



Draft Constitution of the Beecher Bay (SĆIANEW) Nation

Self-Governance: Our Rules to Live By

6/23/2026

Draft Constitution of the Beecher Bay (SĆIΛNEW) Nation

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Preamble

Beecher Bay (SĆIΛNEW) Nation people historically are of salishan (salt water people) descent. We have lived off the land and sea since time immemorial. It is the land and sea from which we came that connects all life. We do not own this land. We are here to protect the lands and waters keeping them pure for future generations. Our land is our lifeblood. Our environment looks after us, and we look after our environment. Anything that happens to Beecher Bay (SĆIΛNEW) Nation affects us, our culture and our future.

Historically, our people have laws and customs through which they successfully governed our traditional territory and protected it for future generations. Teachings and traditions are carried on from our ancestors. Now, we are the caretakers for those yet to come. We are thankful and shall only take from our traditional territory what we need to ensure our well-being and self-determination as Beecher Bay (SĆIΛNEW) Nation people.

Our Nation takes pride in our culture and that our Elders continue to teach the younger generations. Beecher Bay (SĆIΛNEW) Nation is committed to protecting all rights of sustenance for all members.

Supremacy of Constitution

1. The Constitution is the supreme law of the Beecher Bay (SĆIΛNEW) Nation. In the event of an inconsistency between the Constitution and the provisions of any Beecher Bay (SĆIΛNEW) Nation Law, the Beecher Bay (SĆIΛNEW) Nation Law is, to the extent of the inconsistency, of no force or effect.

Interpretation

2. In this Constitution “Modern Treaty” means the Beecher Bay (SĆIΛNEW) Nation Treaty and Land Claims Agreement of [YEAR OF SIGNING] between Beecher Bay (SĆIΛNEW) Nation, Canada and British Columbia.
3. With the exception of “Constitution”, “Council”, “Councillor”, “Elder Advisor” and “Chief”, all capitalized terms in this Constitution have the same meaning as in the Modern Treaty.

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4. “Beecher Bay (SĆIΛNEW) Nation Government” means the Council, anyone acting under the delegated authority of the Council in accordance with section 26(c) or section 47(b), and, if one has been created, the body for dispute resolution as described in section 85.
5. The oral traditions of the Beecher Bay (SĆIΛNEW) Nation may be used in interpreting this constitution.

Citizenship

6. Every person enrolled under the Modern Treaty is entitled to be a Beecher Bay (SĆIΛNEW) Nation Citizen.
7. The Beecher Bay (SĆIΛNEW) Nation Government may make laws in respect of Beecher Bay (SĆIΛNEW) Nation citizenship which may extend citizenship to persons beyond those enrolled under the Modern Treaty.
8. Beecher Bay (SĆIΛNEW) Nation Law will establish a process for persons without citizenship to apply to become Beecher Bay (SĆIΛNEW) Nation Citizens.
9. For greater certainty, any person of Beecher Bay (SĆIΛNEW) Nation ancestry may apply to become a Beecher Bay (SĆIΛNEW) Nation Citizen

Principles of Governance

10. The Beecher Bay (SĆIΛNEW) Nation and the Beecher Bay (SĆIΛNEW) Nation Government are committed to the principle of honouring and respecting the traditions of our ancestors and our oral history.
11. Beecher Bay (SĆIΛNEW) Nation Government, Beecher Bay (SĆIΛNEW) Nation Public Institutions, and elected officials will:
 - (a) respect this Constitution, including by treating all persons with dignity, respect and impartiality, without prejudice or discrimination;
 - (b) govern responsibly, including by:
 - i. promoting strong ethical values and integrity;
 - ii. being open and providing relevant and timely information to Beecher Bay (SĆIΛNEW) Nation Citizens in decisions and actions;

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- iii. managing finances in a sound manner;
 - iv. being accountable to Beecher Bay (SĆIΛNEW) Nation Citizens;
 - v. innovating and being open to change;
 - vi. striving to be efficient and effective;
 - vii. acting sustainably with a long-term vision in mind;
 - viii. cooperating with one another in mutual trust and good faith;
 - ix. making decisions through consistent, fair, and transparent processes;
 - x. developing and maintaining effective communications;
 - xi. maintaining respectful relationships with other communities.
- (c) foster the wellbeing of Beecher Bay (SĆIΛNEW) Nation Citizens, including by:
- i. making best efforts to improve the quality of life for all Beecher Bay (SĆIΛNEW) Nation Citizens;
 - ii. promoting the unity of the Beecher Bay (SĆIΛNEW) Nation;
 - iii. furthering the understanding of Beecher Bay (SĆIΛNEW) Nation Citizens of the responsibilities of citizenship;
 - iv. preserving our heritage, history, teachings, sacred places and things;
 - v. protecting and developing the language, culture and traditions of the Beecher Bay (SĆIΛNEW) Nation; and
 - vi. striving for Beecher Bay (SĆIΛNEW) Nation Citizens to have quality education and training opportunities.
12. For greater certainty, the principles of governance set out in sections 10 and 11 are intended to guide the interpretation of this Constitution and the conduct of the Beecher Bay (SĆIΛNEW) Nation Government, Beecher Bay (SĆIΛNEW) Nation Public Institutions, and Elected Officials, but on their own do not create independently enforceable legally binding obligations and may not be relied upon to invalidate a Beecher Bay (SĆIΛNEW) Nation Law or an administrative decision.

