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DÉLİNEĜ GOT'İNEĜ GOVERNMENT

AMENDED GOVERNMENT ORGANIZATION ACT

AUGUST 28, 2018

Proposed Amendments in Red (October 2024)

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The Délı̨nę Got'ı̨nę Government enacts as follows:

Citation

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

Application

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

Definitions

3. In this *Act*:

“**ᑕᑦᓄᓄᓄᓄᓄᓄ**” means the leader of the Délı̨nę Got'ı̨nę Government elected under applicable election laws, or the person appointed as Deputy ᑕᑦᓄᓄᓄᓄᓄᓄ under this *Act*;

“**ᑕᓄᓄᓄᓄ**” means Dene elders;

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

“**Beneficiary**” means a person enrolled as a Délı̨nę 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 Délı̨nę**” means the area described in Schedule “B” of the DFSGA;

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

“**ᑕᓄᓄᓄᓄ ᑕᓄᓄᓄᓄ ᑕᓄᓄᓄ**” (“DAKK”) means the body of ᑕᓄᓄᓄᓄ described in section 3.4.1(c) of the DFSGA and Part 1, Division 3 of this *Act*;

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

“**Délı̨nę ᑕᑦᓄᓄᓄᓄᓄᓄᓄᓄ**” (“**DRRC**”) means the body described in Chapter 13 of the SDMCLCA as the Délı̨nę Renewable Resources Council and established by Part 1, Division 6 of this *Act*;

“**Délı̨nę Final Self-Government Agreement**” (“DFSGA”) means the Délı̨nę

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Final Self-Government Agreement negotiated between the DFN Band and the Délı̄ne Land Corporation, the Government of the Northwest Territories and the Government of Canada;

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

“Délı̄ne Got’ı̄ne ʔeʔadó” means the Constitution of the Délı̄ne First Nation, as amended from time to time;

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

“Délı̄ne K’aowədó 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*;

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

“Dene Gha Gok’ə Réhkw’ı̄” (“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’eredı̄ Kə” (“DKDK”) means the body described in Chapter 17 of the DFSGA and Part 1, Division 4 of this *Act*;

“Deputy ʔekw’ahtı̄dé” means the person appointed as such under section 14 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;

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“**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, **the DRRC**, 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;

“**SRRB**” means the Sahtú Renewable Resources Board as established and described in Chapter 13 of the SDMCLCA;

“**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 DÉLJÑĘ GOT’JÑĘ GOVERNMENT

Structure of the Déljñę Got’jñę Government

4. The Déljñę Got’jñę Government shall be comprised of:

- (a) The ʔekw’ahtjǰé;
- (b) the Déljñę K’aowǰó Kǰ;
- (c) the ʔǰhda K’aowǰ Kǰ;
- (d) the Dene K’ǰ Dats’eredı Kǰ, **and**
- (e) the Dene Gha Gok’ǰ Réhkw’ı, **and**
- (f) **the Déljñę ʔehdzo Got’jñę.**

Jurisdiction of the Déljñę Got’jñę 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

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- 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 Délı̨ne.

Accountability

7. (1) The DGG, its Institutions and Public Officials are accountable to DFN Citizens and to Residents of the Délı̨ne 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 Délı̨ne Got'ı̨ne ʔeʔadó 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 Délı̨ne people, including

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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 Délı̨ne.

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.

Delegation

- 11. (1) The DGG may delegate any of its Jurisdictions to another government, body or institution with the written agreement of the Parties.
- (2) The DGG may delegate any of its Authorities so long as such delegation maintains public accountability to the DGG electorate.
- (3) The DGG may enter into agreements to receive Authority by delegation.
- (4) A delegation as outlined in subsection (1) to (3) above must be in writing and must be agreed to by the person or entity receiving the delegation.

DIVISION 1 – THE ʔEKW’AHTİDÉ

The ʔekw’ahtı̨dė

- 12. The ʔekw’ahtı̨dė is:
 - (a) the leader of the DGG; and
 - (b) the presiding officer and voting member of the DKK and the Executive Committee, if established.

