

KA:'YU:'K'T'H'/CHE:K'TLES7ET'H' FIRST NATIONS  
GOVERNMENT

WALTER'S COVE RESORT PURCHASE  
CAPITAL BORROWING ACT

KCFNS 40/2015



This law enacted on May 14, 2015

Signed Christina Cox  
Christina Cox, Tyee Ha'wilth,  
Ka:'yu:'k't'h' First Nation

Signed Francis Gillette  
Francis Gillette, Tyee Ha'wilth,  
Che:k'tles7et'h' First Nation

Signed Peter Hanson  
Peter Hanson, Legislative Chief,  
Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations

DEPOSITED IN THE  
REGISTRY OF LAWS  
ON 25/05/2015  
[Signature]  
Signature of Clerk



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## PART 1 - INTRODUCTORY PROVISIONS

### Short title

1.1 This Act may be cited as the Walters Cove Resort Purchase Capital Borrowing Act.

### Executive oversight

1.2 The member of the Executive holding the finance portfolio is responsible for the executive oversight of this Act.

### Definitions

1.3 In this Act,

“Walters Cove Resort” means the lodge and structures located on:

- (i) Parcel Identifier: 006-150-870  
Lot 2, District Lot 1612, Rupert District, Plan 3840;
- (ii) Parcel Identifier: 001-096-176  
Lot 13, District Lot 1647, Rupert District, Plan 3840; and
- (iii) Parcel Identifier: 001-096-168  
Lot 14 of Lot 1647, Walters Island, Rupert District, Plan 3840,

## PART 2 - CAPITAL BORROWING

### Borrowing for Walters Cove Resort Purchase

- 2.1 (a) The Legislature hereby authorizes the Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations to enter into a loan agreement with the Nuu-chah-nulth Economic Development Corporation as creditor and the Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations as debtor for a loan substantially on the following terms and conditions:
- (i) the loan will consist of
    - (A) a forgivable loan in the amount of \$25,000.00 (the “forgivable loan”),
    - (B) an NRT Equity Match of \$5000.00, and
    - (C) a term loan in the amount of \$570,000.00 (the “term loan”);
  - (ii) the Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations and the Nuu-chah-nulth Economic Development Corporation will contribute equity to the purchase of Walters Cove Resort as follows:
    - (A) the Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations will contribute a minimum of \$107,121.84 equity to the Walters Cove Resort purchase; and
    - (B) the Nuu-chah-nulth Economic Development Corporation will contribute \$600,000.00 equity to the Walters Cove Purchase;
  - (iii) the term loan will
    - (A) be repayable over 120 months in monthly installments of \$6624.00 blended principal and interest commencing on June 1, 2015, and
    - (B) bear interest at twelve percent per annum calculated monthly not in advance;
  - (iv) the forgivable loan will
    - (A) be paid down by forgiving \$1.00 for every \$1.00 principal paid on the term loan, and
    - (B) not bear interest.

- (v) subject to section 8.7 of the Financial Administration Act, if required by the Nuu-chah-nulth Economic Development Corporation, the Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations will provide security for the loan in the form approved by the legislative chief on the recommendation of the director of finance.
- (b) Subject to sections 8.5(b) and (c) of the Financial Administration Act, the proceeds of the loan under subsection (a) may only be used for the purposes of the Walters Cove Resort Purchase.





### **PART 3 - GENERAL PROVISIONS**

#### **Commencement**

**3.1** This Act comes into force on the date it is enacted.

