?A·KNUMU¢TIŁIŁ KAWI¢KINIŁ ?AMAKS (?AQAM ALLOTMENT LAW, 2016)



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WHEREAS

- A. The ?aqamnik has an inherent right to self-government which emanates from our people, culture and land and which is recognized and affirmed by section 35(1) of the *Constitution Act*, 1982;
- B. Pursuant to the subsection 6(3) of the First Nations Land Management Act and clause 6.1 of the Framework Agreement, a First Nation may enter into an Individual Transfer Agreement with the Minister describing the land that must be subject to a land code, providing for the transfer and administration of that land and a description of the interests or rights and licenses that have been granted by Canada to the First Nation in relation to that land, and the date and other terms of the transfer to the First Nation of Canada's rights and obligations as grantor of those interests or rights and licenses, and setting out the environmental assessment process that must apply to projects on that land until the enactment of a First Nations law in relation to that subject;
 - C. Pagam signed an Individual Agreement with Canada on June 18, 2014
- **D.** Pursuant to section 6 of the *First Nations Land Management Act* a First Nation that wishes to establish a land management regime in accordance with the Framework Agreement and the *First Nations Land Management Act* must adopt a land code applicable to all land in a reserve of the First Nation;
- E. The ?aqamnik (members of ?aqam)voted in favour of the St. Mary's Indian Band Land Code at a ratification vote held on April 14-16, 2014 and the St. Mary's Indian Band Land Code came into effect on July 1, 2014;
- F. The ?aqamnik (members of ?aqam) voted in favour of amendments to the *St. Mary's Indian Band Land Code* at a Meeting of Members vote held in accordance with sections 48.1 and 13.1 to 13.9 of the *St. Mary's Indian Band Land Code* on January 7, 2016, which has become the ?aqam Amended Land Code;
- G. Pursuant to section 33.1 of the *Paqam Amended Land Code* the Council of Paqam may enact laws providing for an interest in Paqam Lands that entitles an Paqamnik (member) holding that interest to:
 - permanent possession of that land,
 - benefit from the resources in and of that land,
 - grant subsidiary interests, licenses and permits in that land,
 - transfer, devise or otherwise dispose of that land to another member, and
 - any other rights consistent with the *Paqam Amended Land Code* that are attached to Certificates of Possession under the *Indian Act*;

- H. The Council of ?aqam deems it to be in the best interests of ?aqam to make a law for such purposes; and
- I. The Council of ?aqam has held a community land code meeting regarding this ?a knumu¢titłił (Law) in accordance with sections 7.6 to 7.9 of the ?aqam Amended Land Code, and has considered any objections raised by ?aqam members;

NOW THEREFORE the Council of ?aqam duly enacts as follows:

PART I QAKI·KAXU?MIK (Citation)

1. Na ?a·knumu¢titlil ?ini ¢xal yaqal ?itnumu¢tililki ?aqamnik ?amakis. (This Law may be cited as the ?aqam Allotment Law, 2016.)

PART II ?AKŁIKYAXWUM , KUĆINŁIŁAT Ć KĆMAKNIŁWIYTIYAM (Definitions, Interpretation and Application)

?akłikyaxwum (Definitions)

- 2. Unless the context indicates the contrary, in this ?a·knumu¢tit+i+ (Law):
- "qayaqaqnik¢il (allot)" means the act of Council granting to an ʔaqamnik (member) the lawful possession of ʔaqam ʔamak (ʔaqam Lands);
- "kawi¢kinił ?amaks (allotment)" means those ?aqam ?amak (?aqam Lands) that have been lawfully granted to an ?aqamnik (member) and in which that ?aqamnik (member) has lawful possession;
- "kamatik¢ił ?amaks (allotment holder)" means a person who has been granted kawi¢kinił ?amaks (an allotment) pursuant to:
 - (a) section 20(1) of the *Indian Act*;
 - (b) section 32.1(a) of the *?aqam Amended Land Code* prior to the date this ?a·knumu¢titlil (Law) takes effect; or

- (c) this ?a·knumu¢titlil (Law),
- and who is entitled to a certificate of possession under this ?a·knumu¢titlil (Law);
- "k¢maknilwi·tik (applicant)" means a person who makes a k¢maknilwiytiyam (application) for kawi¢kinil ?amaks (an allotment) under section 14 of this ?a·knumu¢titlil (Law);
- "k¢maknitwiytiyam (application)" means k¢maknitwiytiyam (an application) made under section 14 of this ?a·knumu¢tittit (Law);
- "yaqalwiynatilki ?amak (appraised value)" means the market value of a property as appraised by an Appraisal Institute of Canada Designated Appraiser;
- "?aqam" means 'dense forest', and in this ?a knumu¢titlil (Law) refers to the '?aqam' within the meaning of the *Indian Act*, formerly known as the St. Mary's Indian Band, for whose use and benefit in common ?aqam amak (?aqam Lands) have been set apart by Canada;
- "Pagam Amended Land Code" means the Pagam Amended Land Code, 2016;
- "kitqawxawi¢kinił ?amak (?aqam Community Lands)" means any ?aqam ?amak (?aqam Lands) in which all ?aqamnik (members) have a common interest;
- "?aqam ?amak (?aqam Lands)" includes:
 - (a) ?aqam Kootenay Indian Reserve No. 1 (07422);
 - (b) kankak Isidore's Ranch No. 4 (07423);
 - (c) qalsan mayuk Cassimayooks No. 5 (07424);
 - (d) kałqakakma?nam Bummer's Flat No. 6 (07425); and
 - (e) Pamak "lands" set apart by Canada in the future as Paqam Pamak (lands) reserved for the use and benefit of Paqam within the meaning of subsection 91(24) of the Constitution Act, 1867 and section 2(1) of the Indian Act;
- "?aqam Matrimonial Real Property Law" means the ?aqam Matrimonial Real Property Law, 2015;
- "wunmanam u?nam (arrears)" means a sum of money that is owed by an ?aqamnik (member) to ?aqam and consists of one (1) or more of the following types of payments:
 - (a) wunmanamu?is ?a·kitla?nam (unpaid rent payments);
 - (b) wunmanamu?nam k¢xał ?isnam ?a·kitła?nam (unpaid mortgage payments); or
 - (c) wunmanamu?nam kqa?itinmaka?nii? yaqał ?itnik¢iłki qapsins (unpaid payments for

