

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

ADMINISTRATIVE DECISIONS REVIEW
ACT AMENDMENT ACT

KCFNS 68/2022



This law enacted on June 20, 2022

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 Michael (Tony) Hansen
Michael (Tony) Hansen, Legislative Chief,
Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations

DEPOSITED IN THE
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OFFICIAL RECORDS

ON 09/06/2022

AM Scott
Signature of Clerk

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PART 1 - INTRODUCTORY PROVISIONS

Short title

- 1.1** This Act may be cited as the Administrative Decisions Review Act Amendment Act.

Executive oversight

- 1.2** The member of the Executive holding the Community Services portfolio is responsible for the executive oversight of this Act.

Application

- 1.3** This Act amends the Administrative Decisions Review Act, KCFNS 7/2011, to allow oral hearings to take place by telephonic, electronic or other communication formats.

PART 2 - AMENDMENTS

Administrative Decisions Review Act amendments

2.1 The Administrative Decisions Review Act, KCFNS 7/2011, is amended as follows:

- (a) section 4.1(b) is repealed and the following substituted:
 - “(b) The Review Board must not conduct an oral hearing or carry out its deliberations without an oral hearing unless all the adjudicators are present in person or by means of such telephonic, electronic or other communication facilities as permit all persons participating in the deliberations to communicate adequately with each other.”;
- (b) section 4.2(a)(ii) is repealed and the following substituted:
 - “(ii) if the review will be conducted on the basis of an oral hearing, the date, time and format of the hearing.”;
- (c) section 4.2(b) is repealed and the following substituted:
 - “(b) The chairperson must give the parties to the review written notice, of not less than 15 days, of the following information:
 - (i) whether the review will be conducted on the basis of an oral hearing or written submissions;
 - (ii) if the review will be conducted on the basis of an oral hearing,
 - (A) the date of the hearing, which must be no later than 30 days after the date the chairperson received the review report from the clerk under section 3.6,
 - (B) the time of the hearing,
 - (C) the format of the hearing, and
 - (D) the location of the hearing or instructions for attending the hearing, as applicable; and
 - (iii) if the review will be conducted on the basis of written submissions, the date of when written submissions must be received by the Review Board, which must be no later than 30 days after the date the chairperson received the review report from the clerk under section 3.6.”;

- (d) section 4.6(a)(i) is amended by striking out the word “place” and substituting “date” and adding the words “and in a format” after the word “time”;
- (e) section 4.6(a)(ii) is amended by adding the words “and in a format specified in the notice” between the words “subsection (b)” and “, all”;
- (f) by repealing section 4.7(e.1);
- (g) section 4.8(b) is amended by striking out the words “(d) and (e)” and substituting “(d), (e) and (e.1)”; and
- (h) by adding the following as section 4.8(e.1):
 - “(e.1) If the review request is one to which section 1.3(b) applies and is in relation to an external enforcement officer, the Review Board may also recommend to the Executive that the agreement with the applicable external enforcement agency for the enforcement of Ka:'yu:'k't'h'/Che:k'tles7et'h' law be terminated.”

PART 3 - GENERAL PROVISIONS

Commencement

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

