

DÉLĪNEĢ GOT'ĪNEĢ GOVERNMENT

GOVERNMENT ORGANIZATION ACT

SEPTEMBER 1, 2016

TABLE OF CONTENTS

CITATION	3
APPLICATION	3
DEFINITIONS	3
PART 1 – COMPONENTS OF DÉLİNE GOT'İNE GOVERNMENT	5
STRUCTURE OF THE DÉLİNE GOT'İNE GOVERNMENT	5
JURISDICTION OF THE DÉLİNE GOT'İNE GOVERNMENT	5
LOCATION OF HEAD OFFICE	6
ACCOUNTABILITY	6
OFFICIAL LANGUAGES	6
APPLICATION OF LAWS	6
LEGAL STATUS	6
DELEGATION	7
DIVISION 1 – THE ʔEKW'AHTİDÉ	7
THE ʔEKW'AHTİDÉ	7
RESPONSIBILITIES OF THE ʔEKW'AHTİDÉ	7
ACTING ʔEKW'AHTİDÉ	7
DIVISION 2 – THE DÉLİNE K'AOWEDÓ KƏ	8
THE DÉLİNE K'AOWEDÓ KƏ	8
RESPONSIBILITIES OF THE DÉLİNE K'AOWEDÓ KƏ	8
MEETINGS OF THE DÉLİNE K'AOWEDÓ KƏ	9
STRUCTURE OF DEPARTMENTS AND ADMINISTRATION	9
DIVISION 3 – DÉLİNE ʔQHDA K'ÁOWƏ KƏ	9
ESTABLISHMENT OF THE DÉLİNE ʔQHDA K'ÁOWƏ KƏ	9
COMPOSITION OF THE DÉLİNE ʔQHDA K'ÁOWƏ KƏ	9
ROLE OF THE DÉLİNE ʔQHDA K'ÁOWƏ KƏ	10
APPOINTMENT OF THE ʔQHDA REPRESENTATIVE	10
DIVISION 4 – THE DENE K'Ə DATS'EREDİ KƏ	10
APPOINTMENT OF THE DENE K'Ə DATS'EREDİ KƏ	10
COMPOSITION OF THE DENE K'Ə DATS'EREDİ KƏ	10
PERSONS NOT ELIGIBLE	10
APPOINTMENT OF THE CHAIR	11
TERM OF APPOINTMENT	11
RESPONSIBILITIES OF THE DENE K'Ə DATS'EREDİ KƏ	11
DENE K'Ə DATS'EREDİ KƏ TO BE INDEPENDENT	11
PROCESS AND PROCEDURES FOR THE DENE K'Ə DATS'EREDİ KƏ	11
GROUND FOR REMOVAL FROM THE DENE K'Ə DATS'EREDİ KƏ	11
VACANCY	12
TRANSITION	12
DIVISION 5 – THE DENE GHA GOK'Ə RÉHKW'İ	12
ESTABLISHMENT OF THE DENE GHA GOK'Ə RÉHKW'İ	12
RESPONSIBILITIES OF THE DENE GHA GOK'Ə RÉHKW'İ	12

DIVISION 6 – EXECUTIVE COMMITTEE	13
COMPOSITION OF THE EXECUTIVE COMMITTEE	13
ROLE OF THE EXECUTIVE COMMITTEE	13
PROCESS AND PROCEDURES FOR THE EXECUTIVE COMMITTEE	13
PART 2 – CHIEF EXECUTIVE OFFICER	14
POSITION OF CHIEF EXECUTIVE OFFICER	14
RESPONSIBILITIES OF THE CHIEF EXECUTIVE OFFICER	14
OPERATIONS MANUAL	15
PART 3 – DÉLĪNĒ ĻĒNATS’EHDĀ DZENĒ	15
CALLING OF A DÉLĪNĒ ĻĒNATS’EHDĀ DZENĒ	15
NOTICE OF DÉLĪNĒ ĻĒNATS’EHDĀ DZENĒ	15
RESPONSIBILITIES AT THE DÉLĪNĒ ĻĒNATS’EHDĀ DZENĒ	15
PART 4 – REGISTRY OF LAWS	16
ESTABLISHMENT OF THE REGISTRY OF LAWS	16
PUBLIC INSPECTION OF REGISTRY	16
DEPOSIT OF LAWS IN REGISTRY	16
LANGUAGE	16
RESPONSIBILITIES	17
PROOF OF LAW	17
PART 5 – LEGISLATIVE PROCESS	17
ENACTMENT OF DGG LAW	17
AMENDMENT AND REPEAL OF ACTS	18
EMERGENCIES AND HOUSEKEEPING AMENDMENTS	18
PART 6 – TRANSITION, INTERPRETATION AND COMMENCEMENT	18
TRANSITION	18
BAND COUNCIL RESOLUTIONS	19
CHARTER COMMUNITY BY-LAWS	19
ASSETS AND LIABILITIES	19
OATH OF OFFICE	19
PRIVILEGES AND IMMUNITIES	19
PERSONAL LIABILITY	19
AMENDMENT	20
COMMENCEMENT	20
CONFLICT	20
SCHEDULE A	1