- services in relation to an ?aqam-owned rental property);
- "wunmanamu?nam (bad debt)" means any sum of money that is owed by an ?aqamnik (member) to ?aqam through either lending or revenue receivable by ?aqam and is one (1) or more days overdue to be paid to ?aqam;
- "Canada Lands Surveys Act" means the Canada Lands Surveys Act, R.S.C., 1985, c. L-6;
- "Canadian Environmental Assessment Act" means the Canadian Environmental Assessment Act, S.C. 2012, c. 19, s.52;
- "Kituqtitqat kitkin ?a knumu¢titit (certificate of possession)" means a certificate of possession issued by:
 - (a) the Minister, pursuant to subsection 20(2) of the *Indian Act*, to an ?aqamnik (member) who is lawfully in possession of ?aqam ?amak (?aqam Lands) as evidence of that ?aqamnik (member) right to possession of the land described in the certificate of possession; or
 - (b) Council, pursuant to section 12 of this ?a·knumu¢titłił (Law), to an ?aqamnik (member) who is lawfully in possession of ?aqam ?amak (?aqam Lands) as evidence of that ?aqamnik (member) right to possession of the lands described in the certificate of possession;
- "Constitution Act" means the Constitution Act, 1982, being Schedule B to the Canada Act 1982 (UK), 1982, c 11;
- "ʔiłwatnaʔis ʔaqam (Council)" means the Chief and Council of ʔaqam;
- "?akiskaqli?it (Cranbrook)" means where two ram horns lay, and in this ?a·knumu¢titlil (Law) refers to the City of Cranbrook, which is a City incorporated in the Province of British Columbia;
- "pikaknik ?at ma nut yaqakit haqa?ki (cultural heritage site)" has the same meaning as set out in the ?aqam Amended Land Code, 2016;
- "encumbrance" means a legally recognized right to or interest in ?aqam ?amak (?aqam Lands) that is nituqtiqat (registered) in the Yaqawxat ?ituqtiqa kanuhus ?aqtsmaknik ?amak?is (First Nation Land Register);
- "k¢i·katił yagałi?itki (environmental assessment)" means:
 - (a) if ?aqam has enacted its own environmental assessment law, an environmental assessment conducted in accordance with that environmental assessment law; or
 - (b) if ?aqam has not enacted its own environmental assessment law, an environmental assessment conducted either:

- (i) by Canada, or
- (ii) by ?aqam in accordance with an environmental review policy that is approved by ?iłwatna?is ?aqam (Council);
- "yaqawxał ?ituqłiłqa kanuhus ?aqłsmaknik ?amak?is (First Nation Land Register)" means the register maintained by the Department of Indigenous and Northern Affairs Canada pursuant to section 25 of the First Nations Land Management Act;
- "First Nations Land Management Act" means the First Nations Land Management Act, S.C. 1999, c. 24;
- "Framework Agreement" means the Framework Agreement on First Nations Land Management entered into between the Minister of Indigenous and Northern Affairs Canada and the Chiefs of fourteen First Nations, on February 12, 1996, as amended;
- "Indian Act" means the Indian Act, R.S.C., 1985, c. I-5;
- "Individual Agreement" means the Individual Transfer Agreement entered into between ?aqam and Canada in accordance with clause 6.1 of the Framework Agreement and subsection 6(3) of the First Nations Land Management Act;
- "kiʔłist wunmanamuʔs (in good standing)" means does not owe any wunmanam uʔnam (arrears) or wunmanamuʔnam (bad debt) to ʔaḍam;
- "kamatik¢ił ?amaks (interest holder)" means a person who is the owner of an interest in ?aqam ?amak (?aqam Lands) that is defined in a land instrument and registered in the Yaqawxał ?ituqtilqa kanuhus ?aqłsmaknik ?amak?is (First Nation Land Register), but does not include kamatik¢ił ?amaks (an allotment holder) in relation to their kawi¢kinił ?amaks (allotment);
- "kitqawi¢niłwiytiyam ka ?amaknała (Lands Committee)" means the Lands Committee established under Part 6 of the *?aqam Amended Land Code*;
- "kyaptawxakinił kqali-kniyam ?amak (Lands Department)" means the office established by ?iłwatna?is ?aqam (Council) to assist in the management and administration of ?aqam ?amak (?aqam Lands) pursuant to Part 6 of the ?aqam Amended Land Code;
- "yaqał ?up¢i?tił ka ?amaknała (legal description)" means a land description that consists exclusively of a reference to one (1) or more complete parcels on a registration plan or offic ia I plan;
- "?aqamnik (member)" means 'people of the dense forest', and means a person whose name appears or whose name is entitled to appear on the ?aqam membership list;
- "?aktanat ?in¢i?tit (non-substantive amendment) means an amendment to this ?a knumu¢tittit (Law) that does nothing more than:

- (a) correct typographical or other editorial errors that were not caught during the initial drafting process;
- (b) amend this ?a·knumu¢titlil (Law) to incorporate into it a Ktunaxa term that has the same meaning as the English term used in this ?a·knumu¢titlil (Law); or
- (b) bring this ?a knumu¢tit†i† (Law) into compliance with changes in the laws of ?aqam, Canada or the Province;
- "Office of the Adjudicator" means the Office of the Adjudicator established under section 39 of the *Pagam Amended Land Code*;
- "Punik kitnilwiytiyam (official plan)" means a graphical description of boundaries of land prepared from field notes of a survey confirmed under section 29 of the Canada Land Surveys Act;
- "quntkaxu?mik ?amak (parcel of land)" means a parcel of ?aqam Land;
- "nituqtitqat (registered)" means validly registered in the Yaqawxat ?ituqtitqa kanuhus ?aqtsmaknik ?amak?is (First Nation Land Register);
- "kituqtitkut kitnitwiytiyam (registration plan)" means a graphical description of the boundaries of land shown on a plan made by the Surveyor General under section 31 of the Canada Land Surveys Act;
- "?ałaqałtitmu ?a·kitła?nam (residential home)" means a structure or building that is intended to be used for, and is suitable to be used as, living accommodations, including a house, mobile home, cottage or cabin;
- "nituqtitkut (sketch)" means a scaled drawing that shows:
 - (a) a proposed kawi¢kinił ?amaks (allotment) lot, including the distance of the lot in width, length and area;
 - (b) the location of any existing and proposed residential homes on the proposed kawi¢kinił ?amaks (allotment) lot, including the distance between residential homes and the distance of each residential home from lot lines;
 - (c) proposed and existing landscaping and fencing;
 - (d) the location of any watercourses and the distance between watercourses and any existing or proposed residential home; and
 - (e) existing and proposed parking areas, loading spaces and driveways; and

"kup¢i?til quntkaxu?mik ?amaks (survey)" means a survey conducted by a Canada Lands Surveyor under the Canada Lands Surveys Act.

