

2013 Bill 19

First Session, 28th Legislature, 62 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 19

METIS SETTLEMENTS AMENDMENT ACT, 2013

THE MINISTER OF ABORIGINAL RELATIONS

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 19

BILL 19

2013

METIS SETTLEMENTS AMENDMENT ACT, 2013

(Assented to , 2013)

HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of Alberta, enacts as follows:

Amends RSA 2000 cM-14

1 The *Metis Settlements Act* is amended by this Act.

2 Section 1 is amended

(a) by adding the following after clause (b):

(b.1) “budget bylaw” means a bylaw referred to in section 157;

(b.2) “comptroller” means a comptroller appointed under section 178;

(b) by repealing clause (d) and substituting the following:

(d) “councillor” means a member of a settlement council, including a settlement chair;

(c) by repealing clause (h.1) and substituting the following:

(h.1) “general election” means an election required by section 12;

Explanatory Notes

1 Amends chapter M-14 of the Revised Statutes of Alberta 2000.

2 Section 1(d) and (h.1) presently read:

1 In this Act,

(d) “councillor” means a settlement member elected or appointed to a settlement council;

(h.1) “general election” means the election that is held every 3 years as required under section 12;

3 Section 5(2) is amended by striking out “and” at the end of clause (b) and adding the following after clause (b):

- (b.1) to present the business plan established under section 156.1,
- (b.2) to discuss the audited financial statements presented under clause (b) and the business plan presented under clause (b.1), and

4 Section 10 is repealed and the following is substituted:

Settlement chair

10(1) If there is no applicable bylaw made under subsection (2), the councillors must appoint a settlement chair from among themselves at the organizational meeting of the settlement council after a general election.

(2) A settlement council may make a bylaw providing for the settlement chair to be elected.

(3) A bylaw made under subsection (2) does not apply

- (a) in respect of the 2013 general election unless the bylaw comes into effect at least 90 days before the general election, or
- (b) in respect of a subsequent general election unless the bylaw comes into effect at least 180 days before the general election.

(4) If a bylaw made under subsection (2) is repealed, it continues to apply as though it were not repealed

- (a) in respect of the 2013 general election unless the repeal comes into effect at least 90 days before that general election, and
- (b) in respect of a subsequent general election unless the repeal comes into effect at least 180 days before that general election.

3 Section 5(2) presently reads:

(2) The purpose of the meeting is

- (a) to discuss past and future activities of the settlement council,*
- (b) to present the audited financial statements for the immediately preceding financial year, and*
- (c) to discuss any matters raised by those present at the meeting.*

4 Section 10 presently reads:

10(1) At the organizational meeting of a settlement council after a general election, the councillors must elect a settlement chair from among themselves.

(2) The term of office of a settlement chair ends when the successful candidates at the next general election are declared elected, unless the office becomes vacant earlier.

(3) A settlement chair may be removed from the office of chair if, at a special meeting of the settlement council called to consider the matter, at least 3 councillors vote in favour of removing the chair from office.

(4) If a vacancy occurs in the office of settlement chair the councillors must elect another chair from among themselves to hold office for the balance of the term.

(5) A settlement chair who

- (a) is removed from office as chair, or*
- (b) resigns as chair,*

continues on the settlement council as a councillor.

(5) The term of office of a settlement chair ends when the successful candidates at the next general election are declared elected, unless the office becomes vacant earlier.

(6) A settlement chair appointed by councillors from among themselves may be removed from the office of chair by a vote at a special meeting of the settlement council called to consider the matter in which at least 3 councillors vote in favour of removing the chair.

(7) If a vacancy occurs

- (a) in the office of a settlement chair appointed by the councillors from among themselves, or
- (b) within the 180-day period before the next general election, in the office of an elected settlement chair,

the councillors must appoint a settlement chair from among themselves to hold office for the balance of the term.

