

HUU-AY-AHT FIRST NATIONS
CONSTITUTION

Approved by HUU-ay-aht Members
April 28, 2007

HUU-AY-AHT FIRST NATIONS

CONSTITUTION

April 28, 2007

INDEX

Preamble

A. Huu-ay-aht Declaration of Identity

B. Huu-ay-aht Declaration of Rights and Values

Chapter 1: Individual Rights, Freedoms and Responsibilities of Huu-ay-aht Citizens

Chapter 2: Government Structure of the Huu-ay-aht First Nations
The Legislative Branch
The Executive
People's Assembly
Committees

Chapter 3: Legislative Authority of the Huu-ay-aht First Nations Government

Chapter 4: The Huu-ay-aht First Nations Land System

Chapter 5: Financial Administration and Accountability

Chapter 6: Code of Conduct and Conflict of Interest

Chapter 7: Dispute Resolution

Chapter 8: Ratification of This Constitution

Chapter 9: Constitutional Amendments

PREAMBLE

A. HUU-AY-AHT DECLARATION OF IDENTITY

We, the people of HUU-ay-aht, by this Constitution declare our unique identity as a Nation and claim our rightful place as equal participants in Canadian society.

We have existed from time immemorial and have occupied and used the lands, waters and resources of our traditional territory throughout history, a traditional territory that extends from the mountaintops to the off-shore areas as shown on the map attached as Appendix 1 to this Constitution.

We draw our identity from our relationship to our land and from our rich heritage, culture, language and our stories, myths and oral traditions.

We honour our ancestors and our elders and commit ourselves to the values that they have preserved for us, values that provide us dignity and enhance our humanity. We honour our children in our determination to see these values carried into the future.

As self-determining peoples, we accept the responsibilities inherent in governing ourselves and seek, with the assistance of Naas (the Creator), to govern with wisdom and respect for all people. Through the act of governing, we assume the power to preserve our natural world and enhance our identity.

B. HUU-AY-AHT DECLARATION OF RIGHTS AND VALUES

The HUU-ay-aht have existed from time immemorial, owned and occupied the lands and waters within our traditional territory, governed these lands and waters, abided by our laws and shared our language and culture.

From this historic foundation we have shaped fundamental values that unite us, define us and upon which this Constitution is based. As Huu-ay-aht, we commit ourselves to the values of our Nation, which values include:

- a. reverence for the Creator (Naas);
- b. honour for our ancestors;
- c. respect for our elders, our children, our families, our future generations and our kinship system;
- d. recognition of an internal order based on our Ha'wiih and Ha-houlthee;
- e. a deep pride in our identity;
- f. our unique language;
- g. appreciation of our unique and vibrant culture, a culture that embraces our myths, stories, ceremonies and traditions;
- h. a profound respect for nature, our lands and waters, and all living things within our territory;
- i. an acceptance and reverence for a spiritual basis to life;
- j. a common and mutually supportive economic foundation; and
- k. acceptance of our obligation to safeguard our special relationship with the Creator, the spirit world and the earth for future generations.

From our historic existence, our value system and our membership in the community of man, we possess certain fundamental and inalienable human rights which have never been extinguished, ceded or surrendered. These include:

- a. the right to our traditional territory including the waters and beds of water;
- b. the right to the resources of our traditional territory;
- c. the right to govern within our traditional territory;
- d. the right to utilize and protect our language;
- e. the right to practice, protect and enhance our culture;
- f. the right to the wealth of our traditional territory and a sound economic foundation;

- g. the right to protect our spiritual sites;
- h. the right to preserve our family and kinship systems; and
- i. the right to define ourselves and the criteria for the identification of our citizens.

