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PROCEDURE BYLAW

NO. 2012 - 09 - 26

November 28, 2012

WILLIAMS LAKE INDIAN BAND

BAND MEETING PROCEDURE BYLAW NO. 2012-09-26

Contents

 Page

**PART 1 – INTRODUCTION**  1

1. TITLE 1

2. DEFINITIONS 1

3. APPLICATIONS OF RULES OF PROCEDURES 2

**PART 2 – BAND MEETINGS 3**

4. INAUGURAL MEETING 3

5. APPOINTMENT OF BAND CHIEF AND VICE-CHIEF 3

6. POWERS AND DUTIES OF BAND CHIEF 4

7. POWERS AND DUTIES OF BAND VICE-CHIEF 5

**PART 3 - CONDUCT OF BAND BUSINESS** 5

8. TIME AND LOCATION OF MEETINGS 5

9. NOTICE OF REGULAR BAND MEETINGS 5

10. NOTICE OF SPECIAL BAND MEETINGS 5

11. ELECTRONIC MEETINGS 6

12. ATTENDANCE OF PUBLIC AT MEETINGS 7

13. AGENDA 7

14. LATE AGENDA 8

15. IN-CAMERA AGENDA 8

16. PETITIONS AND DELEGATIONS 9

17. OPENING PROCEDURES 9

18. MINUTES 10

19. RULES OF CONDUCT AND DEBATE 11

20. POINTS OF ORDER 13

21. MOTIONS 13

22. AMENDMENTS 14

23. RECONSIDERATION 14

24. VOTING 15

25. CONFLICT OF INTEREST 15

**PART 4 - BYLAWS**  16

26. GENERAL 16

27. BYLAWS MUST BE SIGNED 17

**PART 5 - COMMITTEES** 17

28. DUTIES / GENERAL 17

**PART 6 - GENERAL**  17

29. QUORUMS 17

30. SEVERABILITY 18

31. REPEAL 18

WILLIAMS LAKE INDIAN

BYLAW NO. 2012-09-26

**WHEREAS**, under \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, an Indian Act Band, must, by bylaw, establish the procedures to be followed for the conduct of its Band Meetings, and, in particular, must, by bylaw:

 (a) establish the general procedures to be followed by the and by committees in conducting their Band Meetings, including the manner by which resolutions may be passed and bylaws adopted;

 (b) provide for advance public notice respecting the time, place and date of Band Council and Band Membership meetings and establish the procedures for giving that notice;

 (c) identify places that are to be public notice posting places for the purposes of the application of Section 94 (requirements for public notice) of the Community Charter to the Williams Lake Indian Band.

NOW THEREFORE, the membership of the Williams Lake Indian, in open meeting assembled, enacts as follows:

**PART 1 – INTRODUCTION**

**1. TITLE**

 (1) This Bylaw may be cited as “Williams Lake Indian Band Meeting Procedure Bylaw No. 09-26-2012”.

**2. DEFINITIONS**

 (1) In this Bylaw:

 (a) ‘Act’ means the *Indian Act*;

 (b) ‘Alternate Councillor’ means the definition under the provisions of the Act and duly sworn in prior to voting on any matter before the Band;

 (c) ‘Band’ means the Williams Lake Indian Band;

 (d) ‘Chief’ means the member of the elected as Chief pursuant to section \_\_\_\_\_\_ (*wlib*) of the Act;

 (e) ‘Band meeting’ means a regular, special, electronic, or other duly called meeting of the Band of the Williams Lake Indian ;

 (f) ‘Chief’ means the member presiding at a meeting of the Band, committee, or commission as the context requires;

 (g) ‘Charter’ means the Community Charter;

 (h) ‘Committee’ means a Standing, Select or other Committee of the Band;

 (i) ‘Corporate Officer’ means the Corporate Officer(s) of the Williams Lake Indian Band appointed pursuant to the Act;

 (j) ‘Councillor’ means a Band Councillor pursuant to the Act;

 **(k) ‘Electronic meeting’ means a regular or special Band meeting using electronic and communications media pursuant to Williams Lake Indian Band Electronic Meetings Regulation;**

 (l) ‘Meeting’ means a meeting of the Band or a Committee of the Band;

 (m) ‘Notice Board’ means the public notice board in the Williams Lake Indian Band main and sub- offices as well as WLIB Social Media;

 (n) ‘Portfolio’ means a series of matters having the same general theme;