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Rights and Freedoms

13. Beecher Bay (SĆIΛNEW) Nation Citizens are entitled to the recognition and protection of the following rights and freedoms under the governance of the Beecher Bay (SĆIΛNEW) Nation:
 - (a) the right to make political choices, to participate in political activities, and to express views on any public issue;
 - (b) the right to vote in referenda;
 - (c) the right to access Beecher Bay (SĆIΛNEW) Nation Laws;
 - (d) the right to fair, equitable, and reasonable access to programs and services delivered by the Beecher Bay (SĆIΛNEW) Nation Government subject to available resources and in accordance with Beecher Bay (SĆIΛNEW) Nation Laws;
 - (e) the right to practice, protect and promote the culture, traditions and teachings of the Beecher Bay (SĆIΛNEW) Nation;
 - (f) the right to utilize and protect the ancestral language of the Beecher Bay (SĆIΛNEW) Nation;
 - (g) collective rights including the right to participate in traditional and cultural activities, fishing, harvesting, and gathering and use of the land, water, and resources of Beecher Bay (SĆIΛNEW) Nation;
 - (h) the right to entry to and exit from Beecher Bay (SĆIΛNEW) Nation Lands;
 - (i) legal rights to life, freedom, and security of the person;
 - (j) the right to be safe and to a safe living environment within the jurisdiction of the Beecher Bay (SĆIΛNEW) Nation Government; and
 - (k) the right to equality including equal protection and benefit of the law;
 - (l) the right to privacy and to the protection of personal information;
 - (m) such other rights as are set out in the Modern Treaty.
14. The rights and freedoms guaranteed in this Constitution may be subject to reasonable limits prescribed by Beecher Bay (SĆIΛNEW) Nation Law if those

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limits balance the principles of individual rights, collective rights, and democratic rights.

15. The rights and freedoms guaranteed in this Constitution are in addition to any other rights and freedoms Beecher Bay (SĆIΛNEW) Nation Citizens may be entitled to in Canada.
16. The rights and freedoms guaranteed in this Constitution will not be construed so as to abrogate or derogate from any Aboriginal or treaty rights of the Beecher Bay (SĆIΛNEW) Nation or Beecher Bay (SĆIΛNEW) Nation Citizens, including any rights under the Douglas Treaties.

Conservation and the Environment

17. Beecher Bay (SĆIΛNEW) Nation Citizens have the right to an environment that is not harmful to their health or wellbeing.
18. Beecher Bay (SĆIΛNEW) Nation Government and Beecher Bay (SĆIΛNEW) Nation Public Institutions have the responsibility, within their jurisdiction, to:
 - (a) respect, protect, fulfill, and promote the rights described in section 17;
 - (b) make best efforts to protect the environment, for the benefit of present and future generations, through reasonable legislative and other measures that,
 - i. prevent pollution and ecological degradation;
 - ii. promote conservation; and
 - iii. secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.
19. Beecher Bay (SĆIΛNEW) Nation Citizens and residents of Beecher Bay (SĆIΛNEW) Nation Lands bear a solemn responsibility to protect and improve the environment for present and future generations.

Beecher Bay (SĆIΛNEW) Nation Government

Council

20. The governing body of the Beecher Bay (SĆIΛNEW) Nation is its Council.
21. The powers and responsibilities of the Council include:

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- (a) providing for good government of the Beecher Bay (SĆIANEW) Nation;
 - (b) providing for services, laws and other matters for the benefit of the Beecher Bay (SĆIANEW) Nation and Beecher Bay (SĆIANEW) Nation Citizens;
 - (c) providing for stewardship of the public assets of the Beecher Bay (SĆIANEW) Nation;
 - (d) managing Beecher Bay (SĆIANEW) Nation Lands and land use planning;
 - (e) approving the annual budget and financial plan for the Beecher Bay (SĆIANEW) Nation;
 - (f) fostering the economic, social and, environmental wellbeing of the Beecher Bay (SĆIANEW) Nation and Beecher Bay (SĆIANEW) Nation Citizens
 - (g) consulting with Beecher Bay (SĆIANEW) Citizens as set out in a Beecher Bay (SĆIANEW) Nation Law; and
 - (h) any other powers or responsibilities vested in the Council by the Modern Treaty or this Constitution.
22. The members of the Council are the Chief, the Councillors and the Elder Advisor.
23. The Council will meet a minimum of four (4) times a year, and more often at the request of the Chief or by decision of the Council.
24. The Chief, any Councillor or the Elder Advisor may propose a law to the Council.
25. The presence or absence of the Elder Advisor will not be considered for the purposes of determining a quorum of Council.
26. Beecher Bay (SĆIANEW) Nation Law will govern the conduct of the Council in a manner consistent with the Modern Treaty and this Constitution and will provide for:
- (a) the responsibilities, duties, powers, and procedures of the Council and the Chief,
 - (b) the obligations of members and former members of Council to keep Beecher Bay (SĆIANEW) Nation records and information confidential, and the consequences of contravening those obligations,
 - (c) the delegation of authority by the Council,
 - (d) the procedures for the conduct of Council meetings, and

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- (e) the duties and powers of the Chief.
- 27. Beecher Bay (SĆIΛNEW) Nation Law must provide a mechanism to resolve tie votes at Council meetings.

Chief

- 28. The Chief is elected by receiving the highest number of votes cast for the position of Chief, by Beecher Bay (SĆIΛNEW) Nation Citizens eligible to vote in a democratic election, conducted according to Beecher Bay (SĆIΛNEW) Nation Law.
- 29. Only Beecher Bay (SĆIΛNEW) Nation Citizens age 18 and older are eligible to be Chief.
- 30. In addition to any other powers in this Constitution and any powers as a member of Council, the Chief has the following powers:
 - (a) to exercise executive powers in accordance with Beecher Bay (SĆIΛNEW) Nation Law, when required between Council meetings, and report such actions to Council at its next meeting;
 - (b) to suspend Beecher Bay (SĆIΛNEW) Nation Public Officers in accordance with Beecher Bay (SĆIΛNEW) Nation Law.

Councillors

- 31. Only Beecher Bay (SĆIΛNEW) Citizens age 18 and older are eligible to be Councillors.
- 32. Councillors will be elected by Beecher Bay (SĆIΛNEW) Nation Citizens who are eligible to vote in a democratic election, conducted according to Beecher Bay (SĆIΛNEW) Nation Law.
- 33. At a minimum, there will be three (3) elected Councillors, not including the Chief, excepting that if there is a vacancy due to death, resignation, dismissal or any other cause, Beecher Bay (SĆIΛNEW) Nation Law may provide for a lesser number of Councillors unless or until a replacement is elected.
- 34. Beecher Bay (SĆIΛNEW) Nation Law will specify the number of Councillors according to a formula based on the number of Beecher Bay (SĆIΛNEW) Nation Citizens on January 1st of an election year, but in no case will the number of Councillors exceed twelve (12).

Elder Advisor

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35. The Elder Advisor is elected by receiving the highest number of votes cast, for the position of Elder Advisor, by Beecher Bay (SĆIΛNEW) Nation Citizens eligible to vote in a democratic election, conducted according to Beecher Bay (SĆIΛNEW) Nation Law.
36. Candidates for election as the Elder Advisor will:
 - (a) be Beecher Bay (SĆIΛNEW) Nation Citizens age 60 and older;
 - (b) be eligible to vote in Beecher Bay (SĆIΛNEW) Nation elections; and
 - (c) meet any other criteria provided for under Beecher Bay (SĆIΛNEW) Nation Law.
37. The Elder Advisor has the duties and responsibilities of a Councillor, including the ability to propose or second motions and participate in debate at meetings of Council, but the Elder Advisor may not vote on resolutions or decisions at Council meetings.

Beecher Bay (SĆIΛNEW) Nation Governance Bodies and Public Institutions

Governance Committee

38. The Governance Committee will:
 - (a) provide an independent, written annual report to the general assembly and to Council that reviews and evaluates the activities of the Beecher Bay (SĆIΛNEW) Nation Government in the preceding year including in the areas of financial management, governance, accountability, and progress towards objectives;
 - (b) consider issues and concerns raised at a general assembly and provide recommendations to Council and to the general assembly with respect to those issues or concerns.
39. Prior to submitting the annual report described in section 38(a) the Governance Committee will provide the Council a reasonable opportunity to comment on the annual report and will consider any comments made by the Council.
40. The Beecher Bay (SĆIΛNEW) Nation Government will provide reasonable access to information in a timely manner where information is required by the Governance Committee to carry out its duties under section 38.