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Responsibilities of the ʔekw'ahtǵdǵ

13. (1) The responsibilities of the ʔekw'ahtǵdǵ shall be exercised and performed in a manner consistent with the Délǵnǵ Got'ǵnǵ ʔeʔadǵ and include:
- (a) upholding the dignity and honour of the office of the ʔekw'ahtǵdǵ;
 - (b) understanding, respecting and practicing Dene culture, heritage, language and traditions, and following the wisdom of the ʔǵhda and ancestors;
 - (c) representing, protecting and promoting the interests of the Sahtúot'ǵnǵ people;
 - (d) overseeing the activities of the DGG; and
 - (e) representing the DGG as required at ceremonial, official and other events or activities in Canada and elsewhere.

Deputy ʔekw'ahtǵdǵ

14. (1) The DKK may appoint from its members a Deputy ʔekw'ahtǵdǵ to exercise all the powers, duties or responsibilities of the ʔekw'ahtǵdǵ when he or she is unable to act or is absent from the Community of Délǵnǵ for a period exceeding one week.
- (2) The Deputy ʔekw'ahtǵdǵ shall hold office at the pleasure of the DKK.

DIVISION 2 – THE DÉLǵNǵ K'AOWÉDÓ Kǵ

The Délǵnǵ K'aowédó Kǵ

15. (1) The DKK is composed of:
- (a) The ʔekw'ahtǵdǵ;
 - (b) six Councillors elected in accordance with applicable election laws; and
 - (c) one ʔǵhda representative appointed in accordance with section 27 of this *Act*.

Vacancy

16. (1) The ʔekw'ahtǵdǵ or a Councillor shall become ineligible to hold his or her office after being elected if he or she:
- (a) fails to comply with the eligibility requirements under the *DGG Elections Act*,
 - (b) misses 3 consecutive meetings of the DKK without being reasonably

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excused by quorum of the DKK, or

(c) becomes incapable of attending meetings for reasons of ill health.

(2) If the ʔekw'ahtǵdǵ or a Councillor becomes ineligible to hold office under subsection (1), he or she shall vacate his or her office.

(3) In the event of a vacancy of the office of ʔekw'ahtǵdǵ under subsection (2):

(a) where the remainder of the term is one year or less, the DKK may appoint a person to serve as ʔekw'ahtǵdǵ for the remainder of the term after consulting with the DAKK,

(b) where the remainder of the term is over one year, a by-election must be called in accordance with the *DGG Elections Act*.

(4) In the event of a vacancy of the office of a Councillor under subsection (2):

(a) where the remainder of the term is one year or less, the DKK may appoint a person to serve as Councillor for the remainder of the term after consulting with the DAKK,

(b) where the remainder of the term is over one year, a by-election must be called in accordance with the *DGG Elections Act*.

Responsibilities of the Délǵnǵ K'aowǵdǵ Kǵ

17. (1) The DKK shall be the legislative body of the DGG and is responsible for upholding the Délǵnǵ Got'ǵnǵ ʔǵǵadǵ 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 Délǵnǵ Łénats'ehdǵ Dzenǵ 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

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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'ahtı́dė and DKK Councillors is described in the *DGG ʔekw'ahtı́dė and the Délı̄nə K'aowədó Kə Remuneration Regulation*.

Meetings of the Délı̄nə K'aowədó Kə

18. 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

19. (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'ahtı́dė 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 – DÉLİ̄NƏ ʔQHDA K'ÁOWƏ KƏ

Establishment of the Délı̄nə ʔqhda K'áowə Kə

20. The DAKK is hereby established.

Composition of the Délı̄nə ʔqhda K'áowə Kə

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21. The DAKK shall determine its composition and mode of selection of its members.
22. All male ʔqhda and all female ʔqhda shall meet separately to select their DAKK members on the day of each general election.
23. The minimum age to sit as a member on the DAKK is 60.
24. The DAKK may develop additional rules or procedures for the selection of its members.

Role of the Déljñę ʔqhda K'áowə Kə

25. The DAKK may provide advice on any matter to the DKK, the Executive Committee, the DKDK, **the DRRC**, and the DGGR.
26. **Subject to section 27, no member of the DAKK may at the same time sit on the:**
 - (a) DKK (except for the ʔqhda representative);
 - (b) DKDK;
 - (c) DGGR; or
 - (d) Other DGG Institutions.

