NEE TAHI BUHN
CONSTITUTION

(approved for ratification on September 22, 2026)

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PREAMBLE

Our name, Nee Tahi Buhn, describes the history and origins of our people and our relationship to Neet Dahr Buhn, the surrounding lands and our neighbours;

We, the people of Nee Tahi Buhn, have inhabited our territories for thousands of years and are the inheritors of the land and resources. We have an obligation to all generations, past and future, to protect and preserve the land and its resources;

The land and her resources provide, through the seasons, life and sustenance for our people and shall be respected in all our activities, including our hunting, our gathering, and our fishing;

We, the people of Nee Tahi Buhn, respect our elders and rely on their knowledge and guidance;

Our people's aim is to achieve the full human, physical, economic and political potential of our people and to meet the needs of our children; and

Our goal is to support and sustain a community that is self-reliant, healthy both physically and spiritually, and respectful of the values and history of Nee Tahi Buhn.

PART 1 - DEFINITIONS

The definitions in this Constitution are authoritative and shall supersede any conflicting or inconsistent definitions contained in any Nee Tahi Buhn law, code, regulation, policy, or administrative instrument.

"Administration" means the employees, officers, and administrative bodies established by Council to carry out the operations of Nee Tahi Buhn.

"Administration Building" means the primary office of Nee Tahi Buhn where official records, registers, and documents are maintained.

"Audit" means an independent examination of the financial statements and records of Nee Tahi Buhn conducted by a qualified auditor.

"Budget" means the annual financial plan approved by Council for the operations and activities of Nee Tahi Buhn.

"Business interest" means any ownership or partial ownership of a business, shares in a corporation, or any other financial involvement, including financial benefits received from, or financial obligations owed to or from, any individual, business, or corporation.

"Chief" means the candidate elected to Council as Chief pursuant to the Election Code.

"Committee" means any committee established by Council pursuant to this Constitution or a Nee Tahi Buhn law.

"Complaints and Appeals Board" means the independent body established under this Constitution responsible for receiving, investigating, and deciding complaints and appeals related to elections, the conduct of elected officials, conflict-of-interest matters, administrative fairness, and any other

governance matters assigned to it under Nee Tahi Buhn laws, codes, or policies. The Board exercises its authority independently of Chief and Council, and its decisions are final and binding unless otherwise provided in this Constitution.

“Conflict of Interest” means any situation in which a member of Council, or a member of their immediate family, has a personal, financial, or business interest that could influence, or reasonably appear to influence, the member’s ability to act in the best interests of Nee Tahi Buhn in carrying out their duties. A conflict of interest includes any real, potential, or perceived benefit, obligation, relationship, or advantage that could impair impartial decision making or undermine community trust.

“Council” means the governing body of Nee Tahi Buhn composed of the Chief, Deputy Chief, and Councillors elected in accordance with the Election Code.

“Councillor” means the candidate elected to Council pursuant to the Election Code other than the Chief or Deputy Chief.

“Deputy Chief” means the candidate elected to Council as Deputy Chief pursuant to the Election Code.

“Deputy Electoral Officer“ means any person appointed by the Electoral Officer to assist in carrying out the duties assigned under the Election Code, and whose actions are subject to the direction and supervision of the Electoral Officer.

“Duly Convened” means a Council meeting that is called in accordance with the notice, timing, and procedural requirements of this Constitution, with quorum in attendance.

“Election“ means an election or by-election for Council or a Member of Council, held pursuant to the Election Code;

“Election Code” means the most current Nee Tahi Buhn Election Code ratified by Nee Tahi Buhn Members, which governs all electoral processes of the Nation and is subject to the Constitution.

“Elector“ means a person who is eligible to vote in elections or by-elections under the provisions of the Election Code;

“Electoral Officer“ means a person appointed by resolution of Council to ensure that all provisions set forth in the Election Code governing elections and by-elections are adhered to;

“Electoral Officials” means the Electoral Officer and any Deputy Electoral Officer appointed under the Election Code.

“Electors' List“ means an alphabetical list of eligible Electors indicating the name, business address and business telephone number of the Electoral Officer;

“Elected Official” or “Elected Officials” means all members of Council, including the Chief, the Deputy Chief and the Councillors.

“Financial Administration Law” means the law enacted by Council that establishes the financial management, accountability, and reporting requirements of Nee Tahi Buhn.

“General Community Meeting” means a meeting of the membership convened to report, provide updates, and discuss community matters.

“General Manager” means the General Manager for Nee Tahi Buhn, the single employee of Chief and Council;

“Immediate Family” includes a spouse, common-law spouse, parent, child, sibling, parent-in-law, child-in-law, or any person who stands in a relationship of dependency like that of a family member.

“Inherent Authority” means the inherent right of self-government held by Nee Tahi Buhn as an Indigenous people, arising from its history, culture, and occupation of the land.

“Majority“ means 50 percent plus one;

“Member” means a person recognized as a member of Nee Tahi Buhn in accordance with the Nation’s membership rules.

“Nation” means Nee Tahi Buhn, also known as the Nee Tahi Buhn Band.

“Nee Tahi Buhn“ means the body of people, also known as the Nee Tahi Buhn Indian Band under the Indian Act, for whose use and benefit in common Nee Tahi Buhn reserve lands have been set aside by Her Majesty the Queen.

“Nee Tahi Buhn law” means any law, regulation, or by-law enacted by Council under the Law-Making Authority in the Constitution.

“Nee Tahi Buhn Reserve Lands“ means the existing Nee Tahi Buhn reserves, namely, Francois Lake Reserve, I.R. No. 7; Omineca Reserve, I.R. No. 1; the eastern half of Uncha Reserve and eastern island, I.R. No. 13A; Isaac Reserve, I.R. No. 8; and any lands set apart by Canada in future as reserve lands for the use and benefit of Nee Tahi Buhn;

“Nee Tahi Buhn Traditional Territory“ means the area identified, for purposes of any Laws or Codes, as Nee Tahi Buhn Traditional Territory by shading on the Map set out in Schedule “A“ of this Constitution.

“Officer” means any person appointed by Council to carry out administrative, financial, or operational responsibilities on behalf of Nee Tahi Buhn.

“Ordinarily Resident" means the place where, in the settled routine of that person's life, that person regularly, normally or customarily lives, for at least six months of the year.

“Posting Places” means the Nee Tahi Buhn administration building and any other conspicuous place or places on Nee Tahi Buhn Reserve Lands designated by Council, together with the Nation’s official digital communication channels authorized for posting member notices, including notices of elections, ratifications, community meetings, laws, and other governance matters.

“Quorum” means the minimum number of Council members required to conduct official business as set out in this Constitution.

"Regularly" means no less than four times per year, with reports provided at scheduled Council-to-Membership meetings.

"Resolution" means a formal decision of Council adopted in accordance with this Constitution.

"Special Community Meeting" means a meeting of the membership convened for a specific purpose in accordance with this Constitution.

"Spouse" means either of two persons who are married to each other, or, if not married to each other, have cohabited continuously in a conjugal relationship (a) for a period of not less than two years, or (b) for a period of less than two years if they are the parents of a child together, and in either case are currently cohabiting.

"Vacancy" means the office of Chief, Deputy Chief, or Councillor becoming vacant due to resignation, death, removal, or any other reason set out in the Election Code.

"Vote" means a formal expression of choice by Council or by Electors, as applicable.

"Working Day" means any day other than a Saturday, Sunday, or statutory holiday in British Columbia.

PART 2 - SUPREMACY, APPLICATION AND INTERPRETATION

2.1 Supremacy of this Constitution

(1) This Nee Tahi Buhn Constitution is the supreme law of the Nee Tahi Buhn Nation, and all Nee Tahi Buhn laws, codes, regulations, and policies shall be consistent with this Constitution.