(8) A settlement chair appointed by councillors from among themselves who

- (a) is removed from office as chair, or
- (b) resigns as chair,

continues on the settlement council as a councillor.

(9) For greater certainty, an elected settlement chair who resigns or otherwise ceases to hold office ceases to be a member of the settlement council.

5 Section 11 is amended

(a) in subsection (1) by adding “appointed by councillors from among themselves” after “A settlement chair”.

(b) by adding the following after subsection (2):

(3) For greater certainty, an elected settlement chair may resign in accordance with section 24.

5 Section 11 presently reads:

11(1) A settlement chair may resign the office by presenting a written notice of resignation to a settlement council meeting.

(2) The resignation takes effect from

(a) the moment it is accepted by the settlement council, or

6 Section 12 is repealed and the following is substituted:

General election

12 A general election must be held for each settlement council on the first Monday in October 2013 and on the first Monday in October every 4th year thereafter.

7 Section 16(5) is amended by striking out “3 years” and substituting “4 years”.

8 Section 17(1)(b) is amended by striking out “3 years” and substituting “4 years”.

9 Section 21 is amended

- (a) in clause (a) by striking out “within 30 months after a” and substituting “more than 180 days before the next”;**
- (b) by repealing clause (b) and substituting the following:**

(b) if it is not accepted by the settlement council at the meeting, at the moment the meeting is adjourned, unless the resignation is withdrawn before the adjournment.

6 Section 12 presently reads:

12(1) A general election must be held every 3 years for each settlement council.

(2) General elections must be held on the first Monday in October in an election year, commencing in 2004.

7 Section 16(5) presently reads:

(5) After an election, the returning officer must give the disclosure statements of every candidate to the settlement administrator, and the settlement administrator must retain the statements for at least 3 years.

8 Section 17(1)(b) presently reads:

17(1) A settlement member is ineligible to be nominated as a candidate for councillor or to serve as councillor

(b) if, in the 3 years preceding election day,

(i) the settlement member was convicted of an indictable offence carrying a possibility of imprisonment for 5 or more years,

(ii) the settlement member was convicted of an offence under section 123 of the Criminal Code (Canada), or

(iii) the settlement member was removed from a settlement council by a Ministerial order under section 176.

9 Section 21 presently reads:

21 If a vacancy occurs on a settlement council

(a) within 30 months after a general election, the vacancy must be filled by a by-election;

- (b) subject to section 10(7), within the 180-day period before the next general election, the vacancy must be filled at the next general election.

10 Section 23.1 is repealed.

11 Section 44(1) is amended

(a) by adding the following after clause (d):

- (d.1) draft business plans proposed to be established under section 156.1;

(b) by adding the following after clause (f):

- (g) business plans after they have been established under section 156.1.

12 The following is added after section 47:

**Division 2.1
Councillors**

Councillors

47.1(1) Councillors have the following duties and functions:

- (b) *more than 30 months after a general election, the vacancy must be filled at the next general election.*

10 Section 23.1 presently reads:

23.1 The Minister and the General Council shall, not later than December 31, 2005, review the procedure and requirements in respect of the election of councillors under this Act and may prepare, jointly or separately, recommendations, if any, for changes to the procedure and requirements.

11 Section 44(1) presently reads:

44(1) The following documents must be posted in the settlement office for at least 15 consecutive days unless the settlement council makes an exception under subsection (2):

- (a) *agreements entered into by the settlement;*
- (b) *proposed bylaws after they have been given first reading;*
- (c) *reports of committees or employees of the settlement, including reports of committees appointed under section 49, after they have been submitted to the settlement council, but not opinions or reports of the settlement solicitor;*
- (d) *audited financial statements of the settlement;*
- (e) *minutes of meetings of the settlement council after they have been adopted by the council;*
- (f) *settlement bylaws after they have been enacted.*