 ( ) “Public Meeting”

(o) ‘Williams Lake Indian Band’ means the Williams Lake Indian;

 (p) ‘Select Committee’ means a committee of the Band that is established to consider or inquire into any matter and report its findings and opinion to the Band, and is automatically dissolved upon its final report to the Band;

 (q ) “Social Media”

 (r) ‘Special Band Meeting’ means a Band meeting other than those on the adopted Band meeting schedule, which must be adopted by the Band no later than October 31st of each year;

 (s) ‘Standing Committee’ means a long-term committee established by the Chief of the Band to deal with issues of an ongoing nature;

 (t) “Web page’ means the Williams Lake Indian’s World Wide Web internet site at <www.williamslakeband.ca>.

**3. APPLICATIONS OF RULES OF PROCEDURES**

 (1) The provisions of this Bylaw govern the proceedings of the Band, and the Band’s Committees, as applicable.

 (2) In cases not provided for under this Bylaw, the current edition of Robert's Rules in Plain English applies to the proceedings of the Band and the Band’s Committees to the extent that those rules are:

 (a) applicable in the circumstances, and

 (b) not inconsistent with provisions of this Bylaw, the Act or the Charter.

**PART 2 – MEETINGS**

**4. INAUGURAL MEETING**

 (1) Following a general local election, the inaugural meeting of the Band must be held on the first Friday following the first Monday after December 1st, provided it is held after the band councillors have been appointed by their respective councils.

 (2) The Chief Administrative Officer, or other designated Corporate Officer, shall call the inaugural meeting to order and shall:

 - administer the necessary oaths and declarations; or

 - arrange for a *Judge, Justice or Magistrate* to administer the necessary oaths and

 declarations.

**5. APPOINTMENT OF BAND CHIEF AND VICE-CHIEF**

 (1) At the first meeting held after August 1st in each year, the Band must elect a Chief and a Vice-Chief. Each Councillor present at the meeting has one vote in each election for an office.

 (2) The Chief Administrative Officer or other designated Corporate Officer will call three times for nominations for the position of Chief of the Band. After the calling of nominations and all persons nominated have indicated if they desire to allow their name to stand, an election by secret ballot will be held. Prior to distribution of ballots, candidates shall have the opportunity to address the Band. Voting shall be as follows:

 (a) When only one candidate is nominated, the Chief Administrative Officer or other designated Corporate Officer shall declare the candidate elected by acclamation;

 (b) In the case of two candidates having been nominated, the candidate receiving the highest majority of votes from the members of the Band then present shall be declared elected. In the event of a tie vote, ballots will be redistributed and the two candidates will again stand for election until one of them receives a clear majority of votes from the members of the Band then present.

 (c) In the case of multi candidates where no candidate receives a majority of votes, the candidate receiving the lowest number of votes will be removed from the ballot, ballots will be redistributed and the remaining candidates will again stand for election. This process will continue until a candidate receives a clear majority of votes from the members of the Band then present.

 (3) Election of Vice-Chief will subsequently be held following the above provisions.

 (4) If the office of Chief or Vice-Chief becomes vacant, the Band shall elect another Chief or Vice-Chief from among its Band councillors at the first possible regular meeting of the Band after the vacancy occurs.

 (5) If the Chief and Vice-Chief are not present at a meeting of the Band, the Band councillors present may elect an acting Chief who, during that meeting, has all the powers of the Chief and is subject to all rules applicable to the Chief. For the purposes of elections under this section, each Councillor present at the meeting has one vote in each election for an office.

**6. POWERS AND DUTIES OF BAND CHIEF**

 Chief Executive Officer

 (1) The Band Chief is the head and chief executive officer of the Williams Lake Indian Band and has the duties as set out in section \_\_\_\_ of the Act Williams Lake Indian Band *Charter*.

 Band Table Seating Arrangements

 (2) The Band Members shall determine the seating arrangements around the meeting table.

 Appointment of Portfolio Chiefs/Standing Committees

 (3) Pursuant to section \_\_\_\_ of the Act, the Band Membership may:

 (a) establish standing committees for matters the Band Membership considers would be best dealt with by committee and may appoint persons to those committees;

 (b) for the calendar year, appoint portfolio Chiefs and may appoint such members as is deemed necessary at the Chief’s discretion.

**7. POWERS AND DUTIES OF BAND VICE-CHIEF**

 (1) The Vice-Chief has, during the absence of the Chief, all the powers of the Chief and is subject to all rules applicable to the Chief.