2.2 Conflict of Laws

(1) If there is any inconsistency or conflict between this Constitution and any Nee Tahi Buhn law, this Constitution shall prevail to the extent of such inconsistency or conflict.

2.3 Application of this Constitution

(1) This Constitution governs the exercise of authority by Council, administrative bodies, committees, boards, and all other institutions of Nee Tahi Buhn.

2.4 Interpretation Principles

(a) This Constitution of Nee Tahi Buhn shall be interpreted in a manner that:

(b) reflects Nee Tahi Buhn values, teachings, and principles;

(c) honours the Preamble as a guiding interpretive source;

(d) protects and advances the inherent rights of Nee Tahi Buhn;

(e) supports good governance, accountability, and community wellbeing;

(f) respects the spirit and intent of the Nation's laws, institutions, and governance traditions.

(2) Interpretation shall favour approaches that strengthen the Nation's self-determination and uphold the collective interests of the membership.

2.5 Resolving Ambiguities

(1) Where ambiguity arises in the interpretation of this Constitution or any Nee Tahi Buhn law:

(a) the interpretation most consistent with Nee Tahi Buhn values and inherent rights shall prevail;

(b) this Constitution shall be read as a living document, interpreted in a manner that supports evolving governance needs;

(c) ambiguities shall be resolved in favour of transparency, accountability, and community protection;

(d) where necessary, Council or the Complaints & Appeals Board may issue interpretive guidance consistent with this Part.

(2) If ambiguity persists, the matter may be referred to a Special Community Meeting for clarification, following Member Notice Requirements set out in this Constitution.

2.6 Consistency Requirement

(1) All Nee Tahi Buhn laws, codes, regulations, and policies must be:

(a) consistent with this Constitution;

(b) interpreted in harmony with the Preamble and values of Nee Tahi Buhn;

(c) applied in a manner that protects inherent rights and community interests.

(2) A law, code, regulation, or policy that is inconsistent with this Constitution is invalid only to the extent of the inconsistency.

(3) All laws, codes, regulations, policies, and decisions must be consistent with this Constitution and shall be interpreted in harmony with its values and principles.

PART 3 - GOVERNANCE STRUCTURE

3.1 Governing Authority

(1) The Council of Nee Tahi Buhn is the governing body of the Nation and shall exercise all inherent and delegated powers necessary for the good government of Nee Tahi Buhn.

3.2 Composition of Council

(1) The Council shall consist of:

(a) one (1) Chief;

(b) one (1) Deputy Chief; and

(c) Councillors, the number of which shall be prescribed by the Election Code.

3.3 Term of Office

(1) The term of office for all elected officials shall be as prescribed in the Election Code.

3.4 Election of Council

(1) Council members shall be elected in accordance with the Nee Tahi Buhn Election Code in force, which forms a separate governing instrument.

3.5 Authority of Council

(1) Council is the governing body of Nee Tahi Buhn Band and holds all powers necessary to govern the Nation, subject to this Constitution, the Financial Administration Law, and all other Nee Tahi Buhn laws.

(2) Council shall exercise its authority in a manner that upholds:

(a) transparency;

(b) accountability;

(c) fairness;

(d) community values; and

(e) responsible stewardship.

3.6 Legislative Powers

(1) Council has the authority to enact Nee Tahi Buhn laws, including the power to:

(a) enact new laws;

(b) amend existing laws;

(c) repeal laws;

(d) establish regulations and standards; and

(e) pass resolutions necessary for implementation.

(2) All laws must be enacted through the law-making process set out in this Constitution, including approval at a duly convened Council meeting and proper recording of the decision in the minutes.

3.7 Executive Powers

(1) Council is responsible for the administration of programs and services and shall:

(a) ensure programs and services are delivered effectively and fairly;

(b) oversee administration without interfering in day-to-day operations;

(c) set strategic direction and priorities; and

(d) ensure compliance with Nee Tahi Buhn laws and policies.

(2) Council may delegate administrative duties to staff, committees, or administrative bodies, but retains final accountability.

3.8 Financial Powers

(1) Council shall manage the Nation's finances in accordance with the most current Financial Administration Law, including the authority to:

(a) approve budgets;

(b) approve financial policies;

(c) oversee financial reporting;

(d) ensure responsible financial stewardship; and

(e) safeguard Nation assets.

(2) Council shall not act contrary to the Financial Administration Law.

3.9 Authority to Enter Agreements

(1) Council may enter into agreements on behalf of the Nation, including:

(a) funding agreements;

(b) service agreements;

(c) intergovernmental agreements;

(d) partnership agreements; and

(e) land-related agreements.

(2) All agreements entered into on behalf of the Nation must be approved by resolution at a duly convened Council meeting.

3.10 Authority to Establish Committees and Administrative Bodies

(1) Council may establish committees and administrative bodies to support governance, including:

(a) standing committees;

(b) advisory committees;

(c) administrative bodies; and

(d) special purpose committees.

(2) Council shall define each committee's mandate, authority, reporting requirements, and membership.

3.11 Employment and Contracting Restrictions

(1) To protect integrity and avoid conflicts of interest:

(a) elected officials shall not be employed by the Nation during their term;

(b) if duly elected, candidates employed by the Nation must resign before assuming office; and

(c) elected officials, in their own individual capacity, shall not enter into contracts with the Nation under which the elected official will receive a benefit unless permitted under conflict-of-interest rules and approved by Resolution.

3.12 Duty to Report and Communicate

(1) Council shall:

(a) report annually to the membership on finances, governance activities, and progress;

(b) ensure public posting of the annual report, audited financial statements, and any other reports required under this Constitution or Nee Tahi Buhn law; and

(c) maintain open and transparent communication with the membership.

3.13 Duty to Uphold Community Values

(1) Council shall govern in a manner consistent with:

(a) Nee Tahi Buhn values;

(b) community expectations;

(c) cultural protocols; and

(d) principles of respect, honesty, and accountability.

3.14 Residual Powers

(1) Council may perform all acts necessary for the governance of the Nation, including any authority not expressly listed in this Constitution, provided such acts:

(a) are consistent with Nee Tahi Buhn laws;

(b) uphold good governance;

(c) respect community values; and

(d) comply with the Financial Administration Law.

3.15 Limitations on Council Authority

(1) Council shall not:

(a) act contrary to this Constitution;

(b) violate conflict-of-interest rules;

(c) interfere in administrative operations;

(d) alter its own remuneration; and

(e) undermine the independence of the Complaints & Appeals Board.

PART 4 - DELEGATION OF AUTHORITY

4.1 Delegation by Council

(1) Council may delegate specific administrative, operational, or advisory responsibilities to committees, officers, or employees, provided that such delegation is made by Resolution at a duly convened meeting.

4.2 Limits on Delegation

(1) Council may not delegate:

(a) the authority to enact laws;

(b) the authority to approve budgets;

(c) the authority to enter into agreements that bind the Nation, unless expressly authorized by Resolution; or

(d) any power that this Constitution requires Council to exercise directly.

4.3 Documentation

(1) All delegations of authority must be recorded in the minutes of the meeting at which they are approved.

4.4 Accountability

(1) Any person or body exercising delegated authority remains accountable to Council.

PART 5 - EMERGENCY POWERS

5.1 Declaration of Emergency

(1) Council may declare a state of emergency where immediate action is required to protect the health, safety, or security of the Nation.

5.2 Temporary Measures

(1) During an emergency, Council may take temporary actions necessary to address the situation, provided such actions:

(a) are proportional to the emergency;

(b) are time-limited; and

(c) do not permanently amend or override this Constitution.

5.3 Reporting

(1) Council shall report to the membership on all emergency actions at the next General Community Meeting.