The Délı̄nę Got'ı̄nę Government enacts as follows:

Citation

1. This *Act* shall be cited as the *DGG Government Organization Act*.

Application

2. This *Act* applies to the Délı̄nę Got'ı̄nę Government, its Institutions and Public Officials.

Definitions

3. In this *Act*:

“**ʔekw’ahı̄dı̄**” means the leader of the Délı̄nę Got'ı̄nę Government elected under applicable election laws, or the person appointed as Acting ʔekw’ahı̄dı̄ under this *Act*;

“**ʔohda**” means Dene elders;

“**Acting ʔekw’ahı̄dı̄**” means the person appointed as such under section 14 of this *Act*;

“**Authority**” means any power other than Jurisdiction;

“**Beneficiary**” means a person enrolled as a Délı̄nę participant in the enrolment register pursuant to Chapter 4 of the SDMCLCA;

“**Chief Executive Officer**” (“CEO”) means the person appointed to that position under Part 2 of this *Act*;

“**Chief Financial Officer**” (“CFO”) means the person appointed to that position under subsection 7(2) of the *DGG Financial Administration Act*;

“**Community of Délı̄nę**” means the area described in Schedule “B” of the DFSGA;

“**Councillor**” means a councillor of the DGG elected in accordance with applicable election laws;

“**Délı̄nę ʔohda K’áowə Kə**” (“DAKK”) means the body of ʔohda described in section 3.4.1(c) of the DFSGA and Part 1, Division 3 of this *Act*;

“**Délı̄nę District**” means the area described in Schedule “A” of the DFSGA;

“**Délı̄nę Final Self-Government Agreement**” (“DFSGA”) means the Délı̄nę Final Self-Government Agreement negotiated between the DFN Band and the Délı̄nę Land Corporation, the Government of the Northwest Territories and the Government of Canada;

“**Délı̄nę First Nation Band**” (“DFN Band”) means the band recognized by Canada pursuant to the *Indian Act* (Canada) and bearing number 754;

“Déljñę Got’jñę ʔezadó” means the Constitution of the Déljñę First Nation, as amended from time to time;

“Déljñę Got’jñę Government” (“DGG”) means the Déljñę Got’jñę Government and its Institutions as outlined in the DFSGA and Part 1 of this *Act*;

“Déljñę K’aowadó Kə” (“DKK”) means the body described in section 3.4.1(b) of the DFSGA and established by Part 1, Division 2 of this *Act*;

“Déljñę Lénats’ehdə Dzené” means a meeting of the DFN Citizens and Residents of the Déljñę District referred to in section 3.9.1 of the DFSGA and Part 3 of this *Act*;

“Dene Gha Gok’ə Réhkw’i” (“DGGR”) means the body comprised of DFN Citizens who are Beneficiaries established in accordance with section 3.2.9 of the DFSGA and Part 1, Division 5 of this *Act*;

“Dene K’ə Dats’eredı Kə” (“DKDK”) means the body described in Chapter 17 of the DFSGA and Part 1, Division 4 of this *Act*;

“Designated Sahtu Organization” (“DSO”) means a designated Sahtu organization pursuant to the provisions of Chapter 7 of the SDMCLCA;

“DFN Citizen” means a person who is a citizen pursuant to Chapter 5 of the DFSGA or pursuant to the *DGG Citizenship Act*;

“DGG Law” means laws of the DGG made pursuant to the Jurisdictions of the DGG set out in the DFSGA and regulations made pursuant to those laws;

“Effective Date” means the date on which the DFSGA comes into force, which is September 1, 2016;

“Executive Committee” means the body described in section 3.4.2 of the DFSGA and Part 1, Division 6 of this *Act*;

“Institutions” means institutions created by the DGG pursuant to section 3.6.1(b) of the DFSGA;

“Jurisdiction” means the power to make laws;

“Parties” means parties to the DFSGA as of the Effective Date;