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41. The members of the Governance Committee will be elected at a general assembly.
42. The Governance Committee will consist of not less than three (3) members and not more than nine (9) members.
43. Beecher Bay (SĆIΛNEW) Nation Law will provide for:
 - (a) the number of members of the Governance Committee;
 - (b) procedures for elections of members of the Governance Committee;
 - (c) criteria for eligibility for election to the Governance Committee which may include restrictions related to criminal offences;
 - (d) terms of office for members of the Governance Committee;
 - (e) procedures for the conduct of meetings of the Governance Committee; and
 - (f) the recording of minutes of meetings of the Governance Committee.
44. Beecher Bay (SĆIΛNEW) Nation elected officials and Beecher Bay (SĆIΛNEW) Nation Public Officers are not eligible for election to the Governance Committee.
45. The majority of the members of the Governance Committee will be Beecher Bay (SĆIΛNEW) Citizens.
46. Beecher Bay (SĆIΛNEW) Citizens eligible to vote may by majority vote (more than 50%) of those present at a general assembly remove a member from the Governance Committee, if the member is given advance notice of the proposed removal and an opportunity to speak at that general assembly.

Public Institutions

47. The Beecher Bay (SĆIΛNEW) Nation Council and anybody exercising power under the authority of the Council may:
 - (a) establish Beecher Bay (SĆIΛNEW) Nation Public Institutions for performing specific functions related to the administration of Beecher Bay (SĆIΛNEW) Nation Laws, policies, programs and services; and
 - (b) delegate powers of the Beecher Bay (SĆIΛNEW) Nation Government to Beecher Bay (SĆIΛNEW) Nation Public Institutions for that purpose.

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Advisory Bodies

48. The Beecher Bay (SĆIΛNEW) Government may establish one or more advisory bodies for the purpose of advising the Beecher Bay (SĆIΛNEW) Government.
49. Advisory bodies will be composed of Beecher Bay (SĆIΛNEW) Citizens or non-citizens with relevant knowledge or expertise, or both, as determined by the Beecher Bay (SĆIΛNEW) Government.

Assemblies of the Nation

50. The Beecher Bay (SĆIΛNEW) Nation Government will hold at least one general assembly every calendar year.
51. The Beecher Bay (SĆIΛNEW) Nation Government may also call special assemblies to consider any matters of importance to the Beecher Bay (SĆIΛNEW) Nation.
52. The purpose of a general assembly is to provide an opportunity, at least once per calendar year, for Beecher Bay (SĆIΛNEW) Nation Citizens to:
 - (a) review the annual audit and a report on steps taken to implement the auditor's recommendations from the previous year;
 - (b) review the annual report of the Beecher Bay (SĆIΛNEW) Nation Government which will be in written form and include:
 - i. a report on the Nation's services and operations for the previous year;
 - ii. a progress report on performance of the Beecher Bay (SĆIΛNEW) Nation Government with respect to objectives and measures established under 52(b)iii; and
 - iii. a statement of objectives and measures that will be used as the basis for determining the Nation's performance during the current year and following year;
 - (c) review the annual report of the Governance Committee;
 - (d) review the progress of the Beecher Bay (SĆIΛNEW) Nation in realizing the vision reflected in the Preamble of this Constitution;

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- (e) review the status of the recommendations made at previous general assemblies;
 - (f) receive and consider reports from the Beecher Bay (SĆIΛNEW) Nation Government and Beecher Bay (SĆIΛNEW) Nation Public Institutions;
 - (g) recommend mandates and policy objectives to the Beecher Bay (SĆIΛNEW) Nation Government;
 - (h) recommend the development of Beecher Bay (SĆIΛNEW) Nation Laws;
 - (i) recommend any changes to the current or proposed budget of the Beecher Bay (SĆIΛNEW) Nation;
 - (j) recommend changes to resolutions adopted, or actions taken, by the Beecher Bay (SĆIΛNEW) Nation Government;
 - (k) recommend the names of persons to be considered for appointment to any committee, Beecher Bay (SĆIΛNEW) Nation Public Institution, advisory body, dispute resolution body or other body of the Beecher Bay (SĆIΛNEW) Nation Government; and
 - (l) provide an opportunity for Beecher Bay (SĆIΛNEW) Nation Citizens to ask questions of Beecher Bay (SĆIΛNEW) Nation Government.
53. Every Beecher Bay (SĆIΛNEW) Nation Citizen has the right to attend any assembly of the Nation and speak at any general assembly of the Nation, subject to reasonable limits imposed by Beecher Bay (SĆIΛNEW) Nation Law for the safe and orderly conduct of assemblies of the Nation.