5.4 Termination of Emergency

(1) A state of emergency declared under this Part terminates upon Council passing a Resolution declaring the emergency concluded, and Council shall post notice of the termination in the Posting Places as soon as reasonably practicable.

PART 6 - ROLES AND RESPONSIBILITIES OF COUNCIL

6.1 Chief

(1) The Chief is the senior elected official of Nee Tahi Buhn and shall:

(a) provide leadership to Council and the Nation;

(b) represent Nee Tahi Buhn in dealings with governments, industry, and external bodies;

(c) act as spokesperson for the Nation unless Council designates another representative;

(d) ensure that any action affecting the rights, interests, or obligations of Nee Tahi Buhn is taken only pursuant to the direction or approval of Council.

(e) chair meetings of Council and community meetings;

(f) report regularly to the membership on the activities of Council;

(g) uphold and enforce this Constitution; and

(h) perform such other duties as assigned by Council consistent with this Constitution.

6.2 Deputy Chief

(1) The Deputy Chief shall:

(a) act in place of the Chief only during the Chief's absence, incapacity, or vacancy;

(b) exercise all powers of the Chief as mentioned above when acting in that capacity; and

(c) otherwise, fulfill all responsibilities of a Councillor.

(2) Additionally, the Deputy Chief may carry out roles and responsibilities delegated by Council in a duly convened meeting, provided that such delegated duties do not derogate from the vision and mission of Nee Tahi Buhn and remain consistent with the roles, responsibilities, and powers set out in this Constitution.

6.3 Councillors

(1) Councillors shall:

(a) participate fully in Council deliberations and decisions;

(b) represent the interests of the membership;

(c) serve on committees or boards as assigned by Council;

(d) report to the membership on their activities;

(e) uphold this Constitution; and

(f) perform such other duties as Council may assign.

6.4 Collective Responsibilities of Council

(1) Council shall:

(a) act honestly, in good faith, and in the best interests of Nee Tahi Buhn;

(b) govern in a transparent and accountable manner;

(c) ensure the effective administration of programs, services, and operations;

(d) safeguard the financial integrity of the Nation; and

(e) uphold the principles and values set out in this Constitution.

6.5 Council Authority

(1) Council authority exists only when Council is acting collectively in a duly convened meeting with a quorum present, in accordance with the procedures set out in this Constitution and any related laws.

(a) Individual members of Council have no independent authority to direct staff, make decisions, or act on behalf of the Nation outside of such meetings.

6.6 Council Remuneration

(1) All remuneration decisions shall be made through the Remuneration Oversight process established in this Constitution, including approval by the Complaints & Appeals Board.

6.7 Removal of Chief, Deputy Chief, or Councillor

(1) Grounds for Removal

(a) A Chief, Deputy Chief, or Councillor may be removed from office by a decision of the Complaints and Appeals Board for any of the following removal grounds:

(i) serious breach of this Constitution;

(ii) violation of conflict-of-interest rules;

(iii) misconduct or dishonesty in the performance of duties;

(iv) repeated violation of the Council Code of Conduct;

(v) missing three duly convened Council meetings within a calendar year without a valid reason accepted by the Complaints & Appeals Board;

(vi) behaviour that brings the Nation into disrepute; and

(vii) incapacity that prevents the individual from fulfilling their duties.

(2) Initiating Removal

(a) A removal process may be initiated by:

(i) Resolution of Council passed at a duly convened meeting; or

(ii) Petition signed by at least twenty (20) eligible Electors.

(b) All removal matters initiated under this section shall be referred to the Complaints & Appeals Board for independent review and decision.

(3) Procedure for removal

(a) The Complaints & Appeals Board shall provide written notice to the elected official outlining:

(i) the alleged grounds for removal;

(ii) all supporting information available at the time; and

(iii) the process to be followed.

(4) Investigation

(a) The Board may:

(i) request documents;

(ii) interview witnesses;

(iii) obtain statements;

(iv) review Council records; and

(v) conduct any investigation necessary to ensure fairness.

(5) Opportunity to Respond

(a) The elected official shall be given a fair opportunity to respond at:

(i) a hearing convened by the Complaints & Appeals Board, or

(ii) a Special Community Meeting convened for this purpose,

as determined by the Board based on fairness and community interest.

(6) Decision

(a) The Complaints & Appeals Board shall issue a binding decision on whether removal is justified under:

(i) this Constitution;

(ii) the Election Code;

(iii) the Financial Administration Law;

(iv) conflict-of-interest rules;

(v) any other Nee Tahi Buhn laws; and

(vi) any duly enacted codes or policies of the Nation governing elected officials.

(b) No Council vote is required to give effect to the Complaints & Appeals Board's decision to remove a Chief, Deputy Chief, or Councillor.

(c) No political body may override the Board's decision.

(7) Posting

(a) The Board shall post its decision in the Posting Places within three (3) days.

6.8 Removal Disqualification

(a) A person who has been removed from the office of Chief, Deputy Chief, or Councillor pursuant to this Constitution or the Election Code is disqualified from being nominated for, or holding, any elected office of Nee Tahi Buhn for a period of 8 years, or permanently if specified in the removal decision of the Board.

6.9 Vacancies

(1) Declaration of Vacancy

(a) A vacancy occurs when an elected official resigns, is removed, dies, or becomes otherwise unable to serve.

(2) Filling Vacancies

(a) Vacancies shall be filled in accordance with the procedures set out in the Election Code.

(3) Interim Authority

(a) Where the office of Chief becomes vacant, the Deputy Chief shall act as Chief until the vacancy is filled.

PART 7 - COUNCIL PROCEDURES AND MEETINGS

7.1 Council Meetings

(1) First Meeting of a New Council

(a) The first meeting of a newly elected Council shall be held within one month of the election. The Chief shall provide notice to all Council members specifying the date, time, and location of the meeting.

(2) Regular Council Meetings

(a) Council shall meet regularly at times necessary to conduct the business of the Nation. All Regular Meetings must be duly convened, meaning they must follow the notice, timing, and procedural requirements of this Constitution. The General

Manager, or their designate, shall provide notice of each meeting to all Council members.

(3) Agenda Preparation

(a) Council, in conjunction with the General Manager, shall prepare an agenda for each meeting. The agenda shall include:

(i) items for discussion;

(ii) reports to be presented;

(iii) proposed Resolutions; and

(iv) proposed Nee Tahi Buhn laws.

(4) Distribution of Materials

(a) The General Manager, or their designate, shall distribute the agenda, minutes from the previous meeting, and any relevant background materials to Council at least three working days before the meeting.

7.2 Special Council Meetings

(1) Calling Special Meetings

(a) Special Meetings may be held whenever required for Council business or urgent Nation matters.

(i) Notice of a Special Meeting shall be provided to Council at least two working days before the meeting.

(ii) Notice may be waived by unanimous consent of all Council members.

(iii) A majority of Council may request in writing that the Chief call a Special Meeting.

(iv) If the Chief does not call the meeting within 24 hours of receiving the request, or is absent, a majority of Council may call the meeting themselves and shall sign the notice.

7.3 Attendance Requirements

(1) Attendance

(a) No Council member may be absent from three duly convened Council meetings in a calendar year without a valid reason accepted by the Complaints & Appeals Board.

(b) Council meetings are open to all members of Nee Tahi Buhn, except where Council determines that a meeting, or a portion of a meeting, must be held in camera for reasons of confidentiality or community interest.

(c) Persons who are not members of Nee Tahi Buhn may be invited to attend meetings. Council may exclude invitees where confidentiality or community interest requires it.

(d) The Chair may expel or exclude any person who causes a disturbance or acts improperly at a Council or community meeting.