CHAPTER 1: INDIVIDUAL RIGHTS, FREEDOMS AND RESPONSIBILITIES OF HUU-AY-AHT CITIZENS

- 1.1 An individual is entitled to be a HUU-ay-aht citizen if that individual:
- (a) is enrolled or is eligible for enrolment under the Maa-nulth Treaty, or
 - (b) was registered or entitled to be registered on the HUU-ay-aht Indian Band list on the day immediately prior to the Effective Date of the Maa-nulth Treaty, or
 - (c) meets the criteria for HUU-ay-aht citizenship set out in the HUU-ay-aht citizenship act.
- 1.2 For greater certainty, HUU-ay-aht citizenship does not, in itself, confer Treaty rights and benefits on an individual.
- 1.3 Every HUU-ay-aht citizen enjoys all of the individual rights and freedoms guaranteed under the Constitution of Canada and by the various instruments of human rights in international law.
- 1.4 Subject to paragraph 1.2, all HUU-ay-aht citizens are equal under this Constitution and, based on this equality and in accordance with HUU-ay-aht customary law, possess:
- (a) the right to participate in HUU-ay-aht First Nations political activities, elections and government as set out in HUU-ay-aht First Nations law;
 - (b) the right to be informed about HUU-ay-aht First Nations affairs;
 - (c) the right to be consulted regarding HUU-ay-aht First Nations affairs;
 - (d) the right to express opinions and views on HUU-ay-aht First Nations affairs;

- (e) the right to equal employment opportunities within the HUU-ay-aht First Nations public administration;
- (f) the right to equal provision of public services by the HUU-ay-aht First Nations;
- (g) the right to a healthy life, environment and the equal provision of health care;
- (h) the right to utilize the Nuu-chah-nulth language;
- (i) the right to participate in HUU-ay-aht culture and traditions consistent with established practices and customs;
- (j) the right to enter, remain in and leave HUU-ay-aht First Nations lands in accordance with this Constitution and HUU-ay-aht First Nations laws;
- (k) the freedom to pursue a livelihood within HUU-ay-aht First Nations lands;
- (l) the freedom to contribute to the progress and development of the HUU-ay-aht First Nations; and
- (m) the freedom to achieve their fullest potential as individuals.

1.5 Every HUU-ay-aht citizen, through participation in the HUU-ay-aht community, accepts the responsibilities of citizenship including:

- (a) upholding and respecting this Constitution and HUU-ay-aht First Nations laws;
- (b) fulfilling personal obligations with respect to the care and guidance of our children and families;
- (c) adhering to the teachings related to *ii-saak* (respect); and
- (d) promoting a healthy and vibrant community for all citizens.

CHAPTER 2: GOVERNMENT STRUCTURE OF THE HUU-AY-AHT FIRST NATIONS

2.1 The Government of the HUU-ay-aht First Nations shall consist of a legislature, an executive, a Ha'wiih Council, and a People's Assembly.

The Legislative Branch

2.2 All legislative powers herein assumed shall be vested in the HUU-ay-aht First Nations Council.

2.3 The HUU-ay-aht First Nations Council shall have the power and the responsibility to pass laws in relation to those jurisdictions and authorities set out in the Maa-nulth Treaty.

2.4 A HUU-ay-aht First Nations law shall have force and effect when that law has been passed by a majority of a quorum of the HUU-ay-aht First Nations Council and certified by the Chief Councillor.

2.5 Except for HUU-ay-aht customary laws, all HUU-ay-aht First Nation laws will be published and made available to the public within ten days of coming into effect.

2.6 The HUU-ay-aht First Nations Council shall be composed of 7 members as follows:

- (a) one elected Chief Councillor, elected through a separate election;
- (b) five elected Councillors, and
- (c) one Ha'wiih or designated appointee chosen by the Ha'wiih Council.

2.7 The HUU-ay-aht First Nations Council shall hold office for a term of four years.

2.8 Any HUU-ay-aht citizen who has attained the age of 18 years is eligible to be a member of the HUU-ay-aht First Nations Council.