Elections and Processes for Obtaining Consent

54. The Beecher Bay (SĆIΛNEW) Nation Council will be democratically elected in general elections held every four years.
55. Only Beecher Bay (SĆIΛNEW) Nation Citizens may vote in elections for the Beecher Bay (SĆIΛNEW) Nation Council.
56. Beecher Bay (SĆIΛNEW) Nation Law will prescribe:
- (a) criteria for eligibility to vote;

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- (b) criteria for holding public office which may include restrictions related to criminal offences;
- (c) processes and procedures for maintaining a list of Beecher Bay (SĆIΛNEW) Nation Citizens eligible to vote;
- (d) procedures and requirements for all-candidates meetings during elections;
- (e) processes and procedures in the event that two candidates for public office receive the same number of votes;
- (f) criteria, processes and procedures for determining who has been elected;
- (g) processes and procedures for the removal and replacement of elected officials;
- (h) processes and procedures for elections and referenda or other processes for seeking the consent of Beecher Bay (SĆIΛNEW) Nation Citizens where required by this Constitution or Beecher Bay (SĆIΛNEW) Nation Law;
- (i) processes and procedures for elections including the appointment of an independent official responsible for overseeing elections and ensuring they are conducted in accordance with Beecher Bay (SĆIΛNEW) Nation Law;
- (j) processes and procedures for appealing decisions made under Beecher Bay (SĆIΛNEW) Nation Law governing elections, referenda and other processes for seeking the consent of Beecher Bay (SĆIΛNEW) Nation Citizens; and
- (k) processes and procedures for conduct at Beecher Bay (SĆIΛNEW) Nation meetings.

Beecher Bay (SĆIΛNEW) Nation Laws

- 57. The Beecher Bay (SĆIΛNEW) Nation has the right to self-government, and has jurisdiction and authority over those matters prescribed by the Modern Treaty and other agreements with Canada and British Columbia as may be entered into from time to time.
- 58. The process for development of a Beecher Bay (SĆIΛNEW) Nation Law may be initiated by:
 - (a) a resolution of the Beecher Bay (SĆIΛNEW) Nation Council, setting out the specific subject matter of the proposed law; or

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- (b) the approval at a general assembly of the Nation by a majority (more than 50%) of a proposal made by any Beecher Bay (SĆIΛNEW) Nation Citizen eligible to vote, setting out the request for development of a Beecher Bay (SĆIΛNEW) Nation Law addressing a specific subject matter or issue.
59. As soon as practical after the Effective Date, the Beecher Bay (SĆIΛNEW) Nation Council will adopt Beecher Bay (SĆIΛNEW) Nation Laws that will describe further procedures for:
- (a) the enactment of Beecher Bay (SĆIΛNEW) Nation Laws under normal circumstances;
 - (b) the enactment of emergency measures; and
 - (c) amending an existing Beecher Bay (SĆIΛNEW) Nation Law.
60. A law required under section 59 will provide for the following matters:
- (a) the manner of providing notice to Beecher Bay (SĆIΛNEW) Nation Citizens of a proposed Beecher Bay (SĆIΛNEW) Nation Law, including its subject matter and the general nature of its provisions;
 - (b) A reasonable opportunity for Beecher Bay (SĆIΛNEW) Nation Citizens to review and comment on a proposed law before it is enacted, and the requirement that the comments received, the needs of the community, and other relevant matters be taken into consideration;
 - (c) the process for enacting, amending, and repealing a Beecher Bay (SĆIΛNEW) Nation Law, including the number of readings and the voting threshold required for approval by Council;
 - (d) the enactment of laws to implement emergency measures, including the circumstances justifying such measures, their temporary nature, and the period within which they expire or must be replaced by an ordinary law;
 - (e) the circumstances in which public hearings will be held in respect of a proposed law, including advance notice and a reasonable opportunity for persons whose interests may be directly and significantly affected to be heard; and
 - (f) the availability of proposed laws for public inspection, and the coming into force, publication, and maintenance of a public registry of Beecher Bay (SĆIΛNEW) Nation Laws and the Constitution; and

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- (g) the process and timeframe within which the Beecher Bay (SĆIΛNEW) Nation Government will respond to a request for the development of a Beecher Bay (SĆIΛNEW) Nation Law made under section 582(b), including the circumstances in which the Beecher Bay (SĆIΛNEW) Nation Government may decline to proceed and the requirement to provide notice of the reasons for any decision to decline.

61. The Beecher Bay (SĆIΛNEW) Nation Government will:

- (a) maintain a public registry of Beecher Bay (SĆIΛNEW) Nation Laws and the Constitution in the English language; and
- (b) establish procedures for coming into force and publication of Beecher Bay (SĆIΛNEW) Nation Law.