Ku¢inlilat (Interpretation)

- 3. This ?a knumu¢titlil (Law) must be interpreted in a fair, large and liberal manner.
- 4.In this ?a·knumu¢titlil (Law):
- (a) the use of the word "must" denotes an obligation that, unless this ?a·knumu¢titlil (Law) provides to the contrary, must be carried out as soon as practicable after this ?a·knumu¢titlil (Law) comes into effect or an event gives rise to the obligation under this ?a·knumu¢titlil (Law);
- (b) unless it is otherwise clear from the context, the use of the word "including" means "including, but not limited to", and the use of the word "includes" means "includes, but is not limited to";
- (c) headings and subheadings are for convenience only, do not form a part of this ?a·knumu¢titlit (Law) and in no way define, limit, alter or enlarge the scope or meaning of any provision of this ?a·knumu¢titlit (Law);
- (d) a reference to a statute includes every amendment to it, every regulation made under it and any law enacted in substitution for it or in replacement of it;
- (e) a reference to a government office includes every successor government office and a reference to a government official includes every successor government official;
- (f) unless it is otherwise clear from the context, the use of the singular includes the plural, and the use of the plural includes the singular;
- (g) unless it is otherwise clear from the context, the use of the masculine includes the feminine, and the use of the feminine includes the masculine;
- (h) where a time is expressed to begin or end at, on or with a specified day, or to continue to or until a specified day, the time includes that day;
- (i) where a time is expressed to begin after or to be from a specified day, the time does not include that day; and
- (j) where anything is to be done within a time after, from, of or before a specified day, the time does not include that day.

Nitnumu¢tiłni ?a·knumu¢titlił (Application of Law)

- 5. This ?a·knumu¢tit†i† (Law) applies to all ?aqam ?amak (?aqam Lands).
- 6. Where any ?a·knumu¢titłił (law) or regulation of Canada or the Province or any other ?aḍam law applies to any matter covered by this ?a·knumu¢titłił (Law), compliance with this ?a·knumu¢titłił (Law) does not relieve the person from also complying with the provisions of the other applicable laws or regulations.

7. If any provision of this ?a·knumu¢titlil (Law) is held invalid by a court of competent jurisdiction, the invalid provision must be severed from and must not affect the remaining provisions of this ?a·knumu¢titlil (Law).

PART III KAWIÇKINIŁ 2AMAKS (ALLOTMENTS)

kitkinił kawi¢kinił ?amaks (Creation of Allotments)

- 8. (1) Kawi¢kinił ?amaks (an allotment):
- (a) must be created, granted, disposed of, assigned or transferred by a land instrument and in accordance with this ?a·knumu¢titlil (Law);
- (b) may only be granted, disposed of, assigned or transferred to ?aqam or to one or more ?aqamnik (members);
- (c) must only be allotted under this ?a·knumu¢titlil (Law) for a residential purpose;
- (d) must not exceed one (1) acre in size at the time it is allotted;
- (e) must only be allotted under this ?a·knumu¢titlil (Law) to a person who already is kamatik¢il ?amaks (an allotment holder) if that person's existing kawi¢kinil ?amaks (allotment) has an occupied residential home located on it; and
- (f) may be subject to any condition deemed necessary or advisable by ?ifwaina?is ?aqam (Council).
- (2) For greater certainty, kawi¢kinił ?amaks (an allotment) must not be granted to a legal entity other than to ?aqam or to one or more ?aqamnik (members).

kisinwi¢kin kamatik¢ił ?amaks (Entitlements of Allotment Holder)

- 9. Subject to ?aqam laws, by-laws and policies, kamatik¢ił ?amaks (an allotment holder) is entitled to:
 - (a) permanent possession of their kawi¢kinil ?amaks (allotment);
 - (b) benefit from the resources in and of their kawi¢kinił ?amaks (allotment);
 - (c) grant subsidiary interests, licences and permits in their kawi¢kinił ?amaks (allotment);
 - (d) transfer, devise or otherwise dispose of their kawi¢kinił ?amaks (allotment) to another ?aqamnik (member); and
 - (e) any other rights consistent with the *?aqam Amended Land Code* that are attached to kituqʻtilqa† kitkin ?a knumu¢ti†i† (certificates of possession) under the *Indian Act*.

?amak?is ?a·kiklulmukul ¢qaqlatl ?isni (Reserve Land Status Remains)

10. ?aqam ?amak (?aqam Lands) in which a ?aqamnik (member) holds kawi¢kinił ?amaks (an allotment) continue to be lands reserved for the Indians within the meaning of subsection 91(24) of the Constitution Act.

nisnik¢ik kamatik¢ił ?amaks (Responsibilities of Allotment Holder)

- 11. kamatik¢ił ?amaks (an allotment holder) is responsible for:
- (a) insurance and maintenance of their kawi¢kinił ?amaks (allotment);
- (b) insurance, maintenance and repairs for structures and residential homes on their kawi¢kinił ?amaks (allotment);
- (c) managing and monitoring any interests, licences or permits granted over their kawi¢kinit ?amaks (allotment);
- (d) where there are changes to ownership of their kawi¢kinił ?amaks (allotment), providing all relevant fees and information to the kyapławxakinił kqałi·kniyam ?amak (Lands Department) so such changes may be nituqłilqał (registered) with the Yaqawxał ?ituqłilqa kanuhus ?aqłsmaknik ?amak?is (First Nation Land Register); and
- (e) ensuring all uses of their kawi¢kinił ?amaks (allotment) comply with ?aqam laws and by-laws, policies and all applicable laws or regulations of Canada or the Province.

Kituqlilqal kitkin ?a knumu¢tilil (Certificates of Possession)

- 12. At the request of a kamatik¢ił ?amaks (an allotment holder), and every time a new kawi¢kinił ?amaks (allotment) is granted, ?iłwatna?is ?aq́am (Council) must issue the kamatik¢ił ?amaks (allotment holder) a Kituqłiłqał kitkin ?a knumu¢tilił (certificate of possession) as evidence of the kamatik¢ił ?amaks (allotment holder's) lawful possession of the ?aq́am ?amak (?aq́am Lands) therein.
- 13. Any person who at the time this ?a·knumu¢titlit (Law) is enacted holds a valid and subsisting Kituqtitqat kitkin ?a·knumu¢titlit (certificate of possession), or has a right to acquire a Kituqtitqat kitkin ?a·knumu¢titlit (certificate of possession), pursuant to the *Indian Act* must be deemed to be:
 - (a) lawfully in possession of the land to which the Kituqtilqat kitkin ?a knumu¢titit (certificate of possession) relates; and
 - (b) kamatik¢il ?amaks (an allotment holder) with respect to those lands.