12 Councillors; prohibitions.

- (a) to consider the welfare and interests of the settlement as a whole;
- (b) to participate generally in developing and evaluating settlement bylaws and resolutions;
- (c) to participate in settlement council meetings and settlement council committee meetings and meetings of other bodies to which they are appointed by the settlement council;
- (d) to keep in confidence matters discussed in private at a settlement council meeting or settlement council committee meeting until the matters are discussed at a meeting held in public;
- (e) to participate in recruiting and appointing the settlement administrator;
- (f) to obtain information about the operation or administration of the settlement from the settlement administrator or a person designated by the settlement administrator;
- (g) to respect the roles, powers, duties and functions of the settlement administrator and other staff;
- (h) to participate in other decision-making or other activities assigned to a settlement council by this Act or any other enactment or a General Council Policy;
- (i) to exercise any other power and perform any other duty or function assigned to a councillor by this Act or any other enactment or a General Council Policy.

(2) In exercising the powers and carrying out the duties and functions of a councillor, a councillor shall comply with this Act, other applicable enactments, the settlement bylaws and resolutions, General Council Policies and any directions made under this Act.

(3) The Minister may, after consulting with the General Council, make regulations

- (a) prescribing other powers, duties and functions of councillors;
- (b) prohibiting councillors from engaging in specified activities or taking specified actions.

Division 2.2 Prohibitions

Prohibitions

47.2(1) No settlement council or councillor shall authorize a payment to a councillor for serving as a councillor, including, without limitation, a payment of remuneration or honoraria or benefits or expenses, in an amount that exceeds the amount prescribed by or determined in accordance with General Council Policy.

(2) A councillor shall not accept a payment for serving as a councillor, including, without limitation, a payment of remuneration or honoraria or benefits or expenses, in an amount that exceeds the amount prescribed by or determined in accordance with General Council Policy.

(3) No settlement council or councillor shall exercise a power or perform a duty or function that is specifically assigned to a settlement administrator by this Act or any other enactment, a settlement bylaw or a General Council Policy.

13 Section 48 is repealed and the following is substituted:

Settlement administrator

48(1) A settlement council

- (a) must appoint a settlement administrator and fix the settlement administrator's remuneration and terms of employment, and
- (b) may prescribe other duties and functions of the settlement administrator in addition to the duties and functions set out in this or any other enactment.

(2) The settlement administrator is the administrative head of the settlement and has the following duties and functions:

13 Section 48 presently reads:

48 A settlement council must

- (a) appoint a settlement administrator and any other employees considered necessary and fix their remuneration and terms of employment;*
- (b) prescribe what other duties the settlement administrator has in addition to the duties described by this or any other enactment.*

- (a) to ensure that the bylaws and resolutions of the settlement are implemented;
 - (b) to administer the affairs, bylaws and resolutions of the settlement in a fair, efficient and effective manner and in compliance with this Act, other applicable enactments, the settlement bylaws and resolutions, General Council Policies and any directions made under this Act;
 - (c) to advise and inform the settlement council on the operation and affairs of the settlement;
 - (d) to establish and maintain, in accordance with any applicable General Council Policy, the systems of financial management for the settlement and the records of the settlement;
 - (e) to hire employees of the settlement and fix their remuneration and terms of employment;
 - (f) to establish human resource policies for the settlement;
 - (g) to exercise any other power and perform any other duty or function assigned to a settlement administrator by this Act or any other enactment or prescribed by the settlement council or a General Council Policy.
- (3)** The Minister may, after consulting with the General Council, make regulations
- (a) prescribing other powers, duties and functions of settlement administrators;
 - (b) prohibiting settlement administrators from engaging in specified activities or taking specified actions.

14 The following is added after section 55:

Budget bylaws

55.1 Sections 54 and 55 do not apply to a budget bylaw.

15 Section 57(1) is amended by adding “, other than a matter referred to in section 157,” after “any matter”.

14 Budget bylaws.

15 Section 57 presently reads:

16 Section 121(2) and (3) are amended by striking out “Minister of Finance” and substituting “President of Treasury Board and Minister of Finance”.