- 2.9 The times, places and manner of holding elections shall be prescribed by the HUU-AY-AHT First Nations Council in a manner consistent with the provisions of a HUU-AY-AHT First Nations election act, which act shall have force and effect as of the Effective Date of the Maa-nulth Treaty.
- 2.10 In the event of a tie vote for the position of Chief Councillor or for the final Council position or upon a Council position becoming vacant, a by-election shall be held within 30 days of the previous vote or the date the vacancy occurred.
- 2.11 The HUU-AY-AHT First Nations Council shall establish and publish rules of procedure for its proceedings.
- 2.12 All meetings of the HUU-AY-AHT First Nations Council shall be chaired by the Chief Councillor or a designate.
- 2.13 The HUU-AY-AHT First Nations Council may designate an elected Councillor as vice-Chief Councillor who may assume the duties and responsibilities of the Chief Councillor on an interim basis in the event that the Chief Councillor is unable to carry out the duties and responsibilities of that office.
- 2.14 The HUU-AY-AHT First Nations Council may, subject to budgetary constraints, establish any public institution or body it deems necessary to meet the duties and obligations of the HUU-AY-AHT First Nations Government or protect or advance the interests of the HUU-AY-AHT First Nations.

The Ha'wiih Council

- 2.15 There shall be constituted an advisory body to the HUU-AY-AHT First Nations Council composed of the HUU-AY-AHT Ha'wiih, to be known as the Ha'wiih Council.
- 2.16 Representation on the Ha'wiih Council shall be determined in accordance with customary practices.

- 2.17 Prior to passing any laws, the Huu-ay-aht First Nations Council must seek and consider any advice from the Ha'wiih Council.
- 2.18 In addition to the role contemplated in 2.17, the Ha'wiih Council shall assume those additional roles and responsibilities contemplated in this Constitution.

The Executive

- 2.19 The executive of the Huu-ay-aht First Nations Government shall be the Chief Councillor and any individual members of the Huu-ay-aht First Nations Council designated by the Chief Councillor in consultation with the Huu-ay-aht First Nations Council to hold executive portfolios.
- 2.20 The Chief Councillor in consultation with the Huu-ay-aht First Nations Council has the authority to establish or dissolve executive portfolios.
- 2.21 All members of the Huu-ay-aht executive are directly accountable to the Huu-ay-aht First Nations Council and shall report to the Huu-ay-aht First Nations Council on a regular basis or as requested by Council.
- 2.22 The Huu-ay-aht executive, within the areas of their executive portfolios, shall have the authority and responsibility for the enforcement of Huu-ay-aht laws, the management of Huu-ay-aht affairs, Huu-ay-aht financial administration and the operations of the Huu-ay-aht First Nations Government in accordance with the laws and policies established by the Huu-ay-aht First Nations Council.
- 2.23 Subject to instructions given by the Huu-ay-aht First Nations Council, the Huu-ay-aht executive, within the areas of their executive portfolios, shall be responsible for representing the Huu-ay-aht First Nations Government in intergovernmental relations, including relations with other First Nations.
- 2.24 The Chief Councillor, as chief executive of the Huu-ay-aht First Nations Government, shall have authority and responsibility for:

- (a) representing the Huu-ay-aht First Nations Government in relations with local, provincial and federal governments, other First Nations, and indigenous organizations nationally and internationally;
- (b) ensuring that the Huu-ay-aht citizens are fully informed on all issues that affect the Huu-ay-aht First Nations;
- (c) developing and maintaining effective systems of communication with Huu-ay-aht citizens and with other governments;
- (d) protecting and enhancing Huu-ay-aht First Nations aboriginal and treaty rights;
- (e) ensuring that the Huu-ay-aht First Nations Constitution and Huu-ay-aht First Nations laws and policies are adhered to and enforced;
- (f) promoting and maintaining a sound Huu-ay-aht First Nations economy;
- (g) promoting Huu-ay-aht First Nations values, culture, traditions and language;
- (h) the proper management and administration of the Huu-ay-aht First Nations Government; and
- (i) those additional roles and responsibilities contemplated in this Constitution.