PART IV ?USMIK KNIŁWIYTIYAM

(Pre-Allotment Procedures)

k¢maknilwiytiyam kawi¢kinil ?amaks (Application for Allotment)

- 14. A ʔaqamnik (member) who is kiʔłist wunmanamuʔs (in good standing) may apply for kawi¢kinił ʔamaks (an allotment) of ʔaqam Community Lands by submitting a k¢makniłwiyt i ya m (application) that contains the following information to the kyaptawxakinił kqałi kniyam ʔamak (Lands Department), in a form approved by ʔiłwatnaʔis ʔaqam (Council):
 - (a) the full legal name, membership number and mailing address of the k¢maknilwi·tik (applicant);
 - (b) a description and nituqtitkut (sketch) of the requested kawi¢kinit ?amaks (allotment);
 - (c) information on any known interests or rights held by third parties in or to the requested kawi¢kinił ?amaks (allotment);
 - (d) a description of all structures and residential homes the k¢maknitwi·tik (applicant) proposes to construct on the requested kawi¢kinit ?amaks (allotment) and a cost estimate for such construction;

(e) either:

- (i) evidence in a form approved by ?ilwaina?is ?aqam (Council) that shows the k¢maknilwi·tik (applicant) has sufficient funds to construct the proposed structures and residential homes, or
- (ii) evidence of a privately obtained construction mortgage pre-approval that:
 - (A) covers the estimated costs of construction for the proposed structures and residential homes;
 - (B) is in the k¢maknitwi tik (applicant's) name;
 - (C) is a current pre-approval that has not expired; and
 - (D) is accompanied by a written authorization granting the entity that provided the k¢makniłwi·tik (applicant's) mortgage pre-approval permission to confirm the authenticity of that mortgage pre-approval with ?aqam; and
- (f) a statement setting out:
 - (i) whether the k¢maknilwi·tik (applicant) is the owner of an existing kawi¢kinił ?amaks (allotment), and
 - (ii) if the k¢maknilwi·tik (applicant) owns an existing kawi¢kinil ?amaks (allotment), details of whether there is an occupied residential home constructed on that kawi¢kinil ?amaks (allotment).

Kusmukusał ¢i· katił k¢maknilwiytiyam (Preliminary Application Review)

- 15. Within thirty (30) days of receiving a k¢makniłwiytiyam (application), the kyaptawxakinił kqałi kniyam ?amak (Lands Department) must:
 - (a) verify the k¢makniłwi·tik (applicant's) identity and whether the k¢makniłwi·tik (applicant) is an ?aqamnik (member) and if the k¢makniłwi·tik (applicant) is not an ?aqamnik (member) advise the k¢makniłwi·tik (applicant) that they are not eligible to apply for kawi¢kinił ?amaks (an allotment);
 - (b) determine whether the k¢maknilwi·tik (applicant) is kiʔlist wunmanamuʔs (in good standing) and if the k¢maknilwi·tik (applicant) is not kiʔlist wunmanamuʔs (in good standing) advise the k¢maknilwi·tik (applicant) that they are not eligible to apply for kawi¢kinil ʔamaks (an allotment) until they are kiʔlist wunmanamuʔs (in good standing); and
 - (c) if the k¢maknilwi·tik (applicant) is an ʔaqamnik (member) and is kiʔlist wunmanamuʔs (in good standing):
 - (i) determine whether the requested kawi¢kinił ?amaks (allotment) is ?aqam Community Lands,
 - (ii) determine whether the requested kawi¢kinił ?amaks (allotment) is already kup¢i?tił quntkaxu?mik ?amaks (surveyed) and if it is kup¢i?tił quntkaxu?mik ?amaks (surveyed) order a copy of the kup¢i?til quntkaxu?mik ?amaks (survey),
 - (iii) complete a parcel abstract report to determine whether there are any known encumbrances and obtain copies of all encumbrances on the requested kawi¢kinił ?amaks (allotment),
 - (iv) determine whether the requested kawi¢kinił ?amaks (allotment) has within it a pikaknik ?at ma nuł yaqakił haqa?ki (cultural heritage site) identified in a land use plan,
 - (v) enquire into whether the requested kawi¢kinił ?amaks (allotment) may impact on any development plans that have been approved by ?iłwałna?is ?aqam (Council),
 - (vi) confirm the authenticity of the k¢makniłwi tik (applicant's) mortgage pre-approval, or the k¢makniłwi tik (applicant) capacity to otherwise fund the construction of the proposed structures and residential homes,
 - (vii) if the k¢maknitwi tik (applicant) is already the owner of kawi¢kinit ?amaks (an allotment), confirm that their existing kawi¢kinit ?amaks (allotment) has an occupied residential home on it,
 - (viii) identify the ?aqam laws, by-laws and policies that apply to the k¢maknilwiytiyam (application), including any zoning laws, land use plans, environmental management plans and environmental assessment requirements, and
 - (ix) conduct a site visit to the requested kawi¢kinił ?amaks (allotment) to assess the status of those lands.

k¢i·katil kitqawi¢nilwiytiyam ka ?amaknala ¢xal yaqanikitki (Lands Committee Review and Recommendation)

- 16. No later than the end of the kitqawi¢niłwiytiyam ka ʔamaknała (Lands Committee) meeting that follows the 30th day after the kyaptawxakinił kqałi·kniyam ʔamak (Lands Department) receives a k¢makniłwiytiyam (application) from an eligible applicant, the kyaptawxakinił kqałi·kniyam ʔamak (Lands Department) must:
 - (a) provide the kitqawi¢niłwiytiyam ka ʔamaknała (Lands Committee) with:
 - (i) all information obtained under section 15, and
 - (ii) the k¢maknilwiytiyam (application); and
 - (b) obtain from the kitqawi¢nitwiytiyam ka ?amaknała (Lands Committee) a recommendation on whether ?ilwałna?is ?aqam (Council) should grant the requested kawi¢kinit ?amaks (allotment).

ktuq¢qakilil ?ilwaina?is (Report to Council)

