

# **Shxwhá:y Village Land Management Advisory Committee**

## **Selection Law**

### **Preamble**

Whereas Shxwhá:y Village ratified the Framework Agreement on First Nation Land Management and ratified its Land Code on March 17, 2006;

And Whereas the Shxwhá:y Village Land Code establishes for a Lands Committee to provide, among other matters, advice and assistance to the Council on matters concerning Shxwhá:y Village Land;

And Whereas the Shxwhá:y Village Land Code requires that Council shall make a law to establish a process to select the members of the Lands Committee;

The Council hereby makes the following law in accordance with the procedures set out in the Shxwhá:y Village Land Code.

### **Short Title**

1. This law may be cited as the Shxwhá:y Village Land Management Advisory Committee Selection Law.

### **Definitions**

2. In this law terms have the same meaning as the way they are defined in the Shxwhá:y Village Land Code.

### **Appointment of Committee Members**

3. Members of the Lands Committee shall be appointed by Council in accordance with this Law.
4. The Lands Committee shall be comprised of 7 members composed of the following:
  - (a) the Chief Councillor;
  - (b) two Councillors;
  - (c) one Elder;

- (d) one Youth;
  - (e) one Member who is not a resident on Shxwhá:y Village Land; and
  - (f) one Member who is normally a resident on Shxwhá:y Village Land.
5. For greater certainty, the selection process set out in this Law shall be used to select the members of the Lands Committee from the Members listed in paragraphs 4(c) to (f) of this Law.
6. Once the members are selected from the Members listed in paragraphs 4(c) to (f), Council shall appoint the persons listed in paragraphs 4(a) and (b) to the Lands Committee.

### **Application to Become a Committee Member**

7. Subject to the Land Code and this Law, any Member may apply to the First Nation to become a member of the Lands Committee, by submitting to Council an application containing the name, address, telephone number and any supporting documentation to be a member of the Lands Committee.

### **Notice to Become a Committee Member**

8. Council shall arrange to post a Notice in a public place on Shxwhá:y Village Land advising that applications for the position of member of the Lands Management Advisory Committee may be submitted in writing to the Council within 15 days of the posting of the Notice.
9. The Notice shall list the following positions available for the Lands Management Advisory Committee:
- a) one Elder;
  - b) one Youth;
  - c) one Member who is not a resident on Shxwhá:y Village Land; and
  - d) one Member who is normally a resident on Shxwhá:y Village Land.
10. The Notice shall also provide that the selection of Lands Management Advisory Committee members be done by Council within (15) days after the date the applications close.

### **Criteria**

11. Council will consider all relevant criteria and experience when selecting the members of the Lands Management Advisory Committee. Council may publish specific qualifications for the position. At a minimum, the criteria will include:
- a) Whether the individual meets the basic eligibility requirements set out in the Land Code;
  - b) Whether the individual is in good standing with the Shxwhá:y Village and the relevance of any debts or arrears owing to Shxwhá:y Village Land in relation to the ability of the individual to participate on the Lands Management Advisory Committee;
  - c) The individual's knowledge of the community and of lands management; and
  - d) Any other relevant criteria that Council may determine, provided that the same criteria are used to assess each applicant.

### General

12. This Law may be amended by a majority of Council approved by resolution at a duly held meeting of Council after complying with the requirements for amendments to laws under the Land Code.
13. This law shall come into force and effect on the 8 day of Jan., 2016.

This law was duly enacted by Council of Shxwhá:y Village on the 7th day of Jan., 2016

  
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Chief Councillor, Tina Sam

  
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Councillor, Robert Gladstone

  
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Councillor, William Rabang

  
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Councillor, Anthony Aure

  
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Councillor, Daniel Rapada