~~Except for the ʔqhda representative, no member of the DAKK may at the same time sit on the:~~

- ~~(a) DKK;~~
- ~~(b) DKDK;~~
- ~~(c) DGGR; or~~
- ~~(d) other Déljñę Institutions.~~

27. **Members of the DAKK may sit on the DRRC.**

Appointment of the ʔqhda Representative

28. (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 ʔqhda 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

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those ʔqhda present for the vote.

(3) The first ʔqhda representative was appointed to the DKK by Délıne ʔqhda prior to the first meeting of the DKK for a term of two years.

DIVISION 4 – THE DENE K’Ə DATS’EREDI KƏ

Appointment of the Dene K’ə Dats’eredı Kə

29. The DKK may appoint a DKDK in accordance with the DFSGA, the Délıne Got’ıne ʔeʔadó and this *Act*.

Composition of the Dene K’ə Dats’eredı Kə

30. The DKDK shall be composed of **three to five** (3-5) members.

Persons Not Eligible

31. 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

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

Term of Appointment

33. 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

34. 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, **except for decisions of the DRRC where the SDMCLCA requires that**

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those decisions are appealed to the SRRB; and

(f) such other duties and functions assigned to it under DGG Laws.

35. Members of the DKDK must have knowledge and understanding of Dene Laws and traditions pursuant to the *Déljné Got'jné ʔeʔadó*.

Dene K'ə Dats'eredi Kə to be Independent

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

37. 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'eredi Kə

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

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

39. 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

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

Transition

41. 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'ahtjédé* for decision by the DKK.

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

Establishment of the Dene Gha Gok'ə Réhkw'ı

42. The DGGR shall be composed of five (5) resident or non-resident DFN Citizens who are Beneficiaries to be appointed by the DKK for a term of four years to coincide with the term of the elected members of the DKK.

43. (1) The *ʔekw'ahtjédé* shall be a member of the DGGR.

(2) If the *ʔekw'ahtjédé* is unable or unwilling to act, the DKK may appoint another member of the DKK to serve in his or her place as a member of the

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DGGR.

44. At least two members of the DGGR shall not be Residents.
45. There shall be a call for nominations for the remaining four (4) DGGR members and all nominations received shall be reviewed by a nominations committee appointed by the DKK, which shall report to and make recommendations to the DKK.
46. Non-resident DFN Citizens who are Beneficiaries should be represented on the nominations committee appointed under section 44.
47. The DGGR shall choose its Chair from any of its members.
 - (a) Notwithstanding sections 41, 42, 43, 44, 45 and 46 after the passage of this *Act* the DKK shall appoint four DFN Citizens to serve as the first members, in addition to the ʔekw'ahtjé, 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'i

48. 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 of rights and benefits provided under the SDMCLCA to Beneficiaries who are DFN Citizens;
 - (c) the investment 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.
49. 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.
50. 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.
51. The DGGR has primary responsibility for the administration and management of

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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.

52. The DGGR may consult with Beneficiaries from time to time as required and shall report to the community at the Délįnę Łénats'ehdә Dzené.

DIVISION 6 – DÉLІNĘ ʔEHZDZO GOT'ІNĘ

Establishment of the Délįnę ʔehdzo Got'įnę

53. The DRRC is established by the DGG, acting as the DSO, as a Renewable Resources Council for Délįnę per the provisions of Chapter 13 of the SDMCLCA.

54. The DRRC is a DGG Institution.

Délįnę ʔehdzo Got'įnę's Rights, Powers and Responsibilities

55. The DRRC has all of the rights, powers, and responsibilities of a Renewable Resources Council under the SDMCLCA, including but not limited to:

- (a) The DRRC shall encourage and promote local involvement in conservation, harvesting studies, research, and wildlife management in Délįnę;
- (b) The DRRC shall allocate any Sahtú Needs Level for Délįnę among Beneficiaries;
- (c) The DRRC shall manage the local exercise of Beneficiaries' harvesting rights, including the method, season and location of harvest;
- (d) The DRRC may establish or amend group trapping areas subject to approval by the SRRB;
- (e) The DRRC may advise the SRRB on harvesting by Beneficiaries and other matters of local concern within the SRRB's jurisdiction;
- (f) The DRRC shall participate in the collection of local harvesting data and local data on wildlife and wildlife habitat and may share that information with the Government of the Northwest Territories and the SRRB; and
- (g) The DRRC may work with the SRRB on research and other projects within the jurisdiction of the SRRB.