17 Section 133(1) and (2) are amended by striking out “Minister of Environment” and substituting “Minister of Environment and Sustainable Resource Development”.

18 The heading preceding section 157 is repealed and the following is substituted:

57(1) Settlement members may petition the settlement council for a bylaw about any matter within the bylaw making authority of the settlement council.

(2) A petition has no effect unless

(a) the number of settlement members who sign the petition is equal to at least 20% of the population of the settlement area determined by the most recent census conducted by the settlement council, and

(b) the petition substantially complies with section 58.

16 Section 121(2) and (3) presently read:

(2) On receipt of satisfactory evidence of failure of the existing mineral lease holder or operator to pay, the Land Access Panel may direct the Minister of Finance to pay out of the General Revenue Fund the amount of money to which the person is entitled.

(3) If the Minister of Finance pays money to a person under this section, the amount paid constitutes a debt owing by the existing mineral lease holder or the operator to the Crown in right of Alberta.

17 Section 133(1) and (2) presently read:

133(1) At the request of a settlement council, the Minister of Environment may authorize the council to issue Metis Commercial Fishing Licences to settlement members and members of adjacent settlements for commercial purposes, with or without conditions.

(2) If fishing licences are issued under subsection (1), a proportion of the total catch designated by the Minister of Environment from the body of water from which it is proposed to take the fish must be set aside as available only for settlement members.

18 Business plans.

Division 4 Settlement Business Plans and Budgets

Business plans

156.1(1) On or before January 31, 2014, each settlement council must establish a business plan respecting the settlement for the financial year beginning April 1, 2014 and the 2 subsequent financial years.

(2) On or before January 31 of every year after 2014, each settlement council must review its business plan and establish a new business plan for the next financial year and the 2 subsequent financial years.

(3) A business plan established under this section must include the following:

- (a) a description of the mission and core business of the settlement;
- (b) a description of the goals of the settlement, the strategies for achieving the goals, the performance targets for each goal and the measures to be used in assessing whether the performance targets for each goal have been achieved;
- (c) a description of the purposes and objectives of each entity that is directly or indirectly controlled by the settlement council.

19 Section 157 is amended

(a) in subsection (1) by striking out “and” at the end of clause (b) and adding the following after clause (b):

(b.1) describing how the budget bylaw relates to the business plan for the financial year, and

(b) by adding the following after subsection (2):

(3) A budget bylaw may not deal with matters other than the matters referred to in subsection (1).

19 Section 157 presently reads:

157(1) A settlement council must adopt a budget bylaw for each financial year

- (a) describing the money allocated to it from the Consolidated Fund and the purposes for which the money is allocated,*
- (b) describing the money available for expenditure in its own settlement fund, and*
- (c) stating the expenditures proposed for*

20 The following is added before section 160:

Standardized financial reports

159.1 On or before September 30 of every year, each settlement council must

- (a) prepare, in accordance with General Council Policy, standardized financial reports for the previous financial year for the settlement, and
- (b) file a copy of the standardized financial reports with the Minister and the General Council.

21 Sections 175.1 to 175.3 are repealed and the following is substituted:

Immunity and confidentiality continue

175.4(1) For greater certainty, notwithstanding the repeal of sections 175.1 and 175.2, a person who is a former Metis Settlements Ombudsman, investigator or other member of the staff in the Metis Settlements Ombudsman office is not personally liable for anything done or omitted to be done in good faith in the performance or purported performance of a function, power or duty under this Act as a Metis Settlements Ombudsman, investigator or other member of the staff in the Metis Settlements Ombudsman office.