- 17. At the ?iłwaina?is ?aqam (Council) meeting that follows the receipt of a recommendation from the kitqawi¢ niłwiytiyam ka ?amaknała (Lands Committee) under section 16, the kyaptawxakinił kqałi kniyam ?amak (Lands Department) must report to ?iłwaina?is ?aqam (Council) with the following information:
 - (a) a copy of the k¢maknilwiytiyam (application);
 - (b) a copy of any historical land instruments, or known claims being made by ?aqamnik (a member), over the requested kawi¢kinił ?amaks (allotment);
 - (c) details of any relevant ?aqam laws, bylaws or policies that apply to the k¢maknilwiytiyam (application), including zoning laws, land use plans, environmental management plans, or environmental assessment requirements;
 - (d) details of whether the requested kawi¢kinił ?amaks (allotment) is within ?aqam Community Lands;
 - (e) a copy of a kup¢i?tił quntkaxu?mik ?amaks (survey) or nituqtitkut (sketch) of the requested kawi¢kinit ?amaks (allotment);
 - (f) a copy of any known encumbrances on the requested kawi¢kinił ?amaks (allotment);
 - (g) details of any known environmental concerns with regard to granting the requested kawi¢kinił ?amaks (allotment);
 - (h) details of whether the requested kawi¢kinił ?amaks (allotment) has within it a pikaknik ?at ma nuł yaqakił haqa?ki (cultural heritage site) identified in a land use plan;
 - (i) any development plans that may be impacted by the granting of the requested kawi¢kinił ?amaks (allotment);
 - (j) the kyaptawxakinił kqałi kniyam ?amak (Lands Department's) site visit observations;
 - (k) details of whether any existing kawi¢kinił ?amaks (allotment) owned by the k¢makniłwi·tik (applicant) have occupied residential buildings on them; and

(l) the kitqawi¢niłwiytiyam ka ʔamaknała (Lands Committee) recommendation on whether to grant the requested kawi¢kinił ʔamaks (allotment).

nitnumu¢tilil ?usmukusal qayaqakinil kawi¢kinil ?amak (Criteria on Decision to Preliminarily Grant an Allotment)

- 18. (1) ?iłwałna?is ?aqam (Council) must ensure the following conditions are met before making a decision to preliminarily grant a requested kawi¢kinił ?amaks (allotment):
 - (a) the k¢maknitwi tik (applicant) must be a ?aqamnik (member);
 - (b) granting of the requested kawi¢kinił ?amaks (allotment) must be consistent with the best interests of ?aqam;
 - (c) the requested kawi¢kinił ?amaks (allotment) must be within ?aqam Community Lands;
 - (d) there must be a kup¢i?tił quntkaxu?mik ?amaks (survey) or nituqłiłkuł (sketch) of the requested kawi¢kinił ?amaks (allotment);
 - (e) the requested kawi¢kinił ?amaks (allotment) must contain a suitable potable water source;
 - (f) the requested kawi¢kinił ?amaks (allotment) must not be located within a recognized floodplain;
 - (g) the k¢maknitwi tik (applicant) must have either:
 - (i) provided evidence in a form approved by ?iłwatna?is ?aqam (Council) that shows the k¢maknilwi·tik (applicant) has sufficient funds to construct the proposed structures and residential homes, or
 - (ii) provided evidence of a privately obtained construction mortgage pre-approval, checked for authentication by the kyaptawxakinił kqałi·kniyam ?amak (Lands Department), that:
 - (A) covers the estimated costs of construction for the proposed structures and residential homes,
 - (B) is in the k¢maknilwi tik (applicant)'s name, and
 - (C) is a current pre-approval that has not expired;
 - (h) there must be legal access to the requested kawi¢kinił ?amaks (allotment), unless exceptional circumstances exist and ?iłwatna?is ?aqam (Council) grants an exception to this requirement;
 - (i) the requested kawi¢kinił ?amaks (allotment) must not overlap or be inconsistent with known encumbrances, unless the kamatik¢ił ?amaks (interest holder) for the known encumbrance has provided a written letter setting out that they agree to the kawi¢kinił ?amaks (allotment);
 - (j) the requested kawi¢kinił ?amaks (allotment) must not adversely impact on development plans which have already been approved by ?iłwatna?is ?aq́am (Council);
 - (k) if the k¢maknitwi tik (applicant) is the owner of an existing kawi¢kinit ?amaks (allotment), there must be an occupied residential home on that kawi¢kinit ?amaks (allotment);

- (I) granting of the requested kawi¢kinił ?amaks (allotment) must be in compliance with ?aqam laws, by-laws and policies that apply to the k¢makniłwiytiyam (application), including any zoning laws, land use plans, environmental management plans and environmental assessment requirements; and
- (m) if ?aqam has provided a guarantee for a mortgage relating to a ?a†aqa†titmu ?a·kit†a?nam (residential home) on the requested kawi¢kini† ?amaks (allotment), the final approval must be conditional on that mortgage being discharged.
- (2) A band council resolution that is used by ?iłwatna?is ?aqam (Council) to preliminarily allot a quntkaxu?mik ?amak (parcel of land) must include the following information:
- (a) the full legal name and membership number of the kémaknitwi tik (applicant);
- (b) the section of this ?a;knumu¢titłił (Law) under which the kawi¢kinił ?amaks (allotment) will be made if the k¢makniłwi·tik (applicant) meets the conditions set out in the band council resolution;
- (c) a description, and attached nituqtilkut (sketch), of the ?aqam Community Lands that ?itwatna?is ?aqam (Council) will allot to the k¢maknitwi·tik (applicant) if the k¢maknitwi·tik (applicant) meets the conditions set out in the band council resolution;
- (d) a statement setting out that a preliminary decision has been made to allot the requested kawi¢kinił ?amaks (allotment) to the k¢makniłwi·tik (applicant), conditional on the k¢makniłwi·tik (applicant) at their own expense and within the earlier of two (2) years and the date that any financing agreement that the k¢makniłwi·tik (applicant) has expires:
 - (i) providing ?iłwaina?is ?aqam (Council) with a legal description of the requested kawi¢kinił ?amaks (allotment) that refers to a registered plan or official plan and that shows there are no overlapping or inconsistent encumbrances on the requested kawi¢kinił ?amaks (allotment),
 - (ii) providing ?itwatna?is ?aqam (Council) with plans for the construction of a ?ataqattitmu ?a·kitta?nam (residential home) on the requested kawi¢kinit ?amaks (allotment),
 - (iii) providing ?itwatna?is ?aqam (Council) with the name and contact information of the person who will be responsible for constructing the ?ataqattitmu ?a·kitta?nam (residential home),
 - (iv) obtaining all relevant building and other permits for the construction of the ?ałaqałtitmu ?a·kitła?nam (residential home) on the requested kawi¢kinił ?amaks (allotment),
 - (v) obtaining approval from ?iłwałna?is ?aqam (Council) of the plans for construction of the ?ałaqałtitmu ?a·kitla?nam (residential home) on the requested kawi¢kinił ?amaks (allotment),
 - (vi) complying with any environmental assessment policy or law developed by ?ilwaina?is ?aqam (Council),
 - (vii) constructing the ?alaqaltitmu ?a·kitla?nam (residential home) on the requested kawi¢kinil ?amaks (allotment), unless a longer timeframe for completing this has been approved by ?ilwatna?is ?aqam (Council); and
 - (viii) being in good standing;