People's Assembly

2.25 There shall be convened at least once annually a general assembly of Huu-ay-aht citizens to be known as the People's Assembly at which time the Huu-ay-aht First Nations Council will provide financial information and set out the strategic objectives for the coming year.

2.26 The Chief Councillor, in consultation with the Huu-ay-aht First Nations Council and the Ha'wiih Council, may at any time call a special People's Assembly to address important Huu-ay-aht First Nations issues.

- 2.27 The Chief Councillor shall convene the People's Assembly in accordance with rules of procedure established by the Huu-ay-aht First Nations Council.
- 2.28 Every Huu-ay-aht citizen has the right to attend and speak at the People's Assembly.
- 2.29 The People's Assembly may, by a majority vote of those in attendance, make recommendations to the Huu-ay-aht First Nations Council by way of resolutions.
- 2.30 The People's Assembly may by way of a resolution passed in accordance with the Huu-ay-aht First Nations referendum regulations require the Huu-ay-aht First Nations Council to hold a referendum on a specific issue.
- 2.31 The Huu-ay-aht First Nations Council shall establish referendum regulations, which regulations shall have force and effect as of the Effective Date of the Maa-nulth Treaty.
- 2.32 All recommendations passed by the People's Assembly must be considered and voted on by the Huu-ay-aht First Nations Council.

Committees

- 2.33 The Huu-ay-aht First Nations Council may establish either standing or special committees to assist in the discharge of its authority and responsibilities.
- 2.34 The standing committees shall include, but not be limited to:
- (a) a standing committee on finance;
 - (b) a standing committee on treaty implementation;
 - (c) a standing committee on economic development; and
 - (d) a standing committee on citizenship.
- 2.35 The terms of reference for any committee shall be established by the Huu-ay-aht First Nations Council.

- 2.36 All committee members, excluding the chairperson, shall be chosen by the HUU-AY-AHT First Nations Council.
- 2.37 The chairperson of each Committee shall be chosen by the Chief Councillor.
- 2.38 The chairperson for each standing committee shall be chosen from among the HUU-AY-AHT First Nations Council, and the membership of any standing committee may consist of any number of HUU-AY-AHT citizens.
- 2.39 Any HUU-AY-AHT citizen may be appointed as a member or chairperson of a special committee.

CHAPTER 3: LEGISLATIVE AUTHORITY OF THE HUU-AY-AHT FIRST NATIONS GOVERNMENT

- 3.1 The HUU-AY-AHT First Nations Government shall have the right to assume and exercise all law-making authority set out in the MAA-NULTH Treaty and any law-making authority set out in non-Treaty agreements with Canada or British Columbia.
- 3.2 As of the Effective Date of the MAA-NULTH Treaty, and in accordance with the respective provisions of the MAA-NULTH Treaty, the HUU-AY-AHT First Nations Council shall have the authority to make laws pertaining to:
- (a) HUU-AY-AHT First Nations citizenship;
 - (b) HUU-AY-AHT First Nations Government structures and procedures;
 - (c) HUU-AY-AHT First Nations land and land management;
 - (d) HUU-AY-AHT First Nations resources on HUU-AY-AHT First Nations land;
 - (e) HUU-AY-AHT First Nations public institutions and HUU-AY-AHT First Nations corporations;
 - (f) HUU-AY-AHT First Nations assets;
 - (g) Adoption;

- (h) Child protection services;
- (i) Child care services;
- (j) Education in respect of kindergarten to grade 12;
- (k) Post-secondary education;
- (l) Education in respect of language and culture;
- (m) Solemnization of marriages;
- (n) Social development;
- (o) Health services;
- (p) Culture and heritage;
- (q) Management and distribution of fish and aquatic plants for domestic purposes;
- (r) Management and distribution of wildlife and migratory birds for domestic purposes;
- (s) Renewable resource harvesting within federal and provincial parks and protected areas;
- (t) Water;
- (u) Preservation and conservation of the environment;
- (v) Taxation;
- (w) Public works;
- (x) Buildings and structures;
- (y) Regulation, licensing and prohibition of business;