56. The DRRC is entitled to notice by any government or holder of interest in land any time such an entity is proposing that the right of access granted under the SDMCLCA should be restricted because a proposed use of land would conflict

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with harvesting.

57. The DRRC may permit any person, within the limits prescribed by laws affecting wildlife harvesting and management and by the SDMCLCA, to:
 - (a) harvest wildlife from lands referred to in 13.4.3 of the SDMCLCA,
 - (b) harvest wildlife to which Beneficiaries have been granted special harvesting rights in 13.4.4 of the SDMCLCA; and
 - (c) harvest fur bearers to which the Beneficiaries have the exclusive right.
58. The DRRC may set terms and conditions respecting species, location, methods, quantities, seasons, and duration of harvest for any permission given under section 57.
59. Where the DRRC receives a request for permission to harvest pursuant to section 57, the DRRC shall render a decision within 60 days of the request and communicate its decision to the applicant.
60. The DRRC is responsible for administering harvester support programs for harvesters in Délįnę.

Annual Harvester Meetings

61. The DRRC shall host at an annual meeting of the Beneficiaries who are harvesters in Délįnę each year to report on the work of the DRRC.
62. In addition to the annual meeting under section 61, the DRRC may host additional meetings of the Beneficiaries who are harvesters in Délįnę throughout the year to update on DRRC activities and seek input from harvesters.
63. The DRRC will also report on its activities at the Délįnę Łénats'ehdę Dzené.

Composition of the Délįnę ʔehdzo Got'įnę

64. The DRRC shall be composed of up to seven (7) members who are all both Residents and Beneficiaries.
65. The members of the DRRC shall serve a term of up to four years.
66. When the terms of the members of the DRRC are done, the Resident Beneficiaries who are present at an annual meeting held pursuant to section 61 shall choose up to seven Resident Beneficiaries to sit as members of the DRRC.
67. A Resident Beneficiary may be chosen to sit on the DRRC for more than one

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term, including consecutive terms.

Appointment of the President and Vice President

68. The members of the DRRC shall appoint a President and Vice-President from among themselves.

Process and Procedures for the Déljñę ʔehdzo Got'jñę

69. The DRRC may establish its own process and procedures for performing its duties and responsibilities.

Financial Support for the Déljñę ʔehdzo Got'jñę

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

Grounds for Removal from the Déljñę ʔehdzo Got'jñę

71. A member of the DRRC may be removed from the DRRC by a majority vote of the other members of the DRRC for proper cause, including incapacity and conduct considered to be detrimental to the aims and objectives of the DRRC.

Vacancy

72. In the event of a vacancy on the DRRC, the DRRC will host a meeting of Beneficiaries who are harvesters in Déljñę to choose a replacement member.

73. If the vacancy occurs within 60 days of a scheduled annual meeting to be held pursuant to section 61, the replacement member will be chosen at that annual meeting.

Transition

74. The elected Directors of the Déljñę Renewable Resources Council that exists as a non-profit society incorporated under the *NWT Societies Act* will be the first members of the DRRC and they will continue to be the members of the DRRC until the next annual meeting held pursuant to section 61 and at that meeting the members of the DRRC will be chosen.

DIVISION 7 – EXECUTIVE COMMITTEE

Composition of the Executive Committee

75. (1) The DKK may appoint three (3) of its members, including the ʔekw'ahtjǰé, to sit on an Executive Committee.

(2) If an Executive Committee is appointed, the ʔekw'ahtjǰé shall sit on the Executive Committee for the term of his or her office.

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- (3) The remaining Executive Committee members will sit on the Executive Committee for a term that shall not exceed his or her term of office.