**PART 3 - CONDUCT OF BAND BUSINESS**

**8. TIME AND LOCATION OF MEETINGS**

 (1) Prior to October 31st of each year, the Band shall, by resolution, set its annual schedule of regular meetings, including the date, location and time (biannual Band on the Road meeting locations to be announced as soon as they are determined) and shall post the schedule on the WLIB web site.

**9. NOTICE OF REGULAR BAND MEETINGS**

 (1) The Band’s annual schedule of regular meetings shall be posted on the public notice Bands and published on the Williams Lake Indian Band’s Social Media Accounts;

 (2) Upon resolution of the Band, the time, date and location of regular meetings may be changed. In such cases, notice of the change in the Band’s annual meeting schedule will be posted on the public notice Bands and published on the Williams Lake Indian Band’s Social Media Accounts;

 (3) At least 24 hours before a regular meeting of the Band, the Corporate Officer or the Corporate Officer’s designate shall give further public notice of the meeting by leaving a copy of the agenda summary at the reception counter at each Williams Lake Indian Band corporate office.

**10. NOTICE OF SPECIAL BAND MEETINGS**

 (1) A special meeting shall be called by the Corporate Officer or the Corporate Officer’s designate, on the request of the Band Chief or of any two band councillors, or by Band resolution, by electronic notice or notice otherwise delivered in writing, to each Councillor at least five days before the date of the meeting at the location given by the Councillor to the Corporate Officer for that purpose;

 (2) Except where notice of a special meeting is waived by unanimous vote of all Band members under section \_\_\_\_ of the Act, at least 24 hours before a special meeting of the Band, the Corporate Officer or designate, shall:

 (a) give advance public notice of the time, place and date of the meeting by way of a notice posted on the notice Bands and on the Williams Lake Indian Band’s Social Media Accounts; and

 (b) provide each Band member with the agenda for the meeting.

(3) Special meetings of the Band shall be posted on the public notice Bands and published on the Williams Lake Indian Band’s Social Media Accounts

 *(4) In the case of an emergency, notice of special meeting may be given, with the consent of the Band Chief and two band councillors, less than five days before the date of the meeting and need not be given in writing.*

**11. ELECTRONIC MEETINGS**

 (1) Provided the conditions set out in the Williams Lake Indian Bands Electronic Meetings, a special Band meeting may be conducted by means of visual and/or audio electronic or other communication facilities if the Band requires it.

(2) Provided the conditions set out in the Williams Lake Indian Bands Electronic Meetings Regulation, B, a Councillor who is unable to attend a Band meeting other than a meeting convened under section 11(1), may participate in a meeting, by means of visual and/or audio electronic or other communication facilities, if the Councillor is unable to attend in person because of:

 (a) Physical incapacity due to injury or illness;

 (b) Inclement weather;

 (c) Physical absence from the Williams Lake Indian Band boundaries while acting in the capacity as a Councillor on Williams Lake Indian Band matters; provided that a Councillor who participates in accordance with subsection 11(2) does so at no more than two meetings per year.

 (3) At a meeting conducted under section 11(2) the presiding member must not participate electronically.

 (4) No more than two band councillors at one time may participate at a meeting under section 11(2) unless otherwise authorized by the Chief.

 (5) Any Councillor participating at a meeting in accordance with section 11(2) must be in receipt of the agenda and any applicable staff reports as have been provided to band councillors not participating electronically before the Band meeting and any information handed out at the Band meeting must be sent to that Councillor during the meeting or the matter will be adjourned to the next regular meeting.

 (6) If the communication facilities fail or malfunction during a meeting, the meeting may be continued without the Councillor who is participating in accordance with section 11(2), assuming there is still a quorum without that Councillor, or the meeting may be adjourned.

 (7) Notice of a special Band meeting required under section 10 and conducted under section 11(1) must contain information of the way in which the meeting is to be conducted and the place where the public may attend to hear, or watch and hear, the proceedings of the meeting that are open to the public.

 (8) A Councillor participating electronically by audio means only must indicate his or her vote verbally.

**12. ATTENDANCE OF PUBLIC AT MEETINGS**

(1) All meetings must be open to the Membership.

 (2) Before closing a meeting or part of a meeting to the public, the Band or committee must pass a resolution in a public meeting in accordance with section 92 of the Community Charter [requirements before meeting is closed].