Beecher Bay (SĆIΛNEW) Nation Lands

62. The Beecher Bay (SĆIΛNEW) Nation Government will work to manage the land, water and natural resources of the Beecher Bay (SĆIΛNEW) Nation in a manner that reflects the values and principles set out in this Constitution.

63. The Beecher Bay (SĆIΛNEW) Nation Government will, within 180 days of the Effective Date enact a Beecher Bay (SĆIΛNEW) Nation Law governing the use, management, and disposition of Beecher Bay (SĆIΛNEW) Nation Lands, waters, and natural resources which will provide for:

- (h) an annual report on the status of Beecher Bay (SĆIΛNEW) Nation Lands and any dispositions of those lands, to be made available to Beecher Bay (SĆIΛNEW) Nation Citizens and presented at a General Assembly;
- (a) periodic review of the law to determine whether any amendments are required;
- (b) at least one public hearing in respect of any proposed law or amendment to a land use plan affecting land use or density;
- (c) a community consultation process for any proposed change to land use or acquisition of new land by the Beecher Bay (SĆIΛNEW) Nation
- (d) land use planning and the management of Beecher Bay (SĆIΛNEW) Nation Lands, waters, and natural resources in a manner that reflects the values and principles set out in this Constitution

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64. No person may change the use of Beecher Bay (SĆIΛNEW) Nation Land existing on the Effective Date without the permission of Council until a Beecher Bay (SĆIΛNEW) Nation Law governing land use is in force.
65. Beecher Bay (SĆIΛNEW) Nation Law governing land use will be reviewed within 5 years after the Effective Date to determine if any amendments are required.
66. Subject to section 67, the consent of Beecher Bay (SĆIΛNEW) Nation Citizens eligible to vote is required for:
 - (a) any sale of;
 - (b) lease for longer than a 25-year term on; or
 - (c) restrictive covenant affecting
10 hectares or more of lands held by the Beecher Bay (SĆIΛNEW) Nation, a Beecher Bay (SĆIΛNEW) Nation Public Institution or a Beecher Bay (SĆIΛNEW) Nation Corporation.
67. Section 66 will not apply when:
 - (a) the sale or lease is to a Beecher Bay (SĆIΛNEW) Nation Citizen, Beecher Bay (SĆIΛNEW) Nation Public Institution or a Beecher Bay (SĆIΛNEW) Nation Corporation; or
 - (b) the restrictive covenant is in favour of a Beecher Bay (SĆIΛNEW) Nation Citizen, Beecher Bay (SĆIΛNEW) Nation Public Institution or a Beecher Bay (SĆIΛNEW) Nation Corporation.
68. All Beecher Bay (SĆIΛNEW) Nation Lands remain subject to Beecher Bay (SĆIΛNEW) Nation jurisdiction regardless of dispositions or interests granted in those lands unless they are removed from Beecher Bay (SĆIΛNEW) Nation Lands by the process provided under the Modern Treaty.
69. The Beecher Bay (SĆIΛNEW) Nation Government may not make a decision or take any action which would result in land ceasing to be Beecher Bay (SĆIΛNEW) Nation Land without the consent of Beecher Bay (SĆIΛNEW) Nation Citizens eligible to vote.
70. Notwithstanding sections 64 through 69 of this Constitution, the Beecher Bay (SĆIΛNEW) Nation Government may take all steps necessary to implement and give effect to the terms and conditions of the Reconciliation Agreement entered

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into by the Beecher Bay First Nation, the District of Metchosin, and the City of Langford, dated February 6, 2017, as amended February 15, 2018.

Conflict of Interest

71. All elected officials of the Beecher Bay (SĆIΛNEW) Nation Government will take an Oath of Office in the form of Schedule A to this Constitution.
72. Beecher Bay (SĆIΛNEW) Nation Law will provide for a code of conduct and conflict of interest rules that apply to all elected officials and Beecher Bay (SĆIΛNEW) Nation Public Officers.
73. No elected official or Beecher Bay (SĆIΛNEW) Nation Public Officer will participate in any decision that may benefit that person or that person's spouse, parent, child or sibling except in exceptional circumstances as prescribed by Beecher Bay (SĆIΛNEW) Nation Law.
74. If and when a conflict of interest does arise, except in exceptional circumstances prescribed by Beecher Bay (SĆIΛNEW) Nation Law, the elected official or Beecher Bay (SĆIΛNEW) Nation Public Officer will:
 - (c) declare that a conflict has arisen;
 - (d) identify the conflict; and
 - (e) take no further part in the discussion or decision on the matter, or attempt to influence the discussion or decision in any way.
75. If an elected official is to be considered for employment by the Beecher Bay (SĆIΛNEW) Nation Government, that person will temporarily:
 - (a) withdraw from deliberation;
 - (b) withdraw from voting; and
 - (c) abstain from accessing applicable government information regarding the position in question.
76. Other than their compensation for their service as a member of the Council, elected officials may not be employed by the Beecher Bay (SĆIΛNEW) Nation (either on salary or by contract) except where they are appointed to committees, Beecher Bay (SĆIΛNEW) Nation Public Institutions, advisory bodies or other

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bodies as representatives of the Beecher Bay (SĆIΛNEW) Nation in the course of their duties as elected officials.