- (e) a statement setting out that if ?aqam has provided a guarantee for a mortgage relating to a ?alaqaltitmu ?a·kitla?nam (residential home) on the requested kawi¢kinił ?amaks (allotment), the final approval is conditional on that mortgage being discharged;
- (f) a statement setting out that until such time as one or more of the timeframes relating to conditions set out in the band council resolution expire, ?aqam will not grant any interest or licence in or to the ?aqam Community Lands to which the k¢maknilwiytiyam (application) relates to another person without the written consent of the k¢maknilwi tik (applicant);
- (g) a statement setting out that if any one (1) or more of the conditions set out in the band council resolution are not met within the required timeframes, or if the k¢maknilwi tik (applicant) is not in good standing at the expiry of the timeframes for the conditions set out in the band council resolution:
 - (i) the preliminary decision of ?iłwałna?is ?aqam (Council) to grant the kawi¢kinił ?amaks (allotment) to that ?aqamnik (member) will expire,
 - (ii) the k¢maknilwi·tik (applicant) will be required to make a new application to pursue kawi¢kinil ?amaks (an allotment),
 - (iii) ?aqam will not be responsible to the k¢maknilwi·tik (applicant) or any third party for losses, damages, liabilities or costs in relation to the k¢maknilwi·tik (applicant)'s failure to comply with the conditions in the band council resolution, and
 - (iv) ?aqam will be free to grant interests or licences in or to the ?aqam Community Lands to which the k¢maknilwiytiyam (application) relates without the consent of, and without providing notice to, the k¢maknilwi tik (applicant).

Nislilganumuetilni ?ilwaina?is ?agam (Decision by Council)

19. (1) At the next duly convened meeting of ?iłważna?is ?aqam (Council) following its receipt of a report from the kyapławxakinił kqałi·kniyam ?amak (Lands Department) under section 17, ?iłważna?is ?aqam (Council) must:

(a) either:

- (i) pass a band council resolution that sets out ?iłwałna?is ?aqam (Council's) decision to preliminarily approve the kawi¢kinił ?amaks (allotment) and the conditions required under subsection 18(2) that must be complied with before ?iłwałna?is ?aqam (Council) will grant a final kawi¢kinił ?amaks (allotment), or
- (ii) pass a band council resolution that sets out ?itwatna?is ?aqam (Council's) decision to deny the application and ?itwatna?is ?aqam (Council's) reasons for such denial; and
- (b) advise the kyaptawxakinił kqali kniyam ?amak (Lands Department) of their decision pursuant to subsection (a).
- (2) As soon as practicable after ?ilwaina?is ?aqam (Council) makes a decision under subsection (1), the kyapiawxakinił kqali·kniyam ?amak (Lands Department) must provide to the k¢makniłwi·tik (applicant) a copy of the band council resolution.
- (3) Where a decision is made by ?ilwaina?is ?aqam (Council) under paragraph (1)(a) and the k¢maknilwi·tik (applicant) dies prior to a final kawi¢kinil ?amaks (allotment) being granted, the

k¢maknilwi·tik (applicant's) heirs are entitled to the rights and obligations set out in the band council resolution.

, ¢ikmalinkin kawi¢kinił ?amaks (Exchange of Allotted Lands)

- 20. (1) ?aqam may, by written agreement with kamatik¢ił ?amaks (an allotment holder), exchange a parcel of ?aqam Community Lands for kawi¢kinił ?amaks (an allotment) without complying with sections 14 to 19, provided that:
 - (a) the lands being exchanged are of approximate equal appraised value; or
 - (b) ?iłwałna?is ?aqam (Council) has determined that although the lands being exchanged are not of approximate equal appraised value, the land exchange is in the best interests of ?aqam and serves a community purpose.
- (2) Where ?itwatna?is ?aqam (Council) and kamatik¢it ?amaks (an allotment holder) agree under subsection (1) to exchange a parcel of ?aqam Community Lands for kawi¢kinit ?amaks (an allotment):
 - (a) the kawi¢kinił ?amaks (allotment) must be cancelled and all rights and interests in the kawi¢kinił ?amaks (allotment) must revert to ?aqam; and
 - (b) the processes under sections 22 to 25 of this ?a·knumu¢tit†it (Law) must be followed to allot the parcel of ?aqam Community Lands to the ?aqamnik (member).

, , Kitqawxawi¢ikimik kawi¢kinił ?amaks (Allotment Pursuant to an Agreement)

- 21.(1) ?aqam may allot a member a parcel of land without complying with sections 14 to 19 where such kawi¢kinił ?amaks (allotment) is required in order to comply with:
 - (a) an agreement between ?aqam and a member that is in existence at the time this ?a knumu¢titlil (Law) comes into effect and is recognized by ?ilwatna?is ?aqam (Council) as a binding agreement; or
 - (b) a written rent to own agreement between ?aqam and a ?aqamnik (member).
- (2) Where ?iłwałna?is ?aqam (Council) allots a ?aqamnik (member) a quntkaxu?mik ?amak (parcel of land) under subsection (1), the processes under sections 22 to 25 of this ?a knumu¢titlil (Law) must be followed to give effect to the kawi¢kinił ?amaks (allotment).

PART V KAWI©KINIŁ ?AMAKS ?ISŁIŁQANUMU©TIŁ (Allotment Procedure)

Nitnilwi tik kawi¢kinil ?amaks (Final Allotment Decision)