 (3) This section applies to all meetings of the bodies referred to in section \_\_\_\_\_\_.

 (4) Despite section 12(1), the Chief may not expel or exclude from a meeting, a person in accordance with section \_\_\_\_\_\_ of this bylaw and section \_\_\_\_\_\_.

**13. AGENDA**

(1) The Corporate Officer shall prepare and publish at the direction of the Band Membership, an agenda in electronic, web-based format before every regular meeting of the Band. The agenda shall be published and accessible to Band councillors and the public via the Williams Lake Indian Band’s web page at least seventy-two (72) hours before the applicable meeting. If there are late items, the agenda will be re-published and available on the evening preceding the meeting.

 (2) Immediately after the Chief has taken his or her seat and has called the meeting to order, the Band shall consider a resolution to adopt the agenda and to include any other time-sensitive items that must be dealt with at the current meeting. The minutes of the preceding meeting shall then be considered by the Band in order to correct errors and omissions. The minutes of the preceding meeting of the Band need not be read aloud prior to their adoption. All other business shall follow.

 (3) Any Councillor wishing to place an item on an agenda for consideration by the Band shall notify the Corporate Officer as soon as possible, and no later than 7 working days prior to the Band meeting. The Councillor must supply background information along with their agenda item whenever possible. Subject to the Band Chief’s approval, the Corporate Officer shall place the item on the agenda, with a report advising the Band that the applicable Councillor has requested Band consideration of the item and that any further action is at the discretion on the Band.

 (4) Notwithstanding sub-section (3), items contained on the Consent Calendar being considered by the Band, shall routinely be brought forward for consideration as a separate agenda item, when a Councillor makes such a request.

**14. LATE AGENDA**

 (1) Items may be added to the late agenda by staff or band councillors only if the item is time-sensitive and cannot practically wait until the next regular meeting.

 (2) Information pertaining to urgent items received after publishing the late agenda, shall be distributed to the band councillors on coloured paper at the commencement of the meeting or as soon thereafter as practical and possible. Band councillors will be given adequate time to review the late items.

**15. IN-CAMERA AGENDA**

 (1) The in-camera agenda will be prepared by the Corporate Officer or designate at the direction of the Band Chief. The in-camera agenda will be distributed to band councillors at least seventy-two (72) hours preceding the applicable Band meeting.

 (2) The in-camera agenda will be prepared in paper format, presented in a sealed envelope and will be distributed to each Councillor as per the instructions that have been provided to deal with their mail items.

 (3) Late in-camera agendas, if necessary, will be available at the WLIB office in Williams Lake on the afternoon of the day before Band day.

 (4) Information pertaining to urgent items received after distribution of the late in-camera agenda, shall be distributed to the Band councillors at the commencement of the meeting or as soon thereafter as practical and possible. Band councillors will be given adequate time to review the late in-camera items.

 (5) The in-camera agendas will be collected by the Corporate Officer or designate at the end of each Band meeting and will be shredded immediately. All band councillors will surrender all in-camera documents unless a specific Band resolution has been obtained to retain an in-camera report or other item.

 (6) In-camera agenda documents may not be photocopied or otherwise duplicated after their distribution to Band members.

**16. PETITIONS AND DELEGATIONS**

 Public Delegations

(1) Individuals or groups wishing to appear as a delegation before the Band, may do so only if they have first requested same, in writing, before the agenda has been prepared and circulated to the Band, and subject to the Band Membership’s approval. On extraordinary occasions declared as such by the Band Membership, this requirement may be waived.

 (2) Unless otherwise permitted by the Band Chief, each delegation shall be allowed fifteen (15) minutes to present its petition or submission. Where the delegation is requesting Band action, the matter will be referred to staff for a recommendation unless the matter under consideration is urgent.

 (3) In the absence of written requests, the Corporate Officer shall not place a delegation on the agenda except where the Band Chief so designates.

 Delegations Initiated by Band

 (4) Notwithstanding sub-section 3, the Band may by resolution, invite individuals or groups to appear as a delegation. Such delegations shall be limited to one per Band meeting, except on extraordinary occasions declared as such by the Band Chief.

 (5) All delegations shall be encouraged to be brief, concise and topic specific.

**17. OPENING PROCEDURES**

 (1) As soon after the appointed time of a meeting as a quorum is present, the Chief shall take the Chief and call the meeting to order.