“Public Official” means any elected or appointed member of the DGG, including the DKK, the DGGR, the DAKK, and the DKDK;

“Registrar of Laws” means the person appointed by the DKK under Part 2 of this *Act*;

“Registry of Laws” means the registry of laws established in Part 4 of this *Act*;

“Residents” means residents of the Déljñę District;

“**SDMCLCA**” means the Sahtu Dene and Metis Comprehensive Land Claim Agreement;

“**Secretary**” means the person appointed by the DKK to record the minutes of DKK meetings pursuant to Part 2 of this *Act*; and

“**Settlement Lands**” means the lands whose title is vested in the DGG in accordance with section 21.2.1 of the DFSGA.

PART 1 – COMPONENTS OF DÉLİNE GOT’İNE GOVERNMENT

Structure of the Délıne Got’ıne Government

4. The Délıne Got’ıne Government shall be comprised of:
 - (a) the ʔekw’ahtıde;
 - (b) the Délıne K’aowadó Kə;
 - (c) the Délıne ʔohda K’áowə Kə; and
 - (d) the Dene K’ə Dats’eredı Kə.

Jurisdiction of the Délıne Got’ıne Government

5. The DGG has Jurisdiction with respect to the administration, management and operation of the DGG, including:
 - (1) the creation of elected and non-elected Institutions of the DGG acting on behalf of the DGG;
 - (2) acting as a DSO in accordance with the SDMCLCA and the DFSGA;
 - (3) the establishment of corporations and societies pursuant to federal or territorial law;
 - (4) appointing the members of the DKDK;
 - (5) the exercise of Jurisdiction and Authorities as set out in the DFSGA;
 - (6) providing for the privileges or immunities for the members of the DKK consistent with those applicable to the members of the Legislative Assembly of the Northwest Territories;
 - (7) limiting the personal liability of elected or appointed members, officials, employees and agents of the DGG and Institutions of the DGG, provided that the DGG retains liability for their acts or omissions pursuant to the doctrine of vicarious liability;
 - (8) providing for the financial administration of the DGG; and

- (9) providing for privacy and access to information.

Location of Head Office

6. The head office of the DGG shall be located in the Community of Délı̄ne.

Accountability

7. (1) The DGG, its Institutions and Public Officials are accountable to DFN Citizens and to Residents of the Délı̄ne District.
(2) The DGG is accountable to all Beneficiaries in relation to matters arising from the management and administration of the SDMCLCA through the DGGR.
(3) The DGG, its Institutions and Public Officials shall exercise all powers and authorities in a manner consistent with the Délı̄ne Got'ı̄ne ʔezadó and DGG Law and shall:
 - (a) act with respect and fairness and without discrimination or abuse;
 - (b) strive to consult with and to seek consensus of all DFN Citizens, particularly in relation to important community decisions;
 - (c) allow for and encourage the full and free expression and participation of all DFN Citizens and Residents;
 - (d) protect the lands, waters and resources of the Délı̄ne people, including the protection and enhancement of all living things; and
 - (e) give priority to teaching and educating DFN Citizens and to capacity building in the Community of Délı̄ne.

Official Languages

8. (1) The official languages of the DGG shall be North Slavey and English.
(2) All persons have the right to communicate with and receive available services from the DGG and its Institutions in either North Slavey or English.

Application of Laws

9. (1) The *Canadian Charter of Rights and Freedoms* applies to the DGG, its Institutions and DGG Law.
(2) The *Statutory Instruments Act* (Canada) and the *Statutory Instruments Act* (GNWT) do not apply to DGG Law.

Legal Status

10. The DGG is a legal entity with the legal capacity of a natural person in accordance with section 3.5.1 of the DFSGA.

or to any combination thereof.

(2) An Acting ʔekw'ahtǵdé has the same authority, duties, functions and responsibilities as the ʔekw'ahtǵdé.

(3) The Acting ʔekw'ahtǵdé holds office as the ʔekw'ahtǵdé at the pleasure of the DKK, until the ʔekw'ahtǵdé is able to resume office or a new ʔekw'ahtǵdé is elected.

(4) An Acting ʔekw'ahtǵdé is entitled to be paid at the same rate as the ʔekw'ahtǵdé while the Acting ʔekw'ahtǵdé holds office.

DIVISION 2 – THE DÉLĪŅĒ K'AOWĒDÓ KĀ

The DélĪŅĒ K'aowĒdó Kā

15. (1) The DKK is composed of:
- (a) the ʔekw'ahtǵdé;
 - (b) six Councillors elected in accordance with applicable election laws; and
 - (c) one ʔq̄hda representative appointed in accordance with section 26 of this *Act*.