(2) Secretary

(a) The General Manager, or their designate, shall act as Secretary for all Council meetings.

7.4 Quorum

(1) Quorum Requirements

(a) A quorum of Council shall be a majority of Council members.

(b) If quorum is not present within one hour of the scheduled meeting time:

(i) the Secretary shall record the names of those present; and

(ii) the meeting shall be adjourned to the next scheduled meeting.

7.5 Order of Business

(1) Council shall follow a standard order of business at each regular meeting unless Council resolves otherwise. The order of business is:

(a) Opening prayer;

(b) reading, correction, and adoption of the minutes of the previous meeting;

(c) unfinished business from the previous meeting;

(d) presentations and reading of correspondence;

(e) presentation of the financial report;

(f) presentation and consideration of reports;

(g) new business; and

(h) adjournment.

7.6 Speaking Rules

(1) Council members wishing to speak shall:

(a) address their remarks to the Chair; and

(b) confine their comments to the matter under discussion.

(i) If more than one member wishes to speak at the same time, the Chair shall determine who speaks first.

(ii) Council members may request that the question or Resolution under discussion be read at any time during debate, provided they do not interrupt a member who is speaking.

7.7 Voting Procedures

(1) Quorum must be present at the time of the vote.

(2) For a Resolution to be approved a majority of Council members present must vote in favour of the Resolution. For the purposes of this section, the Chair is counted as present for quorum but does not vote except to break a tie.

(3) Abstentions count toward quorum but do not count as votes for or against the matter.

(4) All Council members shall announce their votes openly, and the Secretary shall record each vote in the minutes.

7.8 Minutes of Meetings

(1) Minutes of Council meetings shall include:

(a) the date, time, and location of the meeting;

(b) a list of those present and absent;

(c) matters discussed, item by item, including opinions expressed;

(d) names of members making and seconding motions, and voting results;

(i) action items assigned, including responsible persons and expected completion dates;

(ii) matters deferred or postponed, with explanations; and

(iii) the date, time, and place of the next meeting.

(e) Minutes shall be legibly recorded in a minute book and signed by the Chief, Deputy Chief, or the presiding Council member.

(f) Except for minutes of in-camera meetings, minutes shall be open for inspection by any member, who may make copies or extracts.

7.9 Chair of meetings

(1) Chairing Council and Community Meetings

(a) The Chief shall serve as the Chair for all Council meetings and community meetings.

(b) If the Chief is absent or delayed, the Deputy Chief shall preside.

(c) If both the Chief and Deputy Chief are absent, the Council members present shall appoint one Councillor to act as Chair until the Chief or Deputy Chief arrives.

7.10 Authority of the Chair

(1) The Chair shall:

(a) maintain order during meetings;

(b) ensure respectful and orderly discussion;

(c) decide all questions of procedure, subject to appeal.

7.11 Appeals of Procedural Decisions

(a) In order to ensure procedural fairness is upheld and that the Chair's authority remains accountable to Council as a whole:

(i) any Council member may appeal a procedural ruling of the Chair; and

(ii) all appeals shall be decided by a majority vote of Council members present.

PART 8 - CONFLICT OF INTEREST

8.1 Principles

(1) Members of Council shall conduct themselves in a manner that upholds the integrity of Nee Tahi Buhn governance. Council members must arrange their affairs to avoid any conflict of interest or appearance of conflict and must comply with all conflict-of-interest rules set out in this Part.

8.2 Definition

(1) A conflict of interest exists in any situation in which a member of Council, or a member of their immediate family, has a personal, financial, or business interest that could influence, or reasonably appear to influence, the member's ability to act in the best interests of Nee Tahi Buhn in carrying out their duties. A conflict of interest includes any real, potential, or perceived benefit, obligation, relationship, or advantage that could impair impartial decision-making or undermine community trust.

8.3 Prohibited Conduct

(1) Council members shall not:

(a) participate in any matter in which they have a conflict of interest or the appearance of one;

(b) attempt to influence staff, Council, or any administrative body regarding a matter in which they have a conflict;

(c) use their position to secure personal benefit for themselves or their immediate family;

(d) fail to disclose a conflict when required under this Part.

(2) Exceptions

(a) No conflict of interest arises where:

(i) the only interest is as a beneficiary or shareholder of a corporation or entity owned or controlled by Nee Tahi Buhn;

(ii) the interest is held in the same manner and under the same conditions as other members of Nee Tahi Buhn;

(iii) a Council member guarantees or assumes liability for a loan made to Council or the Nation;

(iv) Council indemnifies or reimburses a Council member for expenses reasonably incurred in their duties, or provides insurance for risks associated with their duties.

8.4 Disclosure Requirements

(1) A Council member who has a conflict of interest must disclose the nature and extent of the conflict at the earliest opportunity, including:

(a) when the matter first arises; or

(b) when the member first becomes aware of the conflict, even if the matter has already been concluded.

(i) If a Council member is uncertain whether a conflict exists, they may request advice from Council; however, the obligation to disclose remains with the member.

(c) All disclosures must be recorded in the minutes.

8.5 Recusal

(1) Recusal and Decision-Making Procedures

(2) After declaring a conflict, the Council member must:

(a) leave the meeting during discussion of the matter;

(b) not be counted toward quorum;

(c) not participate in debate or vote.

8.6 Council Decision-Making Where a Conflict Exists

(1) Council may approve a transaction or matter involving a conflict only where:

(a) the affected member has fully complied with disclosure and recusal requirements;

(b) the transaction is fair, reasonable, and in the best interests of the Nation;

(c) a quorum of Council (excluding conflicted members) is present;

(d) a majority of Council members present and entitled to vote approve the matter by Resolution.

(2) Where Council later determines that the conflicted member failed to disclose, or failed to provide sufficient information to assess, the conflict, Council may rescind its approval of the transaction or matter by Resolution, without prejudice to any enforcement action under section 8.7.

(3) Council may impose conditions on any approval to:

(a) protect the interests of the Nation;

(b) safeguard community trust;

(c) ensure transparency.

(4) Where Quorum Cannot Be Achieved

(a) If quorum cannot be achieved due to conflicts of interest, the matter shall be referred to a Special Community Meeting convened in accordance with Member Notice Requirements set out in this Constitution.

(b) At the Special Community Meeting:

(i) affected Council members must disclose the circumstances preventing participation;

(ii) electors present shall decide the matter by a majority vote by a show-of-hands unless the chair of the meeting, in consultation with the non-conflicted Council members present, determines that a secret ballot, consensus, or oral traditional governance approach is more appropriate in the circumstances;

(iii) The meeting shall be chaired by the Chief, or if the Chief is conflicted or absent, by the Deputy Chief, or if both are conflicted or absent, by a non-conflicted Councillor chosen by the non-conflicted members of Council; and

(iv) the decision shall be recorded in the minutes and shall have the same effect as a Council decision.

8.7 Enforcement

(1) Violations of this Part may be referred to the Complaints & Appeals Board, which has authority to:

(a) investigate alleged breaches;

(b) make findings of fact;

(c) issue binding decisions;

(d) impose corrective measures; and

(e) recommend or initiate removal-from-office proceedings where warranted under this Constitution.

(2) Council may also take immediate steps to protect the Nation's interests, including suspending consideration of the matter until the Board has issued a decision.

8.8 Use of Council Property

(1) Council members shall not use property, assets, equipment, or resources owned by Nee Tahi Buhn for personal purposes.

(2) Council members may only purchase property owned by the Nation through processes that are:

(a) equally available to all Members;

(b) conducted through the Nation's usual channels; and

(c) compliant with all Conflict of Interest requirements in this Constitution.

(3) No Council member may receive preferential access, pricing, or opportunity to acquire Nation property.