(2) For greater certainty, notwithstanding the repeal of sections 175.1 and 175.3, a person who is a former Metis Settlements Ombudsman, investigator or other member of the staff in the Metis Settlements Ombudsman office shall continue to treat all information that came into the person's possession in the course of performing functions, powers or duties under this Act as a Metis Settlements Ombudsman, investigator or other member of the staff in the Metis Settlements Ombudsman office as

(i) *capital development projects, and*

(ii) *operations, maintenance and other purposes.*

(2) *A settlement council may amend a budget bylaw during a financial year to change or add to a previous budget bylaw.*

20 Standardized financial reports.

21 Section 175.1 to 175.3 presently read:

175.1(1) The Minister may make regulations

(a) *establishing the office of Metis Settlements Ombudsman and respecting the appointment of a person to the office, the term of appointment and the terms and conditions of appointment;*

(b) *respecting the appointment of investigators and other staff for the Metis Settlements Ombudsman office;*

(c) *authorizing the Metis Settlements Ombudsman and investigators to perform all or any of the functions, powers and duties of an investigator or the Minister, or both, under sections 171 to 175 with respect to*

(i) *a settlement, or*

(ii) *an entity that is directly or indirectly controlled by a settlement council or by persons who are employees or officials of a settlement;*

private and confidential and shall not release that information except as permitted or required under any law in force in Alberta.

- (d) respecting other matters that may be referred to the Metis Settlements Ombudsman;*
 - (e) respecting the manner in which matters are to be referred to the Metis Settlements Ombudsman and by whom, and the process or processes for dealing with those matters, or authorizing the Metis Settlements Ombudsman to make rules governing referral and dealing with those matters;*
 - (f) respecting reports of inspections, investigations, audits or matters referred to the Metis Settlements Ombudsman and to whom the reports are to be sent, including the Minister, the General Council, the Appeal Tribunal, settlement councils and settlement members;*
 - (g) respecting who must pay the costs of an inspection, investigation, audit or other activity in which the Metis Settlements Ombudsman or an investigator is involved;*
 - (h) respecting generally the internal management and operation of the office of Metis Settlements Ombudsman, or authorizing the Metis Settlements Ombudsman to make rules governing such matters.*
- (2) The Metis Settlements Ombudsman may carry out any additional inquiry or inspection or investigative functions referred to him or her by General Council Policy.*
- (3) Costs payable under the regulations made under this section constitute a debt due to the Crown and may*
- (a) be collected in an action for debt, or*
 - (b) be deducted by the Minister from any money otherwise payable by the Government to the person liable to pay the debt.*

175.2 Neither the Metis Settlements Ombudsman nor an investigator or other member of the staff in the Metis Settlements Ombudsman office is personally liable for anything done or omitted to be done in good faith in the performance or purported performance of a function, power or duty under this Act.

175.3 The Metis Settlements Ombudsman and investigators and other members of the staff in the Metis Settlements Ombudsman office shall treat all information coming into their possession in the

22 Section 178 is amended by repealing subsection (2) and substituting the following:

(2) A comptroller has the powers, duties and functions to supervise the settlement council or an official manager, if one has been appointed, in the management or administration of the affairs and business of the settlement as set out in the comptroller's appointment.

23 The following is added after section 179:

**Division 8
General**

Information and records

179.1(1) Every councillor, officer or employee of a settlement must give to an inspector, investigator or comptroller any information that the inspector, investigator or comptroller considers necessary for the purpose of performing the inspector's, investigator's or comptroller's functions.

(2) An inspector, investigator or comptroller may inspect any record prepared or kept by or on behalf of a settlement council at any reasonable time whether the record is in the possession of the settlement council or another person.

(3) If a person referred to in subsection (1) refuses to give information or if a person refuses to permit the inspection of a

course of performing their functions, powers and duties under this Act as private and confidential and shall not release that information except as permitted or required under any law in force in Alberta.

22 Section 178 presently reads:

178(1) The Minister may appoint a comptroller of a settlement if the Minister considers it necessary.