Responsibilities of the DélĪŅĒ K'aowĒdó Kā

16. (1) The DKK shall be the legislative body of the DGG and is responsible for upholding the DélĪŅĒ Got'ĪŅĒ ʔeʔadó and exercising the Authorities and Jurisdictions granted to it in the DFSGA.
- (2) The DKK shall manage lands and other assets it holds by virtue of being a DSO in accordance with the SDMCLCA and shall work with and receive advice from the DGGR.
- (3) The DKK shall hold a DélĪŅĒ Lénats'ehdā Dzené at least once each year as required by the DFSGA and in accordance with Part 3 of this *Act*.
- (4) The DKK shall be responsible for the prosecution of violations of DGG Law and the conduct of other matters arising out of DGG Law before the courts of the Northwest Territories and shall:
- (a) appoint persons responsible for the prosecution of violations of DGG Law or enter into agreements with existing prosecution services; and
 - (b) ensure that the prosecutorial services are consistent with standards of a public prosecutor for the prosecution of similar types of offences in Canada.
- (5) The DKK is responsible for the enforcement of DGG Law and may provide for:
- (a) the appointment of officers to enforce DGG Law in accordance with the DFSGA; and

(b) powers of enforcement, provided such powers shall not exceed those provided by federal or territorial law for officers enforcing similar laws in the Northwest Territories.

(6) The DKK may set remuneration for the Public Officials of the DGG, as well as for members of the DKDK, and such remuneration shall be comparable to the remuneration of other officers and employees with similar positions in the Northwest Territories.

(a) The remuneration for the ʔekw'ahtı́dé and DKK Councillors is described in the *DGG ʔekw'ahtı́dé and the Délı́ne K'aowadó Kə Remuneration Regulation*.

Meetings of the Délı́ne K'aowadó Kə

17. The DKK shall conduct its business and affairs pursuant to the *DGG Conduct of Meetings Act* and any other DGG Law.

Structure of Departments and Administration

18. (1) The DKK may make laws, subject to any other DGG Law:

(a) establishing departments to administer the functions of government, including the Department of Finance and the Department of Lands, Resources and Environment; and

(b) respecting the preparation and delivery of any reports and information to the DGG or otherwise from time to time as is required.

(2) The ʔekw'ahtı́dé may assign duties and responsibilities to each member of the DKK, including assigning a member of the DKK to be responsible for the administration of a department or other component of government or all or part of a DGG Law.

DIVISION 3 – DÉLı́NE ʔQHDA K'ÁOWƏ KƏ

Establishment of the Délı́ne ʔqhda K'áowə Kə

19. The DAKK is hereby established.

Composition of the Délı́ne ʔqhda K'áowə Kə

20. The DAKK shall determine its composition and mode of selection of its members.

21. All male ʔqhda and all female ʔqhda shall meet separately to select their DAKK members on the day of each general election.

22. The minimum age to sit as a member on the DAKK is 60.

23. The DAKK may develop additional rules or procedures for the selection of its members.

Role of the Délıne ʔohda K'áowə Kə

24. The DAKK may provide advice on any matter to the DKK, the Executive Committee, the DKDK and the DGGR.
25. Except for the ʔohda representative, no member of the DAKK may at the same time sit on the:
 - (a) DKK;
 - (b) DKDK;
 - (c) DGGR; or
 - (d) other Délıne Institutions.

Appointment of the ʔohda Representative

26. (1) By 11:59 p.m. on the day of a general election, the DAKK shall appoint a representative who is a Beneficiary from among its members to sit on the DKK as a voting member for the term of the DKK.
 - (2) The DAKK shall strive to reach consensus in choosing the ʔohda representative but where consensus cannot be achieved, the representative may be chosen by a vote where he or she receives a majority of the support of those ʔohda present for the vote.
 - (3) The first ʔohda representative was appointed to the DKK by Délıne ʔohda prior to the first meeting of the DKK for a term of two years.

DIVISION 4 – THE DENE K'Ə DATS'EREDı KƏ

Appointment of the Dene K'ə Dats'eredı Kə

27. The DKK may appoint a DKDK in accordance with the DFSGA, the Délıne Got'ıne ʔeɁadó and this *Act*.

Composition of the Dene K'ə Dats'eredı Kə

28. The DKDK shall be composed of (3-5) members.

Persons Not Eligible

29. No members of the DKDK may:
 - (a) be a member of the DKK;
 - (b) be an Employee of the DGG; or
 - (c) have been convicted of an indictable offence under the *Criminal Code of Canada* within seven years immediately before the term of office begins.