8.9 Use of Information

(1) Council members shall not use confidential, privileged, or internal information obtained through their role for personal benefit or for the benefit of their Immediate Family or any person with whom they have a Business Interest.

(2) Council members may not disclose internal information unless authorized by Council or required by law.

(3) The duty to maintain confidentiality continues after a Council member's term in office has ended. Former Council members remain prohibited from using or disclosing internal information for personal advantage, for the benefit of others, or in any manner that creates a Conflict of Interest or undermines the interests of Nee Tahi Buhn.

8.10 Personal Advantage

(1) Council members shall not take personal advantage of any opportunity, benefit, or business prospect available to the Nation unless:

(a) Council has formally decided not to pursue the opportunity; and

(b) the opportunity is offered to all Members on the same terms and through the same process as would apply to any other Member (or member of the public, if applicable).

(2) Council members must not use their position to solicit clients, customers, or business for themselves or for any business operated by their Immediate Family or any person with whom they have a Business Interest.

(a) This does not prevent Council members or their Immediate Family from conducting business with individuals or entities that also do business with the Nation, provided all Conflict-of-Interest rules in this Constitution are followed.

8.11 Gifts and Hospitality

(1) Council members may accept gifts or hospitality only where:

(a) the exchange is lawful;

(b) the gift is modest and customary; and

(c) the gift cannot reasonably be seen as influencing the Council member's duties.

(2) Council members shall not accept any gift, hospitality, favour, or benefit that an impartial observer could interpret as:

(a) an attempt to influence a decision;

(b) an illegal payment;

(c) a bribe; or

(d) a conflict of interest.

(3) Nothing in this Constitution restricts culturally appropriate gift-giving, traditional practices, or recognition of service to the community or to Indigenous causes, provided such gifts do not create a conflict of interest or the appearance of one.

PART 9 - LAW-MAKING AUTHORITY

9.1 Authority to Enact Laws

(1) Council may enact Nee Tahi Buhn laws consistent with this Constitution and grounded in the Nation's inherent right of self-government.

(2) Laws Requiring Ratification

(a) The following laws which reflect matters of fundamental importance to the Nation and its members, require ratification by eligible voters of Nee Tahi Buhn:

(i) laws governing the election of Chief and Councillors, including composition, qualifications, and terms of office;

(ii) laws establishing membership or citizenship criteria of Nee Tahi Buhn, including qualifications, enrolment, loss of membership, and appeal rights;

(iii) laws that alienate, sell, exchange, or surrender Nee Tahi Buhn Reserve Lands; and

(iv) any other law that Council, by unanimous resolution, determines requires ratification.

9.2 Law-Making Procedures

(1) Requirement for Special Community Meeting

(a) Before enacting any Nee Tahi Buhn law, Council shall convene a Special Community Meeting at which the proposed law is presented, discussed, and considered. All notices, postings, timelines, and meeting requirements under this Part shall follow the Member Notice Requirements set out in this Constitution.

(b) Council shall provide notice to the membership of the proposed law, which notice shall include:

(i) the subject matter of the proposed law;

(ii) the general nature of its provisions;

(iii) the date by which members may submit comments, which shall be at least 20 days from the date notice is issued and may close at or before

the Special Community Meeting, with the comment period and the notice period for the Special Community Meeting running concurrently; and

(iv) the date, time, and location of the Special Community Meeting convened under this section.

(2) Member Input

(a) The notice shall request comments and direction from members. Council shall consider:

(i) member comments;

(ii) community needs;

(iii) any other relevant matters.

(3) Special Community Meeting

(a) A Special Community Meeting shall be convened for every proposed Nee Tahi Buhn law and shall be noticed in accordance with the Member Notice Requirements set out in this Constitution.

(b) Copies of the proposed law must be available at the meeting, and members may ask questions and provide comments.

(4) Council Decision

(a) At the first Council meeting following the Special Community Meeting, and subject to the ratification requirements in section 9.1 for laws under section 9.1(2), Council shall decide by Resolution to:

(i) pass the proposed law;

(ii) reject the proposed law;

(iii) revise the proposed law;

(iv) hold additional Special Community Meetings; or

(v) hold a ratification.

(b) In making its decision, Council shall consider:

(i) attendance at the Special Community Meeting;

(ii) comments and opinions received;

(iii) community needs.

(c) Council shall give significant weight to the views expressed at the Special Community Meeting. Where a majority of eligible voters present at the Special Community Meeting opposes a Resolution of Council to pass or reject a proposed law, Council may refer the matter to ratification where Council deems it appropriate, and shall provide written reasons for its decision.

(d) Council shall post notice of its decision in the Posting Places, in accordance with Part XIV: Member Notice Requirements.

(5) Additional Meetings

(a) If Council decides to revise the proposed law or to hold additional Special Community Meetings, the same procedures for presenting, discussing, and deciding on a proposed law shall continue to apply.

9.3 Publications of Laws

(1) Once enacted:

(a) the law shall be signed by the Chief or the Acting Chief;

(b) original copies shall be deposited in the Nee Tahi Buhn Register of Laws located at the Administration Building;

(c) the Register shall be accessible to all members;

(d) true copies shall be kept at the Administration Building;

(e) be published on the Nation's official website and posted in the Posting Places. Publication on the website shall serve as the primary method of making laws accessible to members, including those living away from the community.

(f) a copy shall be sent to the appropriate federal department responsible for Indigenous Affairs.

(2) A law is not invalid solely because a Council member who voted on it later ceases to be qualified or is removed from office.

9.4 Coming into Force

(1) A Nee Tahi Buhn law comes into force:

(a) on the date specified in the Resolution enacting the law; or

(b) if no date is specified, on the date the Resolution is passed.

(2) Any Nee Tahi Buhn law may be repealed or amended by following the same procedures required for its enactment.

PART 10 - COMMUNITY PARTICIPATION

10.1 Community meetings

(1) Nee Tahi Buhn shall hold community meetings to ensure transparency, accountability, and meaningful engagement between Council and membership.

(2) Community meetings shall be either General Community Meetings or Special Community Meetings.

10.2 General Community Meetings

(1) General Community Meetings shall be held at least once every three months for the purpose of:

(a) updating members on Council activities;

(b) reporting on governance, financial, and administrative matters;

(c) providing a forum for members to raise questions, concerns, and priorities; and

(d) strengthening communication and community trust.

(2) General Community Meetings must follow the Member Notice Requirements set out in this Constitution.

(3) Special Community Meetings

(a) Special Community Meetings shall be convened when:

(i) required under this Constitution (e.g., law-making, conflict-of-interest quorum failures, removal-from-office hearings);

(ii) directed by Council; or

(iii) requested under a Nee Tahi Buhn law or policy.

(b) Special Community Meetings must follow the Member Notice Requirements set out in this Constitution.

10.3 Ratifications

(1) Ratifications shall be held:

(a) when required under this Constitution; or

(b) when directed by Council.

(2) Council shall appoint a ratification officer at least 65 days before a ratification date, and such ratification officer shall meet all the eligibility requirements of the Electoral Officer set out in the Election Code.

(3) Notwithstanding the minimum notice timelines in Part XIV, the ratification officer shall provide notice of a ratification vote at least 60 days in advance of the ratification date, in the same form as the notice of general election prescribed in the Election Code.

(4) Ratification results are binding unless otherwise provided in this Constitution.

(5) Where this Constitution does not provide for ratification procedures, including procedures for the preparation of an Electors List, Voting Procedures, Preparation of Ballots, the procedures set out in the Election Code shall apply with such modifications as necessary for a ratification.

10.4 Consultation Requirements

(1) Council shall engage members in decision-making processes that affect the Nation's governance, lands, citizenship, or long-term interests.