- 22. Where ?itwatna?is ?aqam (Council):
- (a) preliminarily approves the granting of kawi¢kinił ?amaks (an allotment) under section 19 and is satisfied that the k¢makniłwi•tik (applicant) has complied with all conditions for the final granting of that kawi¢kinił ?amaks (allotment);
- (b) agrees to kawi¢kinił ?amaks (an allotment) pursuant to an exchange of land under section 20; or
- (c) agrees to kawi¢kinił ?amaks (an allotment) pursuant to an agreement under section 21, ?ilwałna?is ?aqam (Council) must:
- (d) pass a band council resolution that approves the kawi¢kinił ?amaks (allotment) and sets out:
 - (i) the section of this ?a·knumu¢tit†i† (Law) under which the kawi¢kini† ?amaks (allotment) is being made,
 - (ii) the full legal name and membership number of the new kamatik¢ił ?amaks (allotment holder),
 - (iii) a legal description of the kawi¢kinił ?amaks (allotment) that refers to a registered plan or official plan,
 - (iv) a list of all encumbrances on the kawi¢kinił ?amaks (allotment),
 - (v) the number forming a quorum of ?itwatna?is ?agam (Council),
 - (vi) signature lines for the ?ilwaina?is ?aqam (Council) in favor of the band council resolution, and
 - (vii) the date of the ?ilwatna?is ?aqam (Council) meeting;
- (e) prepare, or cause to be prepared, a land instrument granting the kawi¢kinił ?amaks (allotment) to the k¢makniłwi·tik (applicant);
- (f) prepare, or cause to be prepared, a Kituqtilqat kitkin ?a·knumu¢titit (certificate of possession) for the k¢maknitwi·tik (applicant); and
- (g) prepare, or cause to be prepared, and send, a confirmation letter to the k¢maknilwi·tik (applicant) that:
 - (i) sets out ?ilwatna?is ?aqam (Council) has approved the kawi¢kinil ?amaks (allotment), and
 - (ii) invites the k¢maknitwi·tik (applicant) to contact ?aqam to execute the land instrument.

¢i·katapni k¢makniłwi·tik (Response to Applicant)

- 23. Where ?iłwałna?is ?aqam (Council) preliminarily approves the granting of a kawi¢kinił ?amaks (an allotment) under section 19, and determines that the k¢makniłwi tik (applicant) has not complied with all conditions for the final granting of that kawi¢kinił ?amaks (allotment), Council must either:
 - (a) prepare, or cause to be prepared, and provide a letter to the k¢maknilwi tik (applicant) denying the granting of the kawi¢kinił ?amaks (allotment) and setting out the reasons for such denial; or
 - (b) pass a band council resolution extending the time that the k¢maknilwi-tik (applicant) has to comply with all conditions for the final granting of that kawi¢kinil ?amaks (allotment) and provide the k¢maknilwi-tik (applicant) a copy of that band council resolution.

?itnumu¢til (Execution)

24. A land instrument that grants kawi¢kinił ?amaks (an allotment) is not valid unless it is signed by the k¢makniłwi tik (applicant) and by a person who is authorized by a quorum of ?ilwaina?is ?aqam (Council) to sign the land instrument on behalf of ?aqam.

kituqlilkul (Registration)

- 25. Where ?iłwatna?is ?adam (Council) approves kawi¢kinił ?amaks (an allotment), ?iłwatna?is ?adam (Council) must ensure the following documents are registered in the Yaqawxał ?itudłilqa kanuhus ?aqłsmaknik ?amak?is (First Nation Land Register):
 - (a) the band council resolution approving the kawi¢kinił ?amaks (allotment); and
 - (b) the land instrument granting the kawi¢kinił ?amaks (allotment).

Yaqasusal ?itnumu¢tililki kawi¢kinil ?amaks (When Allotment Takes Effect)

26. kawi¢kinił ?amaks (An allotment) takes effect at the time the land instrument granting the kawi¢kinił ?amaks (allotment) is nituqłiłqał (registered) in the Yaqawxał ?ituqłiłqa kanuhus ?aqłsmaknik ?amak?is (First Nation Land Register).

Nakamxuni qa?ni kawi¢kinił ?amaks (Effect of an Allotment)

- 27. kawi¢kinił ?amaks (An allotment), as long as it remains in force and not cancelled, is conclusive evidence against ?aqam and all other persons that the person named in the land instrument is indefeasibly entitled, subject to ?aqam laws and by-laws, to:
 - (a) permanent possession of the land;
 - (b) benefit from the resources in and of the land;
 - (c) grant subsidiary interests, licences and permits in the land;
 - (d) transfer, devise or otherwise dispose of the land to another ?aqamnik (member); and
 - (e) any other rights, consistent with the *?aqam Amended Land Code* or that are attached to Certificates of Possession under the *Indian Act*.

, PART VI KAKINIŁ KAWIĆKINIŁ PAMAKS

(Cancellation of Allotment)

?ilqanakinil kawi¢kin ?amaks (Power to Cancel an Allotment)

- 28. ?ilwatna?is ?aqam (Council) may cancel a kawi¢kinit ?amaks (an allotment):
- (a) if ?ilwaina?is ?aqam (Council) granted the kawi¢kinił ?amaks (allotment) in error, by mistake, or by fraud; or
- (b) by agreement with the kamatikeit ?amaks (allotment holder).

?a·knumu¢titlil ¢ kitnumu¢tilil (Regulations and Policies)

- 29. ?itwatna?is ?aqam (Council) may make a regulation or policy that:
- (a) sets out the procedures that apply to the implementation of this ?a·knumu¢tit†it (Law);
- (b) sets out the procedures that apply to the cancellation of kawi¢kinił ?amaks (an allotment); and
- (c) prescribes forms for use in the cancellation of kawi¢kinit ?amaks (an allotment).

?ilqanakinil yaqasusal ?itnumu¢tililki (When Cancellation Takes Effect)

30. kawi¢kinił ?amaks (An allotment) is deemed cancelled at the time the cancellation is nituq̂titqał (registered) in the Yaqawxał ?ituq̂titqa kanuhus ?aqłsmaknik ?amak?is (First Nation Land Register).

Ni ?ilqanakinił ¢xał hakamxuni qa?ni (Effect of Cancellation)

31. At the time of cancellation, the lawful possession of kawi¢kinił ?amaks (an allotment) reverts to ?aqam and all the rights and obligations related to interests and licences in or to that kawi¢kinił ?amaks (allotment) are transferred to ?aqam.

PART VII

QAYAQAKNIK¢IŁ ¢ KAMATIK¢IŁ KAWI¢KINIŁ ?AMAKS ¢ YAQAŁ KIŁKINIŁKI ?AMAK

(Transfers of Allotments and Granting Interests and Licences in Allotments)

qayaqaknik¢ił k¢i?sin kawi¢kinił ?amaks ni ?upnam (Transfer of Allotment on Death)

- 32. The transfer of a kawi¢kinił ?amaks (an allotment) on death of the kamatik¢ił ?amaks (allotment holder) must be:
 - (a) in accordance with the Indian Act; and

(b) registered in the Yaqawxał ?ituqłiłqa kanuhus ?aqłsmaknik ?amak?is (First Nation Land Register).

qayaqaknik¢ilayaqaknik¢ilaykawi¢kinilyaqalakilkinilki aknik (Transfer of Allotments and Granting of Interests in Allotments)

- 33. Every transfer of kawi¢kinił ?amaks (an allotment) and every grant of an interest or licence in or to kawi¢kinił ?amaks (an allotment) must:
 - (a) comply with ?aqam laws, by-laws and policies, including any zoning laws, land use plans, environmental management plans and environmental assessment requirements; and
 - (b) be nituqtitqat (registered) in the Yaqawxat ?ituqtitqa kanuhus ?aqtsmaknik ?amak?is (First Nation Land Register).