Appointment of the Chair

30. The members of the DKDK shall appoint a chair from among themselves.

Term of Appointment

31. Members of the DKDK will be appointed for a term that shall not exceed four years. Upon expiration, the terms of appointment may be renewed.

Responsibilities of the Dene K'ə Dats'eredı Kə

32. The DKDK shall be responsible for:

- (a) conducting its affairs in accordance with customary practices;
- (b) the administration of sanctions for violations of DGG Laws;
- (c) the administration of alternative dispute measures programs and extra-judicial programs;
- (d) the performance of dispute resolution functions;
- (e) the hearing of appeals or re-hearings in relation to administrative decisions of the DGG and Institutions made pursuant to DGG Laws; and
- (f) such other duties and functions assigned to it under DGG Laws.

33. Members of the DKDK must have knowledge and understanding of Dene Laws and traditions pursuant to the *Déłıne Got'ıne ʔezadó*.

Dene K'ə Dats'eredı Kə to be Independent

34. The DKDK shall exercise its judicial functions independently from other branches of the DGG.

35. The DGG shall provide the DKDK with the administrative support necessary to reasonably meet the needs of the DKDK in carrying out its functions and responsibilities under this *Act* and other DGG Laws.

Process and Procedures for the Dene K'ə Dats'eredı Kə

36. The DKDK may establish its own process and procedures for performing its duties and responsibilities.

Grounds for Removal from the Dene K'ə Dats'eredı Kə

37. Members of the DKDK may be removed from the DKDK by the DKK for proper cause, including incapacity, conviction of an offence under the *Criminal Code of Canada* or judicial misconduct.

Vacancy

38. In the event of a vacancy on the DKDK as a result of removal of a member under section 37 or resignation, the DKK must immediately appoint a new member to the DKK in accordance with this Division.

Transition

39. Until the DKK appoints the DKDK and its process and procedures are established, all appeals, complaints or grievances must be sent directly to the ʔekw'ahtı́dé for decision by the DKK.

DIVISION 5 – THE DENE GHA GOK'Ə RÉHKW'İ

Establishment of the Dene Gha Gok'ə Réhkw'ı

40. The DGGR shall be composed of (3-5) resident or non-resident DFN Citizens who are chosen for a term of four years to coincide with the term of the elected members of the DKK.
41. The ʔekw'ahtı́dé shall be a member and the presiding officer of the DGGR.
42. The other members of the DGGR shall be Beneficiaries who are DFN Citizens chosen at the Délı́ne Łénats'ehdə Dzené.
43. No less than 60 days prior to such meeting of the Délı́ne Łénats'ehdə Dzené, there shall be a call for nominations for the DGGR and all nominations received shall be reviewed by a nominations committee appointed by the DKK, which shall report to and make recommendations to the Délı́ne Łénats'ehdə Dzené.
44. (a) Notwithstanding sections 40, 42 and 43, after the passage of this *Act* the DKK shall appoint four DFN Citizens to serve as the first members, in addition to the ʔekw'ahtı́dé, of the DGGR for a term of two years to coincide with the first term of members of the DKK:
- (b) at least two of the said appointees shall not be Residents;
- (c) nominations for appointment as a first member of the DGGR under this clause shall be submitted by August 31, 2016 by any Beneficiary supported by a resume, a description of the nominee's qualifications and experience and the application form signed by a nominator.

Responsibilities of the Dene Gha Gok'ə Réhkw'ı

45. The DGGR shall advise the DKK on:
- (a) the management of land and other assets held by the DGG as a DSO;
- (b) the management and exercise of rights and benefits provided under the SDMCLCA to Beneficiaries who are DFN Citizens;

- (c) the investment in businesses and use of funds received by the DGG under the SDMCLCA, including investment in business; and
 - (d) such other responsibilities as may be provided in DGG Law.
46. No decision to exercise a Jurisdiction or Authority relating to the powers of the DGG as a DSO shall be taken by the DKK without the consent of the DGGR.
47. The members of the DGGR have the right to attend and provide advice to the DKK at all meetings at which land claim matters are to be discussed. The DGGR will receive notice of such meetings.
48. The DGGR has primary responsibility for the administration and management of Settlement Lands and financial and other assets which are owned by the DGG as a DSO in accordance with the *DGG Financial Administration Act* and DGG operating procedures.
49. The DGGR may consult with Beneficiaries from time to time as required and shall report to the community at the Délı̄nə Łénats'ehdə Dzené.