(2) Consultation must:

(a) follow the Member Notice Requirements set out in this Constitution;

(b) provide meaningful opportunities for members to review information, ask questions, and provide input;

(c) be conducted in good faith and with respect for Nee Tahi Buhn values and community protocols.

(3) Consultation may include:

(a) General Community Meetings;

(b) Special Community Meetings;

(c) surveys or written submissions;

(d) digital engagement tools; and

(e) targeted engagement with Elders, youth, or affected groups.

(4) Council must consider member input before making decisions.

10.5 Member Engagement

(1) Nee Tahi Buhn recognizes the importance of active member participation in governance.

(2) Council shall promote member engagement by:

(a) providing timely and accessible information;

(b) reporting regularly on governance activities;

(c) encouraging participation in meetings, ratifications, and consultations;

(d) ensuring opportunities for members to raise concerns and propose ideas; and

(e) upholding transparency and accountability in all communications.

(3) Member engagement activities must follow the Member Notice Requirements set out in this Constitution.

PART 11 - MEMBERSHIP

11.1 Eligibility

(1) Eligibility for membership in Nee Tahi Buhn shall be determined by the Membership Code once it is developed and enacted.

(2) Until the Membership Code is in force, eligibility continues to be governed by the Indian Act (R.S.C. 1985, c. I-5) applicable to Section 11 Nations.

11.2 Enrolment

(1) The process for enrolment, registration, and maintenance of the membership list shall be governed by the Membership Code once enacted.

(2) Until that time, enrolment remains under the authority of the federal Indian Registrar in accordance with Section 11 of the Indian Act.

11.3 Rights of Members

(1) Members of Nee Tahi Buhn have the rights set out in this Constitution and any future Membership Code, including:

(a) participation in community meetings;

(b) access to information as provided under this Constitution;

(c) eligibility to vote in elections and ratifications, subject to the Election Code; and

(d) any additional rights established in the Membership Code once enacted.

11.4 Responsibilities of Members

(1) Members are responsible for:

(a) upholding Nee Tahi Buhn values and community standards;

(b) participating in governance processes;

(c) respecting this Constitution, laws, and policies of Nee Tahi Buhn; and

(d) fulfilling any responsibilities established in the Membership Code once enacted.

PART 12 - FINANCIAL GOVERNANCE

12.1 Financial Administration Law

(1) The financial administration of Nee Tahi Buhn shall be conducted in accordance with the most recent Nee Tahi Buhn Financial Administration Law (FAL).

(2) The FAL is recognized as the Nation's primary financial governance framework, establishing standards for financial management, internal controls, budgeting, reporting, asset protection, and accountability.

(3) The FAL prevails over all other Nee Tahi Buhn laws, policies, and procedures relating to financial governance, provided it remains consistent with this Constitution.

(4) Council shall ensure full compliance with the FAL and shall uphold the principles of integrity, transparency, accountability, and prudent financial stewardship.

12.2 Budget Process

(1) Council shall adopt an annual budget in accordance with the Financial Administration Law.

(2) The budget process shall include:

(a) preparation of a draft budget by administration;

(b) review and approval by Council;

(c) presentation of the approved budget to members at a General Community Meeting;

(d) publication of the budget in accordance with Member Notice Requirements set out in this Constitution.

(e) The budget must reflect:

(i) community priorities;

(ii) long-term financial sustainability;

(iii) responsible use of Nation resources; and

(iv) compliance with all funding agreements and financial obligations.

12.3 Financial Reporting

(1) Council shall ensure timely and accurate financial reporting in accordance with the Financial Administration Law, including:

(a) quarterly financial updates to Council;

(b) annual financial statements prepared in accordance with applicable accounting standards;

(c) presentation of annual financial statements to members at a General Community Meeting;

(d) publication of financial reports in accordance with Member Notice Requirements set out in this Constitution.

(e) Financial reports must be accessible to members and reflect transparency in the management of Nation funds.

12.4 Asset Protection

(1) Council shall safeguard all Nee Tahi Buhn assets, including:

(a) financial assets;

(b) land and natural resources;

(c) infrastructure and capital assets;

(d) intellectual property; and

(e) records and information assets.

(2) Asset protection measures shall follow the Financial Administration Law and include:

(a) internal controls;

(b) risk management practices;

(c) insurance coverage;

(d) secure records management; and

(e) oversight mechanisms to prevent loss, misuse, or misappropriation.

12.5 Audit Requirements

(1) Nee Tahi Buhn shall undergo an annual independent audit in accordance with the Financial Administration Law and applicable funding agreements.

(2) Audit requirements include:

(a) appointment of an independent auditor;

(b) completion of an annual audit of financial statements;

(c) presentation of audit results to Council and membership;

(d) publication of audit findings in accordance with Member Notice Requirements set out in this Constitution.

(3) Council shall address audit recommendations promptly and ensure continuous improvement of financial governance practices.

PART 13 - ADMINISTRATION AND INSTITUTIONS

13.1 Administrative Structure

(1) Nee Tahi Buhn shall maintain an administrative structure that supports effective governance, transparent operations, and the delivery of programs and services.

(2) Council may establish departments, committees, boards, or other administrative bodies necessary for the administration of Nee Tahi Buhn.

(3) Administrative bodies must operate:

(a) in accordance with this Constitution;

(b) under Council-approved mandates;

(c) with clear reporting and accountability requirements.

13.2 Roles of Administrative Bodies

(1) General Manager

(2) Council shall appoint and oversee the General Manager.

(a) The General Manager is responsible for:

(i) recruitment, appointment, and supervision of all employees;

(ii) ensuring staff comply with policies, procedures, and employment standards;

(iii) managing day-to-day administration;

(iv) implementing Council direction;

(v) ensuring transparent and efficient operations.

(3) Committees of Council

(a) Council may establish committees to support governance, administration, or community engagement.

(4) Each committee shall operate under written Terms of Reference approved by Council, specifying:

(a) purpose and mandate;

(b) membership;

(c) reporting requirements;

(d) decision-making authority, if any.

(5) Committees shall:

(a) report to Council at intervals determined by Council;

(b) not act independently of Council direction;

(c) ensure recommendations are recorded in Council minutes when considered.

(6) Other Administrative Bodies

(a) Council may establish additional administrative bodies, including boards or working groups, to carry out specialized functions.

(b) All such bodies must operate under Council-approved mandates and report to Council.

13.3 Records Management

(1) Nee Tahi Buhn shall maintain accurate, secure, and accessible records to support good governance and administrative accountability.

(2) Records management shall include:

(a) proper storage and protection of official documents;

(b) secure handling of personal and confidential information;

(c) retention and archiving in accordance with Nee Tahi Buhn policies;

(d) access to records for members as permitted under Nee Tahi Buhn laws and policies.

(3) Council shall ensure administrative bodies follow approved records management procedures.

13.4 Transparency Requirements

(1) Nee Tahi Buhn is committed to transparent governance and accountable administration.

(2) Council and administrative bodies shall:

(a) provide timely and accurate information to members;

(b) report regularly on programs, finances, and governance activities;

(c) ensure decisions, resolutions, and committee recommendations are recorded and accessible;

(d) follow the Member Notice Requirements set out in Part XIV for all public notices, postings, and communications.

13.5 Transparency requirements apply to:

(a) Council;

(b) committees;

(c) administrative departments;

(d) boards and other bodies established under this Part.

PART 14 - MEMBER NOTICE REQUIREMENTS

14.1 Purpose

(1) The Member Notice Requirements establish a unified standard for providing notice to Nee Tahi Buhn members for all matters requiring public communication under this Constitution, including:

(a) law-making;

(b) ratifications;

(c) elections;

(d) Special and General Community Meetings;

(e) governance decisions that this Constitution or any Nee Tahi Buhn law expressly requires notice be provided thereof;

(f) Complaints & Appeals Board proceedings;

(g) removal-from-office processes;

(h) conflict-of-interest matters requiring community involvement.

