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TSAWWASSEN FIRST NATION

Government Organization Act

ADVISORY COUNCIL REGULATION

Date Enacted: 10 June 2010

Order Number: O.027-2010

Last Amended: 25 July 2023

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Table of Regulation Changes

Section(s) Amended	Date	Order number	Come Into Force Date
s.14.1 amended s.14(2) and 14(3) deleted s.14(4) amended s.14(4) and 14(5) renumbered to 14(2) and 14(3)	15/09/2010	O.048-2010	15/09/2010
s.11(5) added	05/11/2011	O.030-2011	11/05/2011
s.14(1) amended	16/05/2014	O.048-2014	16/05/2014
s. 14(1) amended s.14(1.1.) amended s.14(1.2) added	15/12/2020	O.073-2020	01/01/2021
s. 6(11) amended s.14(1.1.) amended s.14(1.2) amended	25/07/2023	O.058-2023	25/07/2023

Contents

1	Authority
2	Definitions
PART 1 – ESTABLISHMENT AND OBJECTIVES	
3	Establishment
4	Objectives
PART 2 – MEMBERSHIP AND ELECTION	
5	Membership
6	Election
7	Term of office
PART 3 – NOTICE AND CONDUCT OF MEETINGS	
8	Notice of meetings
9	Open meetings of Advisory Council
10	Agendas and minutes
11	Quorum and attendance
12	Conduct of meetings
13	Unacceptable behaviour at meetings
14	Honoraria
PART 4 – COMMUNICATION	
15	Communication with Executive Council
16	Communication with Tsawwassen Legislative Assembly
17	Repeal
18	Commencement

Authority

- 1 These regulations are made under the Government Organization Act

Definitions

- 2 (1) In these regulations,
 - “Act” means the Government Organization Act;
 - “Annual General Meeting” means the Annual General Meeting of Tsawwassen Members;
 - “eligible voter” has the same meaning as defined in the Election Act (Tsawwassen);
 - “member” means a member of the Advisory Council of Tsawwassen First Nation; and
 - “Tsawwassen Member” has the same meaning as in the Tsawwassen Final Agreement.
- (2) Unless specifically provided otherwise in these regulations, the terms used have the same meaning as defined in the Act.

PART 1 – ESTABLISHMENT AND OBJECTIVES

Establishment

- 3 The Advisory Council of Tsawwassen First Nation is hereby established.

Objectives

- 4 The objectives of the Advisory Council are to:
 - (a) be available from time to time to hear ideas and concerns of Tsawwassen Members,
 - (b) prepare and present these ideas and concerns to the Tsawwassen Legislature and Executive Council,
 - (c) review and provide advice on proposed laws and regulations before approval by Executive Council or Legislature, and
 - (d) review and provide advice on any other matter put before them by Executive Council or Legislature.

PART 2 – MEMBERSHIP AND ELECTION

Membership

- 5 (1) All Members of Tsawwassen First Nation who are over the age of 13 are eligible to be on the Advisory Council.
- (2) Membership in the Advisory Council will be determined at the first Annual General Meeting following each general election by a vote of Tsawwassen Members present at the meeting as set out in section 6.
- (3) Up to seven (7) members of the Advisory Council will be elected at each Annual General Meeting and in an attempt to ensure representation of all Tsawwassen Members, the composition of the Advisory Council should, if possible, include a youth and an elder.

- (4) Members of the Legislative Assembly are not permitted to be members of the Advisory Council.
- (5) Subject to subsection (3), the Executive Council may, at their discretion, appoint Tsawwassen Members to the Advisory Council if the total number of members of Advisory Council falls below seven or if fewer than seven (7) Tsawwassen Members stand for election to the Advisory Council under section 6.

Election

- 6 (1) Tsawwassen Members may submit their name to an eligible candidate's list prior to the Annual General Meeting and notice of the opportunity to submit names to be an eligible candidate will be made public not less than four weeks prior to the meeting by:
 - (a) posting it in a visible and frequently travelled location at the Tsawwassen First Nation administration office,
 - (b) publishing it in the Tsawwassen First Nation community newsletter, and
 - (c) publishing it on the Tsawwassen First Nation website.
- (6) The opportunity for Tsawwassen Members to submit their names to the eligible candidate's list will close five days before the meeting.
- (7) Tsawwassen Members will be asked to provide their name, phone number, e-mail (if available) and mailing address when they submit their name to the eligible candidate's list.
- (8) A ballot sheet listing all eligible Tsawwassen Members who have submitted their name under section 6 (1) will be provided to each eligible voter present at the meeting.
- (9) Voting instructions will be provided to each eligible voter present at the meeting and must indicate:
 - (a) the opening and closing times for the vote;
 - (b) that an eligible voter may vote only once for each candidate;
 - (c) that an eligible voter may not vote for more than seven (7) candidates; and
 - (d) any other information required for the conduct of the vote.
- (10) The ballots will be counted immediately following the close of the vote and the results of the vote will be made public not less than 10 days after the Annual General Meeting by:
 - (a) posting in a visible and frequently travelled location at the Tsawwassen First Nation administration office,
 - (b) publishing in the Tsawwassen First Nation community newsletter, and
 - (c) publishing on the Tsawwassen First Nation website.
- (11) The Manager of Government Services or their designate will be responsible for overseeing and ensuring the fairness, transparency, and integrity of all aspects of the election process.