 (2) If the Chief is not in attendance within fifteen (15) minutes after the time appointed for the meeting, the Vice- Chief shall take the Chief and call the meeting to order. If the Vice-Chief is also absent, the Chief Administrative or other designated Corporate Officer shall take the Chief and call the meeting to order. If a quorum is present the band councillors shall elect an Acting Chief pursuant to Section 5(5).

 (3) If no quorum is present within thirty (30) minutes after the appointed time of the meeting, the Corporate Officer or Corporate Officer’s designate shall record in the minutes the names of the Band councillors present and the meeting shall stand adjourned except where the Chief designates some other action be taken.

**18. MINUTES**

 (1) Minutes of meetings shall:

 (a) be recorded verbatim;

 (b) contain:

 i) the time the meeting was called to order;

 ii) the date of the meeting;

 iii) the location of the meeting;

 iv) attendees;

 v) movers and seconders of all motions;

 vi) results of all votes;

 vii) a disposition of all items on the agenda including a record of all decisions made at the meeting and include a brief anecdotal description of non-decision business (i.e. delegations), but shall not include any opinions expressed at the meeting; and

 viii) time of adjournment.

 (c) be certified as correct by the Corporate Officer;

 (d) be signed by the Band Chief or other member presiding at the meeting in the Band Chief’s place, or at the next meeting at which they are adopted; and

 (e) be open for public inspection at the Band offices during its regular office hours in accordance with the applicable provisions of the Act.

 (2) Subsection 18(1)(e) does not apply to minutes of a meeting or portion of a meeting from which persons were excluded under section 90 of the Community Charter (meetings that may be closed to the public). Access to in-camera minutes shall be limited to Band members (unless otherwise restricted by a resolution of the Band), the Chief Administrative Officer, and persons designated by the Chief Administrative Officer, and shall only be viewed at the WLIB office in Williams Lake and may not be copied or taken from the office unless otherwise ordered by a competent authority.

**19. RULES OF CONDUCT AND DEBATE**

 (1) A Councillor may speak to a question or motion only if that Councillor first addresses the Chief and is recognized by the Chief.

 (2) Band councillors shall address staff who are present at the meeting through the Chief who, in turn, shall defer to the Chief Administrative Officer who shall recognize staff if required.

 (3) No Councillor shall:

 (a) speak disrespectfully of the Reigning Sovereign, a member of the Royal Family, the Governor-General, or a Lieutenant-Governor;

 (b) speak disrespectfully of, defame, or use offensive words against the Corporation, the Regional Band, a Councillor, employee or any individual, group or entity;

 (c) speak in a contradictory manner on a decision reached by the Band or reflect upon a vote of the Regional Band, except for the purpose of moving that the vote be rescinded;

 (d) leave their seat or make any noise or disturbance while a vote is being taken and until the result is declared;

 (e) interrupt a Councillor who is speaking, except to raise a point of order;

 (f) conduct themselves during the meeting in a manner that is disrespectful to other Band members, staff, or guests;

 (g) disobey the rules of the Regional Band or resist a decision of the Regional Band or Band Chief on questions of order or practice, or interpretation of the rules of the Band.

 (4) If the Band Chief considers that a Councillor or other person at the meeting is acting improperly, the Chief may order that the person is expelled from the meeting. If the person who is expelled does not leave the meeting, a peace officer may enforce the Chief’s order as if it were a court order.

 (5) If any person at the meeting, offending any of the provisions of Section (4) apologizes to the Regional Band, the Band Chief may permit the person to forthwith resume their seat.

 (6) The following rules apply to limit speech on matters being considered at a Band meeting:

 (a) Band councillors are limited to speaking twice on any matter except:

 (i) with the permission of the Band Chief; or

 (ii) if the Councillor is explaining a material part of a previous speech without introducing a new matter;

 (b) Where practical, all Band councillors will be given the opportunity to speak once on a matter before a Councillor is recognized a second time;

 (c) A Councillor who has made a substantive motion to the Band may reply to the debate;

 (d) A Councillor who has moved an amendment on the previous question may reply to the debate;

 (e) Band councillors are encouraged to speak succinctly and to not repeat information that has already been heard;

 (f) Procedures for limiting debate pursuant to section 21(4) apply.

 (7) After a question is finally put by the Chief, no Councillor shall speak to the question, nor shall any other motion be made until the result of the vote has been declared. The decision of the Chief as to whether the question has been finally put shall be conclusive.