(2) A comptroller has authority to supervise either or both

(a) the settlement council, or

(b) an official manager, if one has been appointed,

in the management or administration of the affairs and business of the settlement.

(3) While the appointment of the comptroller continues, no settlement bylaw or resolution that imposes a liability or disposes of the money or property of the settlement has any effect unless it is approved in writing by the comptroller.

23 Information and records; confidentiality; immunity.

record under subsection (2), the inspector, investigator or comptroller may apply to the Court of Queen's Bench ex parte or on the notice the Court directs for one or more of the following orders:

- (a) an order requiring a councillor, officer or employee of a settlement to give the inspector, investigator or comptroller information;
 - (b) an order that the inspector, investigator or comptroller may enter any place where a record referred to in subsection (2) may be found;
 - (c) an order that the inspector, investigator or comptroller may inspect or take away a record referred to in subsection (2);
 - (d) an order requiring a person to give the inspector, investigator or comptroller all reasonable assistance in the performance of the inspector's, investigator's or comptroller's functions.
- (4) The Court may make any order it considers appropriate.
- (5) The inspector, investigator or comptroller may make copies of records inspected or taken away under subsection (2) or (3).
- (6) If a record is taken away, a copy of it must be left in its place.

Confidentiality

179.2 An inspector, investigator and comptroller and a person required to assist an inspector, investigator or comptroller or authorized to act by an inspector, investigator or comptroller shall treat all information coming into their possession in the course of exercising powers or performing duties or functions under this Act as private and confidential and shall not release the information except as necessary to exercise powers or perform duties or functions under this Act or as permitted or required under any law in force in Alberta.

Immunity

179.3 An official manager, inspector, investigator or comptroller or a person required to assist an official manager,

inspector, investigator or comptroller or authorized to act by an official manager, inspector, investigator or comptroller is not personally liable for anything done or omitted to be done in good faith in the performance or purported performance of a function, power or duty under this Act.

24 Section 188(2) is amended by striking out “a regulation,”.

25 Section 190(1)(i) is amended by striking out “, a regulation”.

26 The following is added after section 217:

Review of roles and responsibilities

217.1(1) The General Council shall review the roles and responsibilities of the members and officers of the General Council.

(2) The General Council may carry out additional reviews of the roles and responsibilities of the members and officers of the General Council from time to time as it considers appropriate.

27 Section 222 is amended

(a) in subsection (1) by adding the following after clause (bb):

(bb.1) establishing a code of conduct to govern the conduct of councillors, that includes, without limitation, rules

24 Section 188(2) presently reads:

(2) Without limiting the generality of subsection (1), that subsection applies also in respect of the disposition of an appeal to the Appeal Tribunal where the right to appeal is given under this or any other enactment, a regulation, a General Council Policy or a by-law.

25 Section 190(1)(i) presently reads:

190(1) The Appeal Tribunal may, in respect of any matter before it,

- (i) amend, make or repeal a settlement bylaw to conform with General Council Policy, a regulation or this or another enactment, or to remove an inconsistency or conflict with General Council Policy;*

26 Review of roles and responsibilities.

27 Section 222 presently reads in part:

222(1) The General Council, after consultation with the Minister, may make, amend or repeal General Council Policies

- (bb) respecting the notice required and procedures for General Council meetings or public or special meetings called by the General Council;*

- (i) respecting conflicts of interest, including, without limitation, rules
 - (A) defining conflict of interest,
 - (B) requiring a councillor to disclose the names of the councillor's family members, the councillor's employers, the names of corporations in which the councillor is a shareholder, officer or director, the names of each partnership of which the councillor is a member, and the names of other entities in which the councillor has a financial interest,
 - (C) respecting what constitutes a conflict of interest and what does not constitute a conflict of interest,
 - (D) respecting the disclosure of conflicts of interest, and
 - (E) respecting how conflicts of interest are to be dealt with,
 - (ii) governing whether a councillor may have a business or financial arrangement with the settlement council, other than in the normal course of being a settlement member, and if so, governing the conduct of the councillor in the councillor's relationship with the settlement council with respect to the arrangement, and
 - (iii) respecting the obligation of councillors to keep in confidence matters discussed in private at a settlement council meeting or settlement council committee meeting;
- (bb.2) establishing a Councillor Remuneration and Benefits Committee consisting of the persons appointed from time to time by the General Council who are not members or officers of the General Council;
 - (bb.3) after the report of the Councillor Remuneration and Benefits Committee has been made public and after considering the report, prescribing or establishing a method for determining maximum amounts that may be