DIVISION 6 – EXECUTIVE COMMITTEE

Composition of the Executive Committee

50. (1) The DKK shall appoint three of its members, including the ʔekw'ahtı̄dé, to sit on an Executive Committee.
- (2) The ʔekw'ahtı̄dé shall sit on the Executive Committee for the term of his or her office.
- (3) The remaining Executive Committee members shall sit on the Executive Committee for a term that shall not exceed his or her term of office.

Role of the Executive Committee

51. The Executive Committee will act as a sub-council of the DKK.
52. The Executive Committee will:
- (a) act generally as the oversight body of the DGG, including over Department of Lands, Resources and Environment;
 - (b) act as the Finance Committee; and
 - (c) perform such duties and functions as are assigned to it by the DKK.

Process and Procedures for the Executive Committee

53. The Executive Committee may establish its own process and procedures for performing its duties and responsibilities.

54. Where practicable, the CEO and CFO shall attend every meeting of the Executive Committee.

PART 2 – CHIEF EXECUTIVE OFFICER

Position of Chief Executive Officer

55. (1) The position of CEO of the DGG is established.
- (2) The CEO must be appointed by the DKK.
- (3) The CEO reports to the ʔekw'ahtı́dé and is responsible to the DKK.

Responsibilities of the Chief Executive Officer

56. (1) The CEO is responsible for the management and administration of DGG.
- (2) The CEO is also the Secretary of the DKK and the Registrar of Laws.
- (3) The responsibilities of the CEO include:
- (a) exercising control and management of the administrative business and affairs of the DGG in accordance with DGG Law;
 - (b) ensuring the efficient and effective operation of government;
 - (c) establishing and overseeing administrative policies, practices and procedures necessary to effectively implement DGG Laws, and the policies and programs of the DGG, including preparing and maintaining a current organizational chart and making it available to the public;
 - (d) establishing and overseeing human resource policies and practices;
 - (e) advising the ʔekw'ahtı́dé and the DKK;
 - (f) ensuring the decisions of the DKK are implemented;
 - (g) ensuring the accountability of the operations of DGG, including the activities of management;
 - (h) supervising and managing Employees in accordance with any DGG Laws and directing persons who are retained to provide services for the DGG;
 - (i) performing any other duties and responsibilities as are given, delegated or assigned by DGG Law or by the DKK; and
 - (j) overseeing and administering contracts and agreements entered into by the DGG on behalf of the DFN Band.

(4) The CEO may, in writing, delegate, sub-delegate or assign any of his or her duties and responsibilities to another person, but a delegation, sub-delegation or assignment does not relieve the CEO from responsibility to ensure the delegated, sub-delegated or assigned duties or responsibilities are carried out.

Operations Manual

57. (1) The CEO shall prepare and maintain a current operations manual respecting every element of the DGG's financial and administrative system.
- (2) The operations manual shall be made available to the DKK, members of DGG departments, all other DKK committees and Public Officials.
- (3) If any part of the operations manual is relevant to the services being provided by a contractor or agent of the DGG, that part of the operations manual shall be made available to the contractor or agent.

PART 3 – DÉLĪNEĶ LĒNATS'EHĎĀ DZENĒ

Calling of a DélĪneĶ LĒnats'ehĎĀ DzenĒ

58. (1) The DKK shall call a DélĪneĶ LĒnats'ehĎĀ DzenĒ of DFN Citizens and Residents at least once each calendar year.
- (2) The DKK may call other gatherings as it considers necessary.

Notice of DélĪneĶ LĒnats'ehĎĀ DzenĒ

59. (1) Reasonable notice of the DélĪneĶ LĒnats'ehĎĀ DzenĒ or of any other gathering must be given to DFN Citizens and Residents by:
- (a) posting written notice of the gathering in the DGG head office; and
- (b) publishing the notice in the DGG community newsletter.

Responsibilities at the DélĪneĶ LĒnats'ehĎĀ DzenĒ

60. (1) At the DélĪneĶ LĒnats'ehĎĀ DzenĒ the DGG shall report, in writing and otherwise, on all financial, administrative and operational matters of the DGG and its Institutions and shall outline the financial, administrative and operational plans of the DGG.
- (2) The DGG shall table the audited financial statements of the DGG, its subsidiaries and its Institutions at the DélĪneĶ LĒnats'ehĎĀ DzenĒ.
- (3) The DGG and DGGR shall provide a written report to the Beneficiaries at the DélĪneĶ LĒnats'ehĎĀ DzenĒ on the management and administration of assets, lands and responsibilities under the SDMCLCA.