 (8) If the Chief desires to leave the Chief for the purpose of taking part in the debate or otherwise, he/she shall make an announcement to that effect and call on the Vice-Chief, or if the Vice-Chief is absent, one of the band councillors, to take his/her place until he/she resumes the Chief.

**20. POINTS OF ORDER**

 (1) The Chief shall preserve order and decide all points of order which may arise, subject to an appeal to the other band councillors of the Band or Band Membership then present.

(2) On an appeal by a Band member from the decision of the Chief, the question shall be immediately put by the member, and decided without debate, “Shall the Chief’s decision be sustained?” and the Chief shall be governed by the vote of the majority of the Band Membership then present, excluding the Chief. In the event of the votes being equal, the question shall pass in the affirmative. The names of the members of the Band voting for or against the question shall be recorded on the minutes.

 (3) If the Chief refuses to put the question “Shall the Chief’s decision be sustained?”, the Vice-Chief shall preside temporarily. The Vice-Chief shall proceed in accordance with sub-section 20(2).

 (4) Any resolution or motion carried under the circumstances mentioned in subsection 20(3) is as effectual and binding as if carried under the presidency of the Chief.

**21. MOTIONS**

 (1) A motion shall be made and seconded before being debated and voted on.

 (2) A motion that has been seconded may be read by the Corporate Officer or designate, before debate, at the request of any Councillor.

 (3) After a motion is presented, it shall be deemed to be in the possession of the Band or Committee, but may be withdrawn at any time before decision or amendment, if no one objects.

 (4) When a motion is under consideration, no motion shall be received unless to:

 (a) defer it,

 (b) refer it,

 (c) amend it,

 (d) postpone it to later in the meeting, or

 (e) “call the question” (end debate and vote on the motion).

**22. AMENDMENTS**

 (1) Every amendment submitted shall be decided upon or withdrawn before the main question is put to a vote. Only two amendments shall be allowed to a motion.

 (2) Amendments shall be voted on in the reverse order to that in which they are moved. Once all amendments have been voted on, the Band shall vote on the main motion.

 (3) A motion to commit the subject matter to a Committee of the Band, until it is decided, shall preclude all amendment(s) of the main question.

 (4) A question of referral or deferral, until it is decided, shall preclude all amendments to the main question.

**23. RECONSIDERATION**

 (1) Without limiting the authority of the Band to reconsider a matter, the Band Chief may require the Band to reconsider and vote again on a matter that was the subject of a vote, subject to the provisions of the Act, at the next meeting of the Band.

 (2) After a vote has been taken on any question, except one of tabling or postponing a matter, a Councillor who voted in the majority may move a reconsideration of the motion at the same or the next regular or special meeting of the Band.

 (3) Despite subsection 2, a Councillor who is absent from a meeting at which a vote was taken on a question, except one of tabling or postponing a matter, may move reconsideration of the motion at either the next regular or special meeting of the Band.

 (4) A motion to reconsider requires 2/3’s of the votes cast to pass. If the motion to reconsider is successful, the matter shall be put before the Band for reconsideration and may be dealt with by the Band by a majority vote.

 (5) The Band shall not reconsider any resolution calling for action where that action has been acted upon, or substantially acted upon, by any officer or employee of the CaribooRegional District, or which has received the assent of the electors.

 (6) After a question has been reconsidered, it shall not be reintroduced for a period of six months except by unanimous consent of all Band councillors.

**24. VOTING**

 (1) The following procedures apply to voting at all Band meetings:

 (a) Voting on questions, resolutions and bylaws are governed by the Act.

 (b) The Chief participates in all voting unless the vote is on the question, “Shall the Chief be sustained?”

 (c) All votes pertaining to Band business shall be taken by a show of hands, with the exception of election of Band Chief and Band Vice-Chief which is covered elsewhere in this bylaw.

 (d) A vote on a motion shall be deemed to be carried unanimously unless a Councillor or Band councillors vote against the motion. The Chief will state aloud that the vote is carried, carried unanimously, or defeated.

 (e) As soon as the Chief has announced the results of the vote on a question, any Councillor who voted in opposition may request the Chief to have their name so recorded in the minutes. A vote in opposition will not be recorded in the minutes unless a Councillor requests that it be done.

 (f) When the question under consideration contains distinct propositions, a Councillor may request that the vote upon each proposition be taken separately, and the matter shall be put to a vote requiring agreement by way of 2/3’s of the votes cast.