[Amended by Order number O.058-2023]

Term of office

- 7 The term of the Advisory Council will begin on the date the list of Advisory Council members is made public as set out in section 6 (6) and end on the date of the posting of the new Advisory Council, whichever comes earlier.

PART 3 – NOTICE AND CONDUCT OF MEETINGS**Notice of meetings**

- 8 At least 48 hours notice must be provided for each Advisory Council meeting, which may be provided to Advisory Council members by telephone or e-mail and must be published in the Tsawwassen First Nation community newsletter.

Open meetings of Advisory Council

- 9 (1) All meetings of Advisory Council will be open to any Tsawwassen Member interested in participating.
- (2) Tsawwassen Members who do not reside on Tsawwassen Lands may participate in meetings of Advisory Council by telephone, provided they provide reasonable notice to Government Services staff of Tsawwassen First Nation.

Agendas and minutes

- 10 (1) Minutes must be kept for each Advisory Council meeting.
- (2) Standing items of business on the agenda for each Advisory Council meeting will be the approval of:
- (a) the agenda of the current Advisory Council meeting, and
 - (b) the minutes of the previous Advisory Council meeting.

Quorum and attendance

- 11 (1) The quorum required for a meeting of Advisory Council to proceed is four (4) members of Advisory Council present at the meeting.
- (2) A member of Advisory Council who resides off Tsawwassen Lands and is present by telephone shall be included in the calculation of quorum.
- (3) Attendance will be recorded by signature on a sign-in sheet.
- (4) A member of Advisory Council who misses three (3) consecutive meetings or five (5) meetings over the course of a year will be removed from the Advisory Council.
- (5) Notwithstanding subsection (1), if a meeting of the Advisory Council is short of quorum by one or two, then the remaining members of the Advisory Council may appoint one or two Tsawwassen Members, as the case may be, to stand-in as member for the purposes of reaching quorum at that meeting, provided that he, she or they are above the age of thirteen and are selected from among those Tsawwassen Members in attendance at that meeting.

[Amended by Order number O.030-2011]

Conduct of meetings

- 12** (1) Decisions of Advisory Council will be made on a consensus basis, taking into account the comments of all Tsawwassen Members present at the meeting.
- (2) In the event that consensus is not reached, decisions of Advisory Council may be reached by majority vote of Advisory Council members present.
- (3) If a vote is required, all Tsawwassen Members present at the meeting will be invited to provide input on the topic of the vote before the members of Advisory Council vote on the topic.
- (4) Advisory Council may select a Chair for each meeting of Advisory Council, or may delegate that Chair to staff members present.

Unacceptable behaviour at meetings

- 13** (1) Unacceptable behaviour at meetings of Advisory Council includes behaviour that:
- (a) constitutes a direct or indirect personal attack on any individual, whether that individual is present or not at the meeting;
 - (b) is lewd, insulting, substantially upsetting, crude or abusive to any individual present at the meeting;
 - (c) disrupts the meeting agenda for an extended period of time.
- (2) Tsawwassen Members who display the behaviour in subsection (1) in a meeting of Advisory Council may be asked by the Chair to leave the meeting.
- (3) If a member of the Advisory Council is requested to leave three meetings of Advisory Council during the term of Advisory Council as a result of behaviour outlined in subsection (1), their name will be removed from membership on the Advisory Council and they will be notified in writing that they are not welcome at further meetings of Advisory Council for the duration of that term.

Honoraria

- 14** (1) A Tsawwassen Member who attends an Advisory Council meeting is entitled to a \$50 honorarium payment per meeting.
- [Amended by Order number O.048-2010]*
- [Amended by Order number O.048-2014]*
- [Amended by Order number O.073-2020]*
- (1.1) A Tsawwassen Member that is an elected member of the Advisory Council shall receive a \$150 honorarium payment per meeting.
- [Amended by Order number O.048-2014]*
- [Amended by Order number O.073-2020]*
- [Amended by Order number O.058-2023]*
- (1.2) A Tsawwassen Member that is appointed to stand-in as member for the purposes of reaching quorum under subsection 11(5) shall receive a \$150 honorarium payment for that meeting.
- [Amended by Order number O.073-2020]*
- [Amended by Order number O.058-2023]*

- (2) A person who misses the majority of a meeting is not entitled to receive an honorarium provided under subsection (1).

[Amended by Order number O.048-2010]

- (3) If there is no quorum as set out in section 11, no honoraria will be provided.

[Amended by Order number O.048-2010]

PART 4 - COMMUNICATION

Communication with Executive Council

- 15** (1) Minutes of Advisory Council meetings will be provided to the Executive Council for their review within 7 days of the adjournment of each Advisory Council meeting.
- (2) Advisory Council may communicate with Executive Council to request information, provide advice, request clarification or raise issues by way of written memoranda, reports or requests to Executive Council.
- (3) Advisory Council may request to the Chief Administrative Officer that a delegate, who is a member of Advisory Council, address Executive Council in person at a duly convened meeting of Executive Council.

Communication with Tsawwassen Legislative Assembly

- 16** Advisory Council may communicate with Tsawwassen Legislative Assembly by way of:
- (a) written memoranda or reports for the Legislative Assembly's consideration,
 - (b) in person, by way of a delegate chosen by Advisory Council, to provide Advisory Council's input on a proposed law, at a time and place determined by the procedures of the Legislative Assembly.

Repeal

- 17** The Transitional Advisory Council Regulation is repealed.

Commencement

- 18** This regulation comes into force on September 10, 2010.