(4) Subsection (1)(jj) applies only in respect of

(a) a General Council Policy that is made, or

(b) an amendment to a General Council Policy that is made

after the coming into force of this subsection.

payable to a councillor for serving as a councillor, including, without limitation, amounts of remuneration and honoraria and benefits and expenses;

- (bb.4) respecting whether a councillor or settlement administrator may be a director or officer of, employed by or otherwise associated with an entity that is directly or indirectly controlled by the settlement council, and respecting the relationship between councillors and settlement administrators and entities that are directly or indirectly controlled by the settlement council;
- (bb.5) respecting the systems of financial management for settlements and respecting the form and contents of standardized financial reports for the purposes of section 159.1 and the manner in which the financial reports are to be made public;

(b) by adding the following after subsection (4):

(5) The Minister may, by order, fix one or more dates by which the General Council must establish General Council Policies under subsection (1)(bb.1) to (bb.5).

28 The following is added after section 222:

Councillor remuneration and benefits committee

222.1(1) The Councillor Remuneration and Benefits Committee established under section 222(1)(bb.2) shall, on or before a date prescribed by the Minister, and after that date, from time to time as directed by the General Council,

- (a) consider what amounts are appropriate to pay to councillors, including, without limitation, amounts of remuneration and honoraria and benefits and expenses, and
- (b) report and make recommendations to the General Council.

(2) The General Council shall make the report under subsection (1) public within 60 days after receiving the report by posting the report in each settlement office for 15 consecutive days.

28 Councillor remuneration and benefits committee.

29 Section 232.1(3) is repealed.

30 Section 246(b) is amended by striking out “the regulations,”.

31 The following is added after section 246:

Part 11.1 Joint Review Committee

Joint Review Committee

246.1(1) The Joint Review Committee is established.

(2) The Minister and the General Council may appoint the members of the Joint Review Committee in accordance with an agreement entered into by the Minister and the General Council.

(3) The Joint Review Committee shall, on or before December 31, 2013 or a date agreed on by the Minister and the General Council,

- (a) consider measures that should be provided for to protect the public interest with respect to matters dealt with in this Act,
- (b) consider measures that should be provided for to ensure that settlement councils and councillors are accountable to settlement members,
- (c) review the provisions of this Act and General Council Policies respecting the matters referred to in clauses (a) and (b),

29 Section 232.1(3) presently reads:

(3) The General Council may not make proposals under this section more frequently than once every 5 years.

30 Section 246(b) presently reads:

246 A settlement administrator or employee of the settlement

(b) who knowingly signs any statement, report or return required by this Act, the regulations, a settlement bylaw or any other enactment, that contains a false statement, or

31 Joint Review Committee.

- (d) review the enforcement provisions of this Act and consider any additional measures that should be provided for, and
- (e) provide a report to the Minister and the General Council that includes any recommendations of the Joint Review Committee regarding amendments to this Act or General Council Policies.

32 Schedule 2 is amended in section 1(2)(m) by striking out “Minister of Finance” and substituting “President of Treasury Board and Minister of Finance”.

32 Schedule 2 section 1(2)(m) presently reads:

(2) The General Council or a settlement council may, in accordance with this Act, invest money in all or any of the following:

(m) options or futures traded under the supervision of a regulated market designated by the Minister of Finance;