 (g) Each Councillor present who does not signify his or her vote upon the question by raising his or her hand shall be recorded as voting in the affirmative.

25. **CONFLICT OF INTEREST**

 The provisions of this section shall apply to all meetings.

 (1) Declaration:

 If a Councillor considers that he or she is not entitled to participate in the discussion of a matter or to vote on a question in respect of the matter, the Councillor shall declare a conflict of interest and state the general nature of why the Councillor considers this to be the case.

 (2) Following a Declaration:

 A “conflict of interest” declaration requires that the following procedure be carried out:

 (a) The Councillor is not considered as part of the quorum for the vote on which the Councillor declared a conflict of interest;

 (b) The Councillor:

 (i) shall not take part in the discussion of the matter and is not entitled to vote on any question in respect of the matter;

 (ii) shall immediately leave the meeting or that part of the meeting during which the matter is under consideration; and

 (iii) shall not attempt in any way, whether before, during, or after the meeting, to influence the voting on any question in respect of the matter.

 (c) The Councillor is entitled to return to the meeting, but only after all discussion and voting on the matter is complete.

 (3) Administrative Requirements:

 (a) Recording Secretary Responsibilities:

 After a Councillor makes a “conflict of interest” declaration, the Recording Secretary shall record in the minutes of the meeting, the member’s declaration, the reason(s) given for it, and the times of the Councillor’s departure from the meeting room and, if applicable, of the Councillor’s return.

**PART 4 - BYLAWS**

**26. GENERAL**

 (1) Where the Act requires that a Public Hearing be held, the bylaw shall be initially presented for consideration of two readings, with the Public Hearing to be held following second reading and prior to consideration of third reading.

 (2) Bylaws which do not require Public Hearings prior to third reading, may be given three readings at the same meeting of the Regional Band.

 (3) Pursuant to section 794(3) of the Act, a bylaw that does not require approval, consent or assent under the Charter or Act before it is adopted may be adopted at the same meeting at which it passes third reading if the motion for adoption receives at least 2/3 of the votes cast.

 (4) Procedure, voting and enforcement of bylaws shall be in accordance with the applicable provisions of the Act and Charter.

**27. BYLAWS MUST BE SIGNED**

 (1) Once a bylaw is adopted it shall be signed by the member presiding as Chief at the meeting at which it was adopted, and the Corporate Officer.

**PART 5- COMMITTEES**

**28. DUTIES / GENERAL**

 (1) Standing and select committees may be established pursuant to the Act.

 (2) The general duties of all the committees of the Regional Band shall be as follows:

 (a) To consider items referred to it by the Band; and

 (b) To carry out the instructions of the Band expressed by resolution, or bylaw, in regard to any matters referred by the Band; and

 (c) In addition to the foregoing sub-sections (a) and (b), to carry out the duties and follow the procedure established by its terms of reference.

 (3) In the transaction of business, all committees shall adhere as much as possible to the rules governing proceedings and conduct of band councillors, in meetings of the Regional Band.

 (4) Alternate band councillors are authorized to serve on committees of the Band in the absence of the Councillor, if authorized by the applicable terms of reference or bylaw. This does not apply to outside agencies where band councillors are appointed at the request of the agency concerned.

 (5) Attendance at committee meetings by the public and delegations, as well as the structure and scheduling of committee meetings shall be in keeping with the provisions of this bylaw and current Band policies.

**PART 6 - GENERAL**

**29. QUORUMS**

 (1) In the case of the Band, a simple majority, one member more than 50% of the members shall constitute a quorum.

 (2) In the case of commissions or committees of the Band, quorums are specified by the individual terms of reference or bylaws.

 (3) When any order, resolution or question is lost by reason of the Band or committee breaking up for want of a quorum, the order, resolution or question lost shall be included as an item of business to be proceeded with and disposed of at the next meeting.

**30. SEVERABILITY**

 (1) If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

**31. REPEAL**

 (1) “Williams Lake Indian Band Procedure Bylaw No. 0000” is hereby repealed.

READ A FIRST TIME THIS 26th DAY OF September, 2012.

READ A SECOND TIME THIS 26th DAY OF September, 2012.

READ A THIRD TIME THIS 26th DAY OF September, 2012.

ADOPTED THIS 26th DAY OF September, 2012.

**Chief** 

Councillor 

Councillor 

Councillor 

Councillor 