(2) All notices must comply with this Part unless otherwise specified.

14.2 Posting Places

(1) Notices must be posted in the Posting Places, which include:

(a) the Nee Tahi Buhn Administration Building;

(b) any other conspicuous locations on Nee Tahi Buhn Reserve Lands designated by Council;

(c) the Nation’s official digital communication channels authorized for member notices.

(2) Council may update Posting Places by Resolution.

14.3 Methods of Notice

(1) Unless otherwise stated, notice to members shall be provided using all the following methods:

(a) One or more of the following forms of written or digital distribution:

(i) publication in the Nee Tahi Buhn newsletter delivered or mailed to all electors;

(ii) separate written notice delivered or mailed to all electors;

(iii) posting on the Nation's official website or social media platforms;

(iv) publication in a local newspaper.

(b) Physical posting in:

(i) the Nee Tahi Buhn Administration Building;

(ii) any additional Posting Places designated by Council.

14.4 Minimum Timelines

Unless otherwise stated in this Constitution:

(1) General Rule

(a) All notices must be provided at least 20 days before the date of:

(i) a Special Community Meeting; and

(ii) any governance decision requiring member input.

(2) Shorter Timelines

(a) Shorter timelines may be used only where:

(i) expressly permitted in another Part of this Constitution; or

(ii) required in emergencies under the Emergency Powers section.

(3) Longer Timelines

(a) Council may adopt longer timelines by Resolution where appropriate.

14.5 Required Content of Notices

(1) Notices must include:

(a) the subject matter of the meeting, decision, or proposed law;

(b) a summary of the issue or proposed action;

(c) instructions on how members may obtain full copies of relevant documents;

(d) the date, time, and location of the meeting or decision;

(e) the deadline for submitting comments, where applicable;

(f) any additional information required under other Parts of this Constitution.

14.6 Special Community Meetings

(1) Where a Special Community Meeting is required under this Constitution:

(a) notice must comply with this Part;

(b) copies of relevant materials must be available at the meeting;

(c) members must be provided an opportunity to ask questions and provide comments;

(d) minutes must be recorded and made available to members.

(2) Special Community Meetings may be held in person, electronically, or in hybrid format.

(3) Member Comment Periods

(a) Where member input is required under this Constitution:

(i) the comment period must be at least 20 days from the date notice is issued;

(ii) Council must consider all comments received before making a decision; and

(iii) Council may extend the comment period by Resolution.

14.7 Certification of Notice

(1) Council shall ensure:

(a) notices are properly issued;

(b) postings remain visible for the required period; and

(c) records of notice issuance are maintained for transparency and accountability.

(2) Failure to comply with notice requirements may invalidate decisions unless:

(a) the defect is minor;

(b) members were not prejudiced;

(c) Council or the Complaints & Appeals Board determines the decision may stand.

14.8 Interaction with Other Parts of this Constitution

(1) Where another part of this Constitution requires notice, posting, or timelines, those requirements shall be interpreted consistently with this Part.

(2) If there is a conflict between notice rules:

(a) this Part governs, unless the other Part expressly states otherwise.

PART 15 - COMPLAINTS & APPEALS BOARD

15.1 Establishment

(1) The Complaints & Appeals Board (the "Board") is hereby established as an independent governance body responsible for election appeals, removal from office matters, remuneration oversight, quarterly remuneration reporting, conflict-of-interest reviews, and other accountability functions assigned under the Nee Tahi Buhn laws.

(2) The Board shall operate independently of Chief and Council and shall not be subject to direction, influence, or interference from any elected official.

15.2 Mandate & Authority

(1) The Complaints & Appeals Board shall have authority to:

(a) receive, investigate, and decide appeals arising under the Election Code;

(b) oversee and approve the Remuneration Policy and remuneration methodology;

(c) review and approve final remuneration, honoraria, per diem, and reimbursement rates;

(d) conduct quarterly remuneration reviews and issue quarterly public reports;

(e) review conflict-of-interest matters involving elected officials;

(f) oversee removal-from-office processes as defined in this Constitution;

(g) issue binding decisions within its jurisdiction; and

(2) Board decisions are final and binding unless overturned by a court of competent jurisdiction or by the membership through a process defined in this Constitution.

15.3 Composition

(1) The Complaints & Appeals Board shall consist of three (3) members being:

(a) 1 Nee Tahi Buhn member, who must be neutral, free of conflicts, and either an Elder of the community recognized by Council or a Member in good standing with demonstrated governance or community-service experience; and

(b) 2 individuals who are not Nee Tahi Buhn members ("External Members"), selected for independence, fairness, and relevant expertise.

(2) External Members shall form the majority to ensure neutrality and protect against conflicts of interest in a small Nation.

(3) Quorum for any meeting of the Complaints & Appeals Board, and for any decision of the Board, is two (2) of the three (3) members.

15.4 Eligibility

(1) A person is not eligible to serve on the Board if they:

(a) are a current elected official;

(b) are a candidate in an upcoming election;

(c) are an immediate family member of any candidate or elected official;

(d) have outstanding complaints or disciplinary matters with the Nation; or

(e) have a conflict of interest that cannot be resolved through recusal.

15.5 Conflict of Interest & Recusal

(1) A Board member must recuse themselves if:

(a) they are related to any party involved;

(b) they have a personal, financial, or professional interest;

(c) they have prior involvement in the matter;

(d) they are a known supporter or opponent of any candidate; or

(e) their participation may reasonably be perceived as biased.

(2) If recusal occurs, Council shall appoint a temporary external replacement to maintain quorum and ensure continuity.

15.6 Appointment Process

(1) To ensure independence, transparency, and community confidence:

(a) Council shall publicly post a call for Board members at least 90 days before the election period opens.

(2) The posting shall invite applications from NTB members and qualified external non-members and must describe:

(a) the Board's role;

(b) required qualifications;

(c) expected time commitments; and

(d) conflict-of-interest rules.

(3) Council shall review applications, conduct interviews where appropriate, and appoint members by resolution at a duly convened meeting.

(4) The final list of appointed Board members shall be posted in the Posting Places within seven (7) days of appointment.

15.7 Term of Office

(1) Board members shall serve four-year terms, renewable once. Staggered terms may be used to ensure continuity.

15.8 Training Requirements

(1) All Board members must complete mandatory training before exercising authority, including:

(a) administrative fairness;

(b) conflict-of-interest rules;

(c) investigation procedures;

(d) hearing and decision-making standards;

(e) application of the Election Code; and

(f) governance accountability principles.

(2) The Board may not issue decisions until training is complete.

15.9 Remuneration Oversight

(1) The Complaints & Appeals Board shall:

(a) approve the Remuneration Policy;

(b) approve the methodology for determining remuneration;

(c) receive proposed rates calculated by the Administration; and

(d) review and approve final remuneration, honoraria, per diem, and reimbursement rates.

15.10 Quarterly Review & Posting

(1) The Board shall:

(a) conduct annual Council remuneration reviews based on information provided by Administration.

(b) Administration shall publicly post the report in the Posting Places. The Board is responsible for ensuring that the report is accurate, approved, and posted in accordance with this Constitution, but shall not perform the posting itself.

(2) Conflict-of-Interest Protection

(a) Council shall not participate in determining, approving, or amending its own remuneration. All remuneration changes apply only to future Councils, unless membership approves otherwise at a General or Special Community Meeting.

(b) Approval of the Remuneration Policy or remuneration rates by the Board shall not constitute a conflict of interest.