- (z) Traffic, transportation, parking and highways;
 - (aa) Public order, peace and safety;
 - (bb) Emergency preparedness;
 - (cc) Conflict of interest;
 - (dd) Conduct of public officials;
 - (ee) Access to information;
 - (ff) Enforcement of HUU-AY-AHT First Nations laws; and
 - (gg) Any other law-making authority set out in the Maa-nulth Treaty or in any non-Treaty agreement with Canada or British Columbia.
- 3.3 To the extent that the HUU-AY-AHT First Nations Council chooses not to exercise a law-making authority set out in paragraph 3.2, federal or provincial laws in relation to that authority shall continue to apply until such time as the authority is exercised by the HUU-AY-AHT First Nations Council.
- 3.4 In the event of an inconsistency or conflict between this Constitution and the provisions of any HUU-AY-AHT First Nations law, the Constitution prevails and the HUU-AY-AHT First Nations law is, to the extent of the inconsistency or conflict, of no force or effect.

CHAPTER 4: THE HUU-AY-AHT FIRST NATIONS LAND SYSTEM

- 4.1 As of the Effective Date of the Maa-nulth Treaty, the underlying title to all HUU-AY-AHT lands shall be vested collectively in the HUU-AY-AHT First Nations.
- 4.2 Prior to the Effective Date of the Maa-nulth Treaty, the HUU-AY-AHT First Nations Council shall consult with and seek the advice of the People's Assembly and the Ha'wiih Council in the development of the HUU-AY-AHT First Nations land code.

- 4.3 On the Effective Date of the Maa-nulth Treaty, the Huu-ay-aht First Nations Council shall bring into force and effect a Huu-ay-aht First Nations land code.
- 4.4 The Huu-ay-aht First Nations land code shall address, among other things:
- (a) the nature and extent of the rights of individual Huu-ay-aht citizens in and to Huu-ay-aht lands;
 - (b) the powers and authority of the Huu-ay-aht First Nations Council to administer, regulate, expropriate and grant interests in and to Huu-ay-aht lands;
 - (c) land transactions that will require approval of Huu-ay-aht citizens by way of a referendum;
 - (d) procedures for raising title to, and registering interests in, Huu-ay-aht lands;
 - (e) procedures for addressing interests of non-Huu-ay-aht individuals in Huu-ay-aht lands;
 - (f) the regulation of mortgages and other forms of security in relation to Huu-ay-aht lands;
 - (g) procedures for zoning and land use planning; and
 - (h) any other matter that the Huu-ay-aht First Nations Council deems necessary for a comprehensive land code.
- 4.5 The quantity of Huu-ay-aht lands as set out in the Maa-nulth Treaty shall not be reduced except as provided for in the Maa-nulth Treaty.
- 4.6 The boundaries of the Huu-ay-aht lands as set out in the Maa-nulth Treaty shall not be altered except as provided for in the Maa-nulth Treaty or if approved by at least 60% of Huu-ay-aht eligible voters in a referendum held to approve the boundary alteration.

4.7 Except as set out in the Maa-nulth Treaty, notwithstanding the conveyance or alienation of any estate or interest in HUU-ay-aht lands, all lands that are the subject of such estate or interest shall continue to be HUU-ay-aht Treaty Settlement Lands in accordance with the Maa-nulth Treaty and subject to the jurisdiction and authority of the HUU-ay-aht Government.

CHAPTER 5: FINANCIAL ADMINISTRATION AND ACCOUNTABILITY

5.1 Prior to the Effective Date of the Maa-nulth Treaty, the HUU-ay-aht First Nations Council shall consult with and seek the advice of the HUU-ay-aht members and the HUU-ay-aht Ha'wiih in the development of the HUU-ay-aht financial administration act.

5.2 On the Effective Date of the Maa-nulth Treaty, the HUU-ay-aht First Nations Council shall bring into force and effect a HUU-ay-aht First Nations financial administration act that is:

- (a) effective and efficient in the use of HUU-ay-aht First Nations financial resources;
- (b) open and accountable; and
- (c) is based on standards comparable to those generally accepted for governments in Canada.