77. If an employee of the Beecher Bay (SĆIΛNEW) Nation becomes an elected official that employee will resign from employment by the Beecher Bay (SĆIΛNEW) Nation before taking office.

Financial Administration and Accountability

78. The Beecher Bay (SĆIΛNEW) Nation Government will manage the financial affairs of the Beecher Bay (SĆIΛNEW) Nation in a manner that:
 - (a) is responsible, open, transparent and accountable to Beecher Bay (SĆIΛNEW) Nation Citizens;
 - (b) provides for effective and efficient use of the financial resources of the Beecher Bay (SĆIΛNEW) Nation; and
 - (c) meets standards comparable to those generally accepted for governments in Canada.
79. The Beecher Bay (SĆIΛNEW) Nation Government will manage the financial affairs of the Beecher Bay (SĆIΛNEW) Nation in accordance with Beecher Bay (SĆIΛNEW) Nation Law.
80. Any elected official or Beecher Bay (SĆIΛNEW) Nation Public Officer authorized to spend Beecher Bay (SĆIΛNEW) Nation funds will at all times be held accountable to the Beecher Bay (SĆIΛNEW) Nation for those funds and will be required to provide records of such expenditures in accordance with Beecher Bay (SĆIΛNEW) Nation Law.
81. A Beecher Bay (SĆIΛNEW) Nation Law may provide that certain expenditures or debts will not be incurred by Beecher Bay (SĆIΛNEW) Nation Government without the consent of Beecher Bay (SĆIΛNEW) Nation Citizens eligible to vote.
82. The Beecher Bay (SĆIΛNEW) Nation Government will develop a financial plan covering at a minimum the following three years.
83. The Beecher Bay (SĆIΛNEW) Nation Government will conduct an annual audit in accordance with principles and standards prescribed by Beecher Bay (SĆIΛNEW) Nation Law.

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84. The Beecher Bay (SĆIΛNEW) Nation Government will present the annual audit to the Beecher Bay (SĆIΛNEW) Nation Citizens once per calendar year at a general assembly.

Dispute Resolution

85. The Beecher Bay (SĆIΛNEW) Nation Government may establish a court, adjudicative bodies, and processes for the better administration of Beecher Bay (SĆIΛNEW) Nation Laws.
- (a) Subject to the Modern Treaty, a court, adjudicative body, or process established by the Beecher Bay (SĆIΛNEW) Nation Government under this Part may be granted jurisdiction to: hear disputes of administrative sanctions and appeals or reviews of administrative decisions made by the Beecher Bay (SĆIΛNEW) Nation Government or a Beecher Bay (SĆIΛNEW) Nation Public Institution;
 - (b) hear disputes between persons under Beecher Bay (SĆIΛNEW) Nation Law, disputes between Beecher Bay (SĆIΛNEW) bodies, and other matters arising under Beecher Bay (SĆIΛNEW) Nation Law;
 - (c) in the case of a court, hear challenges to the validity, applicability, or operability of Beecher Bay (SĆIΛNEW) Nation Law and matters arising under the Canadian Charter of Rights and Freedoms; and
 - (d) such other matters as are set out in Beecher Bay (SĆIΛNEW) Nation Law.
86. If no court is established under sections 85 (c), challenges to the validity of Beecher Bay (SĆIΛNEW) Nation Laws and appeals of administrative decisions will be heard in the Supreme Court of British Columbia.
87. Any body described in section 85 will:
- (a) be independent;
 - (b) resolve disputes and appeals in an efficient and cost-effective manner;
 - (c) have the authority to conduct hearings, make recommendations, and render decisions in relation to disputes and appeals; and
 - (d) have the power to refer matters outside the competence or jurisdiction of the body to a court with jurisdiction over that matter.