15.11 Election-Related Authority

(1) The Board shall:

(a) receive and investigate election complaints;

(b) conduct hearings;

(c) issue binding decisions;

(d) oversee recounts where required; and

(e) ensure compliance with the Election Code.

(2) The Election Code shall reference the Board as the independent authority for election appeals.

15.12 Removal-From-Office Authority

(1) The Board shall oversee removal-from-office processes as defined in this Constitution, including:

(a) receiving complaints;

(b) conducting investigations;

(c) holding hearings; and

(d) issuing binding decisions.

15.13 Transition Clause: First Election Under the New Constitution

(1) For the first election following adoption of this Constitution and Election Code:

(a) Council shall appoint the Board immediately upon the coming into force of the Constitution;

(b) the Board shall receive expedited training; and

(c) the Board shall exercise full authority upon completion of training.

15.14 Vacancies on the Board

(1) Where a vacancy occurs on the Complaints & Appeals Board, Council shall appoint a new member in accordance with the appointment process set out in this Part to restore the Board to its full composition.

15.15 Procedures

(1) The Board shall adopt written procedures for:

(a) investigations;

(b) hearings;

(c) decision-making;

(d) confidentiality;

(e) record-keeping; and

(f) public reporting.

(2) Procedures must be consistent with this Constitution, Election Code, and Financial Administration Law.

PART 16 - TRANSPARENCY AND ACCOUNTABILITY

16.1 Public Reporting

(1) Council shall uphold transparency by reporting regularly to the membership on key governance matters.

(2) Reports must be issued in accordance with Member Notice Requirements set out in this Constitution and shall include:

(a) Summaries of Council decisions made in duly convened meetings;

(b) financial updates and the status of approved budgets;

(c) progress on strategic priorities and community-approved plans;

(d) implementation of Council resolutions; and

(e) any other matters of public interest that support transparency and accountability.

(3) Council shall present annual financial statements, audit results, and quarterly updates at General Community Meetings.

16.2 Access to Information

(1) Members have the right to access key governance information, including:

(a) enacted Nee Tahi Buhn laws;

(b) approved Council minutes, except for confidential in-camera matters;

(c) annual budgets and audited financial statements;

(d) quarterly remuneration reports prepared and posted by the Complaints & Appeals Board.

(2) Access to information shall be provided in accordance with:

(a) Member Notice Requirements set out in this Constitution;

(b) records management standards in Part XIII;

(c) confidentiality rules in this Constitution.

(3) Council may establish additional access-to-information procedures through policy or law.

16.3 Governance Standards

(1) Nee Tahi Buhn is committed to high standards of governance, including:

(a) integrity in decision-making;

(b) transparency in operations;

(c) accountability to members;

(d) compliance with Nee Tahi Buhn laws, the Financial Administration Law, and this Constitution;

(e) respectful and culturally grounded communication with members.

(2) Council and all administrative bodies must operate in a manner that maintains community trust and upholds Nee Tahi Buhn values.

16.4 In-Camera Meetings

(1) Purpose

(a) Council may hold an in-camera session only to discuss matters requiring confidentiality, including:

(i) personnel matters;

(ii) legal advice;

(iii) negotiations;

(iv) matters involving personal privacy;

(v) sensitive financial or business information.

(b) In-camera sessions must never be used to avoid transparency or public accountability.

(2) Procedure

(a) An in-camera session must be:

(i) declared during a duly convened Council meeting;

(ii) recorded in the minutes as an in-camera item;

(iii) limited to individuals necessary for the matter under discussion.

(b) Confidentiality

(c) No details of in-camera discussions shall be disclosed except:

(i) as required by law;

(ii) by Resolution of Council;

(iii) to the Complaints & Appeals Board where necessary for an investigation.

(3) Recordkeeping

(a) A confidential record of in-camera decisions shall be:

(i) maintained securely at the Administration Building;

(ii) accessible only to authorized individuals;

(iii) preserved in accordance with records management standards in Part XIII.

16.5 Community Oversight

(1) Members play an essential role in holding Council accountable.

(2) Community oversight includes:

(a) participation in General and Special Community Meetings;

(b) engagement in consultations and ratifications;

(c) access to information under this Part;

(d) the ability to bring governance concerns to the Complaints & Appeals Board.

(3) Council shall support community oversight by ensuring:

(a) timely reporting;

(b) accessible information;

(c) open dialogue with members;

(d) compliance with Member Notice Requirements set out in this Constitution.

PART 17 - AMENDMENTS

17.1 Amendment Procedures

(1) Authority to Amend

(a) This Constitution of Nee Tahi Buhn may be amended only by the membership of Nee Tahi Buhn through the amendment process set out in this Part XVII.

(b) Council does not have the authority to amend this Constitution.

(2) Initiating an Amendment to the Constitution

(a) An amendment to this Constitution may be initiated by:

(i) Council Resolution; or

(ii) a petition signed by at least twenty (20) eligible Electors, in a form and subject to verification by the Electoral Officer, or as otherwise required under a Nee Tahi Buhn law or policy.

(iii) All amendment processes must follow Member Notice Requirements set out in this Constitution.

17.2 Member Approval Requirements

(1) Notice

(a) Notice of a proposed amendment must be issued in accordance with Member Notice Requirements set out in this Constitution and must include:

(i) the text of the proposed amendment;

(ii) a summary explaining its purpose and effect;

(iii) instructions on how members may obtain full copies;

(iv) the date, time, and location of the Special Community Meeting at which the proposed amendment will be discussed and a vote to approve or deny amendment will be held.

(2) Special Community Meeting

(a) A Special Community Meeting shall be convened to present, discuss, consider the proposed amendment and a vote to approve or deny the amendment will be held.

(b) Members must be provided an opportunity to:

(i) ask questions;

(ii) receive explanations;

(iii) provide comments and direction.

(3) Approval Threshold

(a) An amendment requires approval by a majority of the eligible Electors present in person at the Special Community Meeting convened for the purpose of reviewing and deciding on the proposed amendment.

17.3 Certification and Registration

(1) Certification

(a) Following approval by the membership:

(i) the amendment shall be certified by the Chief or Deputy Chief;

(ii) certification shall confirm that all constitutional and notice requirements were met.

(2) Registration

(a) A certified amendment shall be:

(i) added to the official Nee Tahi Buhn Register of Laws;

(ii) posted in accordance with Member Notice Requirements set out in this Constitution;

(iii) provided to members upon request;

(iv) submitted to the appropriate federal department responsible for Indigenous Affairs, where required.

(3) Coming Into Force

(a) An amendment comes into force on the date specified in the certification.

PART 18 - COMING INTO FORCE

18.1 Effective Date

(1) This Constitution is approved by the membership of Nee Tahi Buhn through a community ratification process conducted in accordance with the Member Notice Requirements set out in this Constitution and, with such modifications as are necessary, the procedures set out in the Election Code. Following approval by the membership, the ratification result shall be certified by the Chief or, in the Chief's absence, the Deputy Chief. This Constitution comes into force on the date specified in the certification.

(2) Upon approval, this Constitution becomes the supreme governing document of Nee Tahi Buhn.

18.2 Transitional Provisions

(1) Upon coming into force:

(a) this Constitution replaces and supersedes any previous constitution or governing document of Nee Tahi Buhn;

(b) all existing laws, policies, and administrative practices remain in effect to the extent they are consistent with this Constitution;

(c) Council shall take reasonable steps to align existing laws, codes, and policies with the requirements of this Constitution;

(d) any transitional matters not expressly addressed shall be resolved in a manner consistent with Nee Tahi Buhn values, teachings, and principles, and with Part II: Supremacy, Application and Interpretation.

SCHEDULE A:
Nee Tahi Buhn Traditional Territory Map