5.3 The HUU-ay-aht First Nations Council shall establish a Standing Committee on Finance, which Committee shall make recommendations to the HUU-ay-aht First Nations Council on any financial matter or in relation to any law regarding financial matters.

5.4 The HUU-ay-aht First Nations Council shall establish rules and terms of reference for the Standing Committee on Finance, including such matters as:

- (a) rules of procedure;
- (b) frequency of meetings;
- (c) time periods for performing duties; and

- (d) the ability to seek advice from persons with relevant expertise.
- 5.5 The Huu-ay-aht First Nations Council shall request and consider a report from the Standing Committee on Finance prior to preparing the annual Huu-ay-aht First Nations financial report and budgets, entering into financial agreements or taxation agreements with Canada or British Columbia, or making any laws that substantially affect the finances of the Huu-ay-aht First Nations.
- 5.6 The Huu-ay-aht First Nations Council shall prepare an annual budget and audit for presentation and review by the People's Assembly.
- 5.7 The annual audited financial statements for the Huu-ay-aht First Nations, including the annual audited financial statements for any corporate entity owned, in whole or in part, by the Huu-ay-aht First Nations, shall be provided to the People's Assembly within 90 days of the fiscal year end.
- 5.8 The Huu-ay-aht First Nations Council may borrow money or guarantee loans pursuant to a law made for such purposes, which law shall be reviewed by the People's Assembly prior to passage by the Huu-ay-aht First Nations Council.

CHAPTER 6: CODE OF CONDUCT AND CONFLICT OF INTEREST

- 6.1 The Huu-ay-aht First Nations Government will be administered in a manner that:
- (a) adheres to the highest ethical standards;
 - (b) effectively and efficiently uses the resources of the Huu-ay-aht First Nations;
 - (c) provides services on an equitable and impartial basis; and
 - (d) responds in a timely and accessible manner.
- 6.2 All elected members of the Huu-ay-aht First Nations Government will take an oath of office sworn at the People's Assembly.

6.3 On the Effective Date of the Maa-nulth Treaty, the HUU-ay-aht First Nations Council shall bring into force and effect a code of conduct and conflict of interest guidelines to apply to all elected and non-elected representatives, and all employees of the HUU-ay-aht First Nations.

CHAPTER 7: DISPUTE RESOLUTION

7.1 On the Effective Date of the Maa-nulth Treaty, the HUU-ay-aht First Nations Council shall bring into force and effect a HUU-ay-aht First Nations dispute resolution act which shall provide for, among other things, a process for challenging the validity of HUU-ay-aht First Nations laws and a process for appealing or reviewing administrative decisions of the HUU-ay-aht First Nations Government or HUU-ay-aht First Nations public institutions.

7.2 The body empowered to address disputes with the HUU-ay-aht First Nations shall be:

- (a) independent;
- (b) provided with the authority to conduct hearings, make recommendations and render decisions in relation to administrative decisions;
- (c) provided with the authority to conduct hearings, make recommendations, render decisions and adjudicate disputes within the community; and
- (d) provided with the authority to conduct hearings, make recommendations and render decisions in relation to the validity of HUU-ay-aht First Nations laws.

7.3 The body empowered to address disputes shall consist of three members with one member chosen by the Chief Councillor and elected Council members, one member chosen by the Ha'wiih Council, and one member chosen by the People's Assembly.

7.4 The body empowered to address disputes shall be provided with sufficient resources to meet its obligations under this Constitution.

CHAPTER 8: RATIFICATION OF THIS CONSTITUTION

- 8.1 This Constitution shall be ratified in a referendum in which at least 50% plus 1 of HUU-ay-aht eligible voters as defined by the Maa-nulth Treaty who vote, approve the Constitution.
- 8.2 This Constitution shall be ratified prior to the vote held to ratify the Maa-nulth Treaty.
- 8.3 This Constitution, if ratified, shall come into force and effect on the Effective Date of the Maa-nulth Treaty.