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88. Any body tasked with hearing appeals of administrative decisions or, in the case of a court, challenges to the validity of Beecher Bay (SĆIΛNEW) Nation Laws will have the authority to render binding decisions.
89. Beecher Bay (SĆIΛNEW) Nation Law may provide for a right of appeal from any body established under section 85 to the Supreme Court of British Columbia.
90. Beecher Bay (SĆIΛNEW) Nation Law will provide for:
 - (a) a process for appointing the members of any bodies established under section 85;
 - (b) suitable criteria for eligibility for appointment to those bodies; and
 - (c) a process for dealing with conflict of interest in relation to any matter considered by those bodies.

Ratification

91. Ratification of this Constitution requires:
 - (a) that Beecher Bay (SĆIΛNEW) People, as defined in the Modern Treaty, have a reasonable opportunity to review this Constitution;
 - (b) a Constitution Ratification Vote, by way of secret ballot; and
 - (c) more than 50% of the Eligible Voters on the Final Constitution Voters list vote to approve the Constitution.
92. Once ratified in accordance with section 91, this Constitution comes into force on the Effective Date.
93. In the event that this Constitution is approved but the Modern Treaty is not, the Constitution will be revised to reflect the legal status of the Beecher Bay (SĆIΛNEW) Nation and the revised constitution will be put to a ratification vote.

Amendments

94. A proposal to amend the Constitution may be initiated by either:

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- (a) a written request submitted to the Council and signed by 25% of Beecher Bay (SĆIΛNEW) Nation Citizens eligible to vote; or
 - (b) a resolution adopted by the Council.
- 95. Beecher Bay (SĆIΛNEW) Nation Law will establish the process by which the Citizens may propose an amendment to this Constitution.
- 96. The proposed amendment passes if a majority (more than 50%) of Beecher Bay (SĆIΛNEW) Nation Citizens eligible to vote, vote in favour of the amendment in a referendum.
- 97. An amendment to the Constitution takes effect on the date that the referendum results are final, or on a later date determined in accordance with the request or resolution that initiated the proposal.
- 98. Notwithstanding sections 94-97, a quorum of Council may by majority vote pass a technical or grammatical amendment to this Constitution to correct a clear error if:
 - (a) Council provides notice of the change by posting the notice in a public area of the Beecher Bay (SĆIΛNEW) Nation administration building;
 - (b) Council announces the proposed change at a special assembly of the Beecher Bay (SĆIΛNEW) Nation; and
 - (c) no petition is delivered to Council under section 99.
- 99. If a petition objecting to a change proposed under section 98 is:
 - (a) signed by 25% or more of the Beecher Bay (SĆIΛNEW) Nation Citizens eligible to vote; and
 - (b) delivered to the Beecher Bay (SĆIΛNEW) Nation administration building within 30 days of the announcement of the proposed change at a special assembly,

a referendum will be held on the proposed change according to the referendum process prescribed by Beecher Bay (SĆIΛNEW) Nation Law.

Transitional Provisions

- 100. In this section:

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- (a) “Beecher Bay Land Code” means [TBD];
 - (b) “First election” means the election required by section 105
 - (c) “Former Band Council” means the Band Council that was organized under the Indian Act, R.S.C. 1985, c. I-5.
101. The Beecher Bay Land Code and all bylaws passed by resolution of the former Band Council and in effect immediately before the Effective Date remain effective for a period of 180 days after Effective Date or until they are altered, repealed, or replaced by the Beecher Bay (SĆIΛNEW) Nation Government but are only applicable to former Beecher Bay Indian Reserves.
102. As of the Effective Date:
- (a) the individual who held the office of Chief of the Band Council immediately before the Effective Date is the Chief of the Beecher Bay (SĆIΛNEW) Nation Council;
 - (b) an individual who held the office of Councilor of the Band Council immediately before the Effective Date is a member of the Beecher Bay (SĆIΛNEW) Nation Council; and
 - (c) for greater certainty, Chief and Council will have the authority to act as both the Beecher Bay (SĆIΛNEW) Nation Government and Beecher Bay (SĆIΛNEW) Nation Council during the transition period.
103. Every person who assumes office in the Beecher Bay (SĆIΛNEW) Nation Government in accordance with section 102 serves for a term that expires upon the swearing in of the successful candidates in the first election.
104. If, at any time between the Effective Date and the date of the first election, a vacancy exists in the office of Chief, the Beecher Bay (SĆIΛNEW) Nation Council will elect one of its members to fill that vacant office until the first election.
105. An election of the Beecher Bay (SĆIΛNEW) Nation Government will be held no later than 180 days after the Effective Date.
- Elected officials must take office within one year of the Effective Date.
106. The Beecher Bay (SĆIΛNEW) Nation Government may make any additional transition rules consistent with the Modern Treaty to deal with any matter that, in the opinion of the Beecher Bay (SĆIΛNEW) Nation Government, is not adequately addressed in this Constitution.