Ksu?k¢it ?ilwatna?is ?aqam (Consent of Council Requirements)

- 34. ?ilwaina?is ?aqam (Council) consent is not required for the transfer of kawi¢kinił ?amaks (an allotment).
- 35. ?itwatna?is ?aqam (Council) consent must be obtained by kamatik¢it ?amaks (an allotment holder) for the original grant of an interest or licence in or to their kawi¢kinit ?amaks (allotment).

łusi kisinxumumik qayaqaknik¢ił ¢ kamatik¢ił kawi¢kinił ?amaks ¢ yaqał kilkiniłki ?amak (No Liability for Transfers of, or Grants of Interests in or to, an Allotment)

- 36. Paqam is not responsible or liable for ensuring a land instrument that transfers kawi¢kinił Pamaks (an allotment) or grants an interest or licence in or to kawi¢kinił Pamaks (an allotment):
 - (a) is validly made;
 - (b) is enforceable; or
 - (c) will be accepted by the Yaqawxał ?ituqłiłqa kanuhus ?aqłsmaknik ?amak?is (First Nation Land Register).

PART VIII ØIN QAPI QAPSIN (General)

yaqał ?itumxuniłiłikituqłiłqał ksukinił (Filing Procedure Deemed Followed)

37. In all cases, when a land instrument that grants or transfers kawi¢kinił ?amaks (an allotment) is nituqtilqał (registered) in the Yaqawxał ?ituqtilqa kanuhus ?aqtsmaknik ?amak?is (First Nation Land Register), it is deemed to have been registered under the authority of ?itwatna?is ?aqam (Council).

Cmakil kituqlilqal kitkin ?a.knumu¢tilil (Authenticity of Certificate of Possession)

38. Unless otherwise directed by a court or the Office of the Adjudicator, where a Kituqtitqat kitkin ?a·knumu¢titit (certificate of possession) is allegedly signed by an authorized ?itwatna? is ?aqam (Council) member it must be presumed to have been signed by ?ilwatna?is ?aqam (Council) without further proof.

KituqHilqal & Pamak kkilkinil (Forms and Land Instruments)

- 39. (1) ?itwatna?is ?aqam (Council) must approve the following forms and lands instruments:
- (a) application for kawi¢kinił ?amaks (allotment) form;
- (b) land instrument granting kawi¢kinił ?amaks (an allotment);
- (c) kituqtitqat kitkin ?a·knumu¢titit (certificate of possession);
- (d) transfer of kawi¢kinił ?amaks (allotment) form; and
- (e) exchange of kawi¢kinił ?amaks (allotment) form.
- (2) ?aqam will not assume any liability for any claims, losses, or damages arising out of the use of forms prescribed under paragraphs (1)(d) or (e).

, Kiłkiłamnam (Conflict of Interest)

40. In the event of a real, perceived or potential conflict of interest arising in relation to the management and administration of this ?a·knumu¢titlil (Law), the St. Mary's Indian Band Financial Administration Law 2013, Schedule - Avoiding and Mitigating Conflicts Of Interest must apply.

, Kiłkiłamnam ktunwakakinił (Disclosure of Conflict of Interest)

41. The procedure for the disclosure of any real, perceived or potential conflict of interest that arises in relation to the management and administration of this ?a knumu¢titlil (Law), must be the procedure set out in the St. Mary's Indian Band Financial Administration Law 2013, Schedule - Avoiding and Mitigating Conflicts Of Interest.

Kkilkilamnam kla su kinil (Dispute Resolution)

- **42.** (1) The following disputes must be addressed following the dispute resolution process set out in Part 8 of the *Pagam Amended Land Code*:
 - (a) disputes regarding the boundaries of a kawi¢kinił ?amaks (an allotment);
 - (b) disputes between two persons, or between a person and ?aqam, in relation to the possession, use or occupation of kawi¢kinił ?amaks (an allotment), unless such dispute relates to the transfer of kawi¢kinił ?amaks (an allotment) following the death of kamatik¢ił ?amaks (an allotment holder);
 - (c) disputes regarding the existence of kawi¢kinił ?amaks (an allotment); and
 - (d) disputes regarding the cancellation of kawi¢kinił ?amaks (an allotment).

(2) For greater certainty, a person cannot dispute a decision by ?ilwatna?is ?aqam (Council) in relation to the granting of kawi¢kinił ?amaks (an allotment).

, , PART IX KAKŁANAŁ ZITKINIŁ (Amendments)

Kétał ?aklanał ?itkinił (Power to Make Amendments)

43. ?ilwatna?is ?aqam (Council) may, in accordance with this Part, make amendments to this ?a knumu¢tit†it (Law).

?aklanal ?in¢i?til (Non-Substantive Amendments)

44. ?aktanat ?in¢i?tit (non-substantive amendments) to this ?a·knumu¢tittit (Law) may be made by band council resolution.

, Kaklanał ?in¢i?tił (Other Amendments)

45. Kaklanał ?in¢i?tił (amendments) other than ?aklanał ?in¢i?tił (non-substantive amendments) may be made by an approval by ?ilwatna?is ?aqam (Council) via band council resolution, pursuant to section 7 of the ?aqam Amended Land Code.

PĄRT X YISUSAŁ ŒINAKNIŁKI (Effective Date)

46. This Law comes into force on the date it is approved by ?ilwaina?is ?aqam (Council), by band council resolution, pursuant to section 7.14 of the ?aqam Amended Land Code.

THIS LAW IS HEREBY DULY ENACTED by ?itwatna?is ?aqam (Council) on the 18th day of October, 2016, at ?akiskaqti?it (Cranbrook), in the Province of British Columbia.			
xwithd	Come Willy		
Chief Jim Whitehead	Councillor Corrie Walkley		
Shot			
Councillor Vickie Thomas	Councillor Marty Williams		
Councillor Codie Morigeau			
Being the majority of those members of the ?iłwatna?is ?aqam (Council) present at the aforesaid meeting of ?iłwatna?is ?aqam (Council).			
The quorum of the ?itwatna?is ?aqam (Council) is three (3) members.			
Number of members of the ?ilwaina?is ?aqam (Council) present at the meeting:			