CHAPTER 9: CONSTITUTIONAL AMENDMENTS

- 9.1 An amendment to this Constitution may be initiated by:
- (a) the presentation of a petition to the HUU-ay-aht First Nations Council signed by at least 25% of HUU-ay-aht eligible voters as defined by the HUU-ay-aht voters list at the time of the petition; or
 - (b) a resolution passed by a majority of a quorum of the HUU-ay-aht First Nations Council.
- 9.2 Upon receipt of the petition or passage of the HUU-ay-aht First Nations Council resolution identified in paragraph 9.1, the HUU-ay-aht First Nations Council shall develop wording for a referendum on the proposed Constitutional amendment.
- 9.3 On the Effective Date of the Maa-nulth Treaty, the HUU-ay-aht First Nations Council shall bring into force and effect procedures governing the conduct of any Constitutional amendment referendum.
- 9.4 Prior to conducting a referendum on a proposed Constitutional amendment, the HUU-ay-aht First Nations Council shall:
- (a) provide full information on the proposed amendment by way of written material and other forms of publication to all HUU-ay-aht citizens;

- (b) provide all HUU-ay-aht citizens with at least 20 days notice of a specially convened People's Assembly including the date, time and location of the People's Assembly and a summary of the proposed Constitutional amendment;
- (c) conduct the specially convened People's Assembly in order to seek the views of HUU-ay-aht citizens;
- (d) seek the advice of the Ha'wiih Council; and
- (e) make any changes to the wording of the proposed Constitutional amendment that the HUU-ay-aht First Nations Council deems appropriate in light of the advice received from the People's Assembly and the Ha'wiih Council.

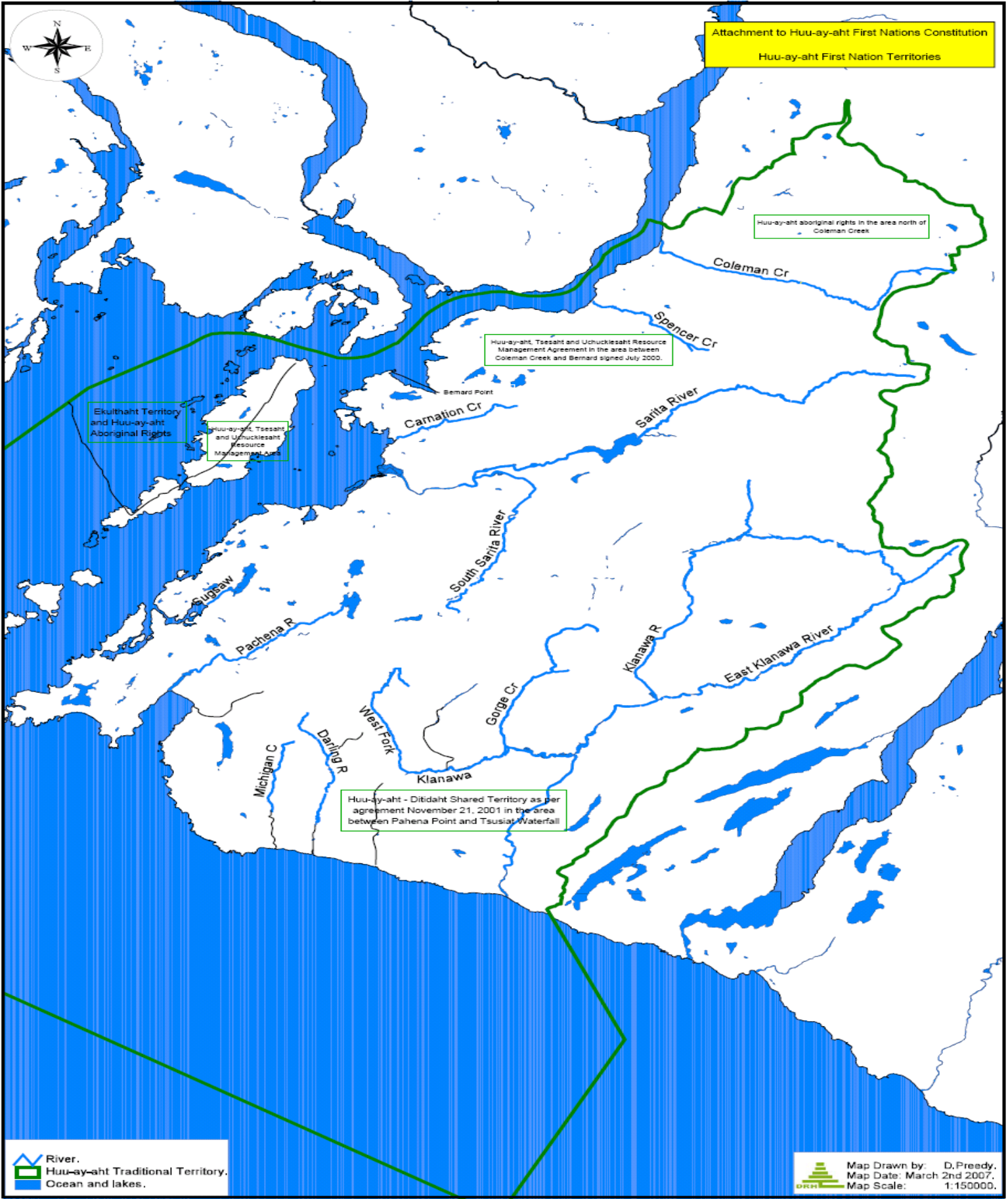
9.5 Within 30 days of the specially convened People's Assembly, the HUU-ay-aht First Nations Council shall conduct a referendum on the proposed Constitutional amendment in accordance with the procedures set out in the HUU-ay-aht referendum regulations.

