets Limited Partnership      | BC0491626                                  | Holding capital assets utilized in the operation of the Tla'amin Nation or Tla'amin Businesses                                                              |
| Tla'amin Capital Assets Inc.                     | BC0491626                                  | Acting as the general partner in Tla'amin Capital Assets Limited Partnership.                                                                               |
| Tla'amin Management Services Limited Partnership | [◆Number]                                  | Providing management, administrative, financial, record keeping, accounting and advisory services to Tla'amin Businesses and other First Nation businesses. |
| Tla'amin Management Services Inc.                | [◆Number]                                  | Acting as the general partner in Tla'amin Management Services Limited Partnership.                                                                          |
| Thichum Forest Products GP Ltd.                  | BC0957158                                  |                                                                                                                                                             |
| Thichum Forest Products Limited Partnership      | LP600347                                   | Engaging in all aspects of forest management including strategic and operational planning, resource harvesting and silviculture activities.                 |
| Tla'amin Timber Products Inc.                    | BC0758126                                  | Acting as the general partner in Thichum Forest Products Limited Partnership.                                                                               |
| Tees'Kwat Land Holdings Ltd.                     | BC0738498                                  |                                                                                                                                                             |

ECONOMIC DEVELOPMENT LAW

| Column 1<br>Tla'amin Business | Column 2<br>Registration No. | Column 3<br>Business Mandate                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 593035 B.C. Ltd.              | BC1070313                    | Engaging in all aspects of hotel and tourism operations; commercial marina operations, including launching, moorage, vessel repair facilities, fuel sales and breakwaters; sea plane and helicopter terminal, operations and related services; tourism related services, including retail, tours, charters, rentals, kayak launching and water taxis; and float homes, offices and restaurants |

**LEGISLATIVE HISTORY**

(Note: The Legislative History is for administrative purposes only and is not part of the Law.)

*Economic Development Law* [TNL 09/2016] enacted April 5, 2016.

**Amendments and Corrections**

Table of Legislative Changes

| Name of Law or Order                                 | Law or Order Number | Date Amended or Corrected                            | Section(s) Amended                               |
|------------------------------------------------------|---------------------|------------------------------------------------------|--------------------------------------------------|
| Order correcting the <i>Economic Development Law</i> | TNO- LA 29/2016     | April 25, 2016 (corrections in effect April 5, 2016) | Clerical corrections to sections 21(1) and 59(2) |
|                                                      |                     |                                                      |                                                  |
|                                                      |                     |                                                      |                                                  |
|                                                      |                     |                                                      |                                                  |

**Regulations enacted under this Law:**

*Economic Development Regulation* [TNReg 14/2016].