Role of the Executive Committee

76. The Executive Committee will act as a sub-council of the DKK.
77. 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

78. The Executive Committee may establish its own process and procedures for performing its duties and responsibilities.
79. Where practicable, the CEO and CFO shall attend every meeting of the Executive Committee.

PART 2 – CHIEF EXECUTIVE OFFICER

Position of Chief Executive Officer

80. (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'ahtjé and is responsible to the DKK.

Responsibilities of the Chief Executive Officer

81. (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

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- current organizational chart and making it available to the public;
- (d) establishing and overseeing human resource policies and practices;
 - (e) advising the ʔekw'ahtǵdé 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

82. (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 – DÉLĪŅĒ ŁÉNATS'EHĎƏ DZENÉ

Calling of a DélĪŅĒ Łénats'ehĎƏ Dzené

83. (1) The DKK shall call a DélĪŅĒ Łénats'ehĎƏ Dzené of DFN Citizens and Residents at least once each calendar year.
- (2) The DKK may call other gatherings as it considers necessary.

Notice of DélĪŅĒ Łénats'ehĎƏ Dzené

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84. (1) Reasonable notice of the Déljñę Łénats'ehdę Dzené 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 Déljñę Łénats'ehdę Dzené

85. (1) At the Déljñę Łénats'ehdę Dzené 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 Déljñę Łénats'ehdę Dzené.
- (3) The DGG and DGGR shall provide a written report to the Beneficiaries at the Déljñę Łénats'ehdę Dzené on the management and administration of assets, lands and responsibilities under the SDMCLCA.

PART 4 – REGISTRY OF LAWS

Establishment of the Registry of Laws

86. (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

87. (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 Déljñę Got'jñę ?e?adó;
 - (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

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- (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

- 88. (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

- 89. The Déłıneᑭ Got'ıneᑭ ʔeʔadó and all DGG Laws must be available in English and North Slavey, however, only the English version will be official.

Responsibilities

- 90. (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

- 91. 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

- 92. A proposed DGG Law or any amendment thereto shall be submitted to the DKK.

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93. (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 92.
- (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*.
94. After considering any comments or other information received during the consultation referred to in section 93, 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

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

Emergencies and Housekeeping Amendments

96. Notwithstanding sections 92-94, where 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 93.
97. Where action is taken under section 96, the CEO shall submit the proposed DGG Law or the order referred to in section 96, 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 93; or
 - (c) refuse to enact the proposed DGG Law or amend the DGG Law, as the case may be.

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98. A DGG Law or amendment passed in accordance with section 96 and 97 shall only be in force until the next Délı̄nę Łénats'ehdә 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

99. The first ʔekw'ahtı̄dé and Councillors of the DGG elected in accordance with applicable election laws and the appointed ʔqhda representative constitute the DKK under section 15 of this *Act*.

Band Council Resolutions

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

Charter Community By-laws

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

Assets and Liabilities

102. 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

103. 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

104. (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

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- (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

105. (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, including the DGGR and the DRRC;
 - (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 104, 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

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

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Commencement

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

Repeal

108. The Charter Community of Déljñę *Indemnities and Allowances Bylaw (No. 132)* is hereby repealed.

Conflict

109. In the event that the provisions of this *Act* conflict with the provisions of the DFSGA, the provisions of the DFSGA prevail.

110. In the event that the provisions of this *Act* conflict with the provisions of the Déljñę Got'jñę ʔeʔadó, the provisions of the Déljñę Got'jñę ʔeʔadó prevail.

111. In the event that the provisions of the DFSGA conflict with the provisions of the Déljñę Got'jñę ʔeʔadó, the provisions of the DFSGA prevail.

112. 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’arıwe
gha, Dene káahlası́ ı́ Newehtsı́
ne dene ts’é náodı́ t’á
Hı́ dú dzene gots’é

Hı́ dó dáréhwha gots’é

Gok’ə ts’eréhkwl’ı́ sı́ ı́

Dene hídlı́ , dene náoweré
t’á Areyone dene ts’é
náts’udı́ sı́ ı́ Eléht’é gots’é
káadets’enuzá hé Surı́
rehkw’ı́ t’á rehkw’ı́ t’á
Nakegha eghálats’eda gha.