PART 4 – REGISTRY OF LAWS

Establishment of the Registry of Laws

61. (1) The Registry of Laws is hereby established.
- (2) The Registry of Laws must:
- (a) be administered and maintained by the CEO or by a person designated in writing by the CEO; and
 - (b) be located in the head office of the DGG.

Public Inspection of Registry

62. (1) There must be kept in the Registry of Laws, for public inspection during normal office hours:
- (a) the DFSGA and relevant federal and territorial laws;
 - (b) the Dəl̓nə Got'̓nə ʔeʔadó;
 - (c) every DGG Law and amendment;
 - (d) DGG resolutions and minutes of meetings;
 - (e) all DFN Band Council Resolutions and Charter Community by-laws not repealed by the DGG; and
 - (f) every final decision of the DKDK on appeals.
- (2) The CEO or designate must maintain the documents described in subsection (1) in hard copy and may establish and maintain electronic loose-leaf versions.

Deposit of Laws in Registry

63. (1) Every DGG Law, and every amendment to any of them, must be deposited in the Registry of Laws.
- (2) A DGG Law or amendment is deposited in the Registry of Laws when the CEO, or person authorized in writing by the CEO, certifies the deposit by writing or stamping on the document words to the effect that the document is deposited in the Registry of Laws and the date it is deposited and is signed by the CEO or his or her delegate.

Language

64. The Dəl̓nə Got'̓nə ʔeʔadó and all DGG Laws must be available in English and North Slavey, however, only the English version will be official.

Responsibilities

65. (1) The CEO is responsible for:
- (a) keeping accurate and orderly written records of DGG Laws and any amendments made to them;
 - (b) providing certified copies of DGG Laws and amendments made to them;
 - (c) establishing and maintaining a publicly accessible electronic database of DGG Laws and amendments to them;
 - (d) maintaining a secure record of DGG Laws, amendments to them, the date DGG Laws are passed and the date they come into effect; and
 - (e) performing any other functions and responsibilities specified by the DKK.

Proof of Law

66. In any proceeding, a copy of a DGG Law certified as a true copy by the CEO is, without proof of the CEO's signature or official character, evidence of its making on the date specified in the law.

PART 5 – LEGISLATIVE PROCESS

Enactment of DGG Law

67. A proposed DGG Law or any amendment thereto shall be submitted to the Executive Committee.
68. (1) A consultation period, of at least 30 days and ending no later than two weeks before the meeting at which the DKK is to consider the proposed DGG Law, shall be held for each proposed DGG Law submitted under section 67.
- (2) The passage of the following laws are exempt from the consultation period referred to in this section:
- (a) the *DGG Implementation Act* and the laws scheduled to it;
 - (b) the *DGG Goods and Services Tax Act*; and
 - (c) the *DGG Personal Income Tax Act*.
69. After considering any comments or other information received during the consultation referred to in section 68, the Executive Committee shall recommend to the DKK that the proposed DGG Law:
- (a) be enacted without any changes;
 - (b) be enacted with changes as recommended by the Executive Committee; or

- (c) not be enacted.
70. The DKK may by resolution:
- (a) enact the proposed DGG Law, with or without any changes;
 - (b) defer enactment of the proposed DGG Law until the next meeting of the DKK for the purposes of additional consultation; or
 - (c) refuse to enact the proposed DGG Law.

Amendment and Repeal of Acts

71. For greater certainty, amendment and repeal of DGG Law shall proceed in accordance with this Part.

Emergencies and Housekeeping Amendments

72. Notwithstanding sections 67 – 70, where in the opinion of the Executive Committee there are circumstances which require the DKK to immediately consider a proposed DGG Law or a DGG Law requires minor changes, they may, by order, abridge the requirements for the consultation period described in section 68.
73. Where the Executive Committee takes action under section 72, the CEO shall submit the proposed DGG Law or the order referred to in section 72, with written reasons for the order, to the DKK who may
- (a) enact the proposed DGG Law or amend the DGG Law, as the case may be;
 - (b) defer consideration of the proposed DGG Law or amendment of the DGG Law, as the case may be, until the next meeting of the DKK for the purposes of consultation in accordance with section 70; or
 - (c) refuse to enact the proposed DGG Law or amend the DGG Law, as the case may be.
74. A DGG Law or amendment passed in accordance with section 72 and 73 shall only be in force until the next Délneġ Lénats'ehda Dzené at which the DKK must affirm approval of the DGG Law or amendment, as the case may be.