9.6 This Constitution may be amended on the following basis:

- (a) in the period from the Effective Date of the Maa-nulth Treaty to the 10th anniversary of the Effective Date of the Maa-nulth Treaty, with the approval of at least 40% of the HUU-ay-aht eligible voters as defined by the HUU-ay-aht voters list at the time of the referendum;
- (b) in the period from the 10th anniversary of the Effective Date of the Maa-nulth Treaty to the 20th anniversary of the Effective Date of the Maa-nulth Treaty, with the approval of at least 50% of the HUU-ay-aht eligible voters as defined by the HUU-ay-aht voters list at the time of the referendum; and
- (c) any time after the 20th anniversary of the Effective Date of the Maa-nulth Treaty, with the approval of at least 60% of the HUU-ay-aht eligible voters as defined by the HUU-ay-aht voters list at the time of the referendum.

- 9.7 This Constitution shall be deemed to have been amended as of the date of certification of the required level of approval as set out in paragraph 9.6.
- 9.8 Notwithstanding the provisions of this chapter, the Huu-ay-aht First Nations Council may, by a resolution passed by a majority of a quorum of the Huu-ay-aht First Nations Council, make technical or grammatical amendments to this Constitution.
- 9.9 All amendments to this Constitution shall be published by the Huu-ay-aht First Nations Council.

* * * * *



Ekulthaht Territory and Huu-ay-aht Aboriginal Rights

Huu-ay-aht, Tsesaht and Uchucklesaht Resource Management Areas

Huu-ay-aht, Tsesaht and Uchucklesaht Resource Management Agreement in the area between Coleman Creek and Bernard signed July 2000.

Huu-ay-aht aboriginal rights in the area north of Coleman Creek

Huu-ay-aht - Ditsaht Shared Territory as per agreement November 21, 2001 in the area between Pahena Point and Tsusiat Waterfall

River.
Huu-ay-aht Traditional Territory.
Ocean and lakes.

Map Drawn by: D.Freedy.
Map Date: March 2nd 2007.
Map Scale: 1:150000.