PART 6 – TRANSITION, INTERPRETATION AND COMMENCEMENT

Transition

75. The first ?ekw'ahtqde and Councillors of the DGG elected in accordance with applicable election laws and the appointed ?qhda representative constitute the DKK under section 15 of this *Act*.

Band Council Resolutions

76. Band council resolutions passed by the DFN Band shall remain in effect until revoked or replaced by DGG Law.

Charter Community By-laws

77. By-laws made by the Charter Community shall be deemed to be DGG Law until repealed or replaced by DGG Law.

Assets and Liabilities

78. As provided in the DFSGA:
- (1) On the Effective Date, the claims, rights, titles, interests, assets, obligations and liabilities of the DFN Band, including any Indian monies held by Canada for the use and benefit of members of the DFN Band, shall vest in the DGG.
 - (2) On the Effective Date, the claims, rights, titles, interests, assets, obligations and liabilities of the Charter Community shall vest in the DGG.
 - (3) On the Effective Date, the claims, rights, titles, interests, assets, obligations and liabilities of the Délı̄nę Land Corporation shall vest in the DGG.

Oath of Office

79. Members of the DKK shall take the oath of office contained in Schedule “A” before starting his or her duties as a member of the DKK.

Privileges and Immunities

80. (1) The DKK and its members have the same rights, privileges, immunities and powers as the NWT Legislative Assembly and its members under the *Legislative Assembly and Executive Council Act* (NWT);
- (2) For greater certainty and subject to the *DGG Conflict of Interest Act*, no member of the DKK is liable to any civil action, prosecution, arrest, imprisonment or damages by reason of
- (a) anything he or she says in a meeting of the DKK or its councils or committees; or
 - (b) any matter or thing he or she brings before the DKK or a committee or council of the DKK by resolution, motion or otherwise.

Personal Liability

81. (1) Subject to subsection (2) and the *DGG Conflict of Interest Act*, the following persons are not personally liable for loss or damage by reason of anything said or done or omitted to be done in the performance or intended performance of his or her functions, duties or powers under this or any other enactment of the DGG or the DFSGA:
- (a) a member of the DKK;

- (b) an elected or appointed member of a council or committee of the DKK who is not a member of the DKK;
 - (c) a member of a board, commission or other body established by the DGG;
 - (d) an employee of the DGG; and
 - (e) a volunteer member of a fire, ambulance or emergency measures organization established by the DGG.
- (2) Subject to section 80, subsection (1) is not a defence if the person is guilty of
- (a) defamation;
 - (b) dishonesty;
 - (c) gross negligence;
 - (d) wilful misconduct;
 - (e) wilful neglect or breach of duty; or
 - (f) a contravention of this *Act*.
- (3) For greater certainty, this section does not affect the legal liability of the DGG.

Amendment

82. This *Act* may be amended in accordance with this *Act*.

Commencement

83. This *Act* comes into effect on the date of its enactment.

Conflict

84. In the event that the provisions of this *Act* conflict with the provisions of the DFSGA, the provisions of the DFSGA prevail.
85. In the event that the provisions of this *Act* conflict with the provisions of the Délıne Got'ıne ʔeʔadó, the provisions of the Délıne Got'ıne ʔeʔadó prevail.
86. In the event that the provisions of the DFSGA conflict with the provisions of the Délıne Got'ıne ʔeʔadó, the provisions of the DFSGA prevail.
87. In the event that the provisions of the DFSGA conflict with the provisions of the SDMCLCA, the provisions of the SDMCLCA prevail.

SCHEDULE A

OATH OF OFFICE

“We, as the Délıne Got’ıne Government, have been chosen by you. We as Dene people, with the help of the Creator and with our traditional knowledge, from today until our term ends, will help you with honesty, trust and impartiality.”

Nakıne, Délıne Got’ıne Government

Edets’é k’aarıwə gha, Dene káahla síı

Newehtsıne dene ts’é náodı t’á

Hıdı dzene gots’é

Hıdı dáréhwha gots’é

Gok’ə ts’erékw’ı síı

Dene hídlı, dene náoweré t’á

Areyone dene ts’é náts’udı síı

Eléht’é gots’é káadets’enuzá hó

Surı zehkw’ı t’á zehkw’ı t’á

Nakegha eghálats’eda gha.