

DRAFT (v. 1 – August 2015)

SAUGEEN FIRST NATION

GOVERNANCE LAW

Purpose

The purpose of the *Governance Law* is to ensure a respectful, harmonious and mutually beneficial relationship between Chief and Council and all Saugeen First Nation Members. The *Governance Law* describes the political, functional and legal roles and responsibilities of the Chief and Council and the Band Administrator, and defines the operational procedures to promote and ensure good governance.

The Chief and Council of the Saugeen First Nation desire to serve the people fairly and efficiently. Accordingly, the Chief and Council are determined to establish an effective working relationship with one another and all Saugeen First Nation Members.

Through the *Governance Law* the Chief and Council hereby affirms the separation of politics and administration while acknowledging they will overlap from time to time. The Chief and Council are responsible for the strategic planning and visionary leadership of the Saugeen First Nation. The Band Administrator is responsible for the day-to-day activities of staff and overall operations of the Administration.

The responsibility of the Chief and Council in relation to the Saugeen First Nation owned corporations, Trusts and other entities will be set out in other laws, policies and corporate constitutional documents.

Title

1 This Law may be cited as the *Governance Law*.

Definitions

2 In this Law:

“**Administrator**” means the Band Administrator;

“**Adhoc Committee**” means a committee of the Saugeen First Nation approved by Chief and Council that will serve a specific term within the current Chief and Council’s term;

“**Anishnaabekiing**” means the territory that the Saugeen First Nation and its people have traditionally used and occupied, as illustrated in the map attached as Schedule “E”;

“**Chief**” means the Chief of the Saugeen First Nation;

“**Chief and Council**” means the Chief and Council of the Saugeen First Nation, which is the official government of the Saugeen First Nation;

“Committee” means a committee of the Saugeen First Nation approved by Chief and Council and includes associations, non-corporate boards, Standing Committees and Adhoc Committees.

“Councilor” means a person elected to the office of Councilor of the Saugeen First Nation Chief and Council, but does not include the Chief;

“Elder” means a Saugeen First Nation Member over the age of fifty-five years of age;

“Saugeen First Nation” means the collectivity that comprises all Saugeen First Nation individuals;

“Saugeen First Nation Lands” means the communal lands of the Saugeen First Nation that makes up what is commonly referred to as Saugeen First Nation No. 29;

“Saugeen First Nation Member” means an individual who is enrolled as a member of the Saugeen First Nation; and

“Standing Committee” means a committee of the Saugeen First Nation approved by Chief and Council that will serve a term concurrent with the term of Chief Council.

PART 1 – GUIDING PRINCIPLES

Guiding Principles

- 3** Chief and Council, in the course of their duties, shall strive to:
- a) advance, implement, protect and ensure the sustainability of the Saugeen First Nation’s jurisdiction and sovereignty over Anishnaabekiing;
 - b) advance, implement, protect and ensure the sustainability of the Saugeen First Nation’s Aboriginal Rights and Treaty Rights;
 - c) advance and protect the cultural identity of the Saugeen First Nation and Saugeen First Nation Members;
 - d) establish and advance a collective vision and purpose for the Saugeen First Nation that includes a full expression of the Saugeen First Nation’s autonomy from the Crown through self-government;
 - e) work towards improving the education, economic development, health, social status and quality of life Saugeen First Nation Members;
 - f) oversee and facilitate the responsible management and development of the Saugeen First Nation to meet the current and future needs of the Saugeen First Nation;
 - g) ensure a clear separation between the roles of Chief and Council and Administration while acknowledging that these may overlap from time to time;

- h) promote and ensure full accountability and transparency; and
- i) honour the Seven Grandfather Teachings (Respect, Honesty, Bravery, Wisdom, Strength, Love and Truth).

PART 2 – CODE OF CONDUCT

Code of Conduct

- 4** The proper operation of Chief and Council requires that Council members be independent, impartial, and duly responsible to Saugeen First Nation members. Council members are expected to conduct themselves in an ethical, legal and professional manner. To this end, the Chief and Councilors shall:
- a) be accountable to the Saugeen First Nation Members in the performance of their duties and obligations;
 - b) conduct themselves in a professional and reasonable manner (adhering to the Seven Grandfather Teachings);
 - c) be prompt in the performance of their duties;
 - d) focus primarily on strategic planning and governance rather than day-to-day administrative matters;
 - e) refer complaints and personnel matters to the proper administrative staff and refrain from advising, instructing, consulting, directing, or disciplining staff, except through the Band Administrator;
 - f) attend Chief and Council meetings unless there is a valid reason for absence or lateness;
 - g) respect and support resolutions that have been passed by Chief and Council at any meetings that have been convened by a quorum of Chief and Council;
 - h) recognize that the strength of Chief and Council is as a collective, not as individuals, and ensure that the Chief and Council is speaking as “One Voice”;
 - i) respect and comply with all Saugeen First Nation laws, by-laws, regulations, codes, policies, rules, procedures, directives, guidelines, authorizations, standards, declarations, notices, requirements and directions;
 - j) uphold formal commitments made by the Saugeen First Nation;
 - k) uphold formal contracts approved by the Saugeen First Nation;
 - l) ensure prudence and probity in allocating or spending Saugeen First Nation funds;

- m) respect the role of the Council;
 - n) respect the role of the Chief and each Councilor;
 - o) not knowingly engage in unlawful activity;
 - p) maintain the highest ideals of honour and integrity in public, and personal relationships and discharge faithfully the duties of office;
 - q) maintain confidentiality of privileged information;
 - r) avoid conflicts of interest; and
 - s) enforce self-policing when the Chief or a Councilor(s) strays from good governance and the provisions of this Law.
- 5** For greater certainty, the Chief and Council shall not assume that any unethical activities not covered by or specifically prohibited by these ethical standards of conduct are therefore condoned.

PART 3 – CONFLICT OF INTEREST

Conflict of Interest Prohibition

- 6** The Chief or a Councilor(s) has a conflict of interest if
- a) he or she exercises an official power or performs an official function knowing that in so doing there is the opportunity to further his or her private interest; or
 - b) he or she's personal interests supersede or compete with their dedication to the best interests of the Saugeen First Nation.
- 7** The Chief or a Councilor(s) must not exercise an official power or perform an official duty or function if he or she has a conflict of interest.

Employment

- 8** A person who holds an elected office within the Saugeen First Nation shall not:
- a) be an employee of the Saugeen First Nation; or
 - b) directly supervise an employee of the Saugeen First Nation if that employee is a member of the representative's immediate family.

- 9 Each person who holds an elected or appointed office in any branch of the Saugeen First Nation may maintain other employment, business, trade or professional activities but must endeavour to arrange these in a manner that does not conflict with the person's official duties.

Acceptance of Gifts or Personal Benefits

- 10 Without limiting the generality of section 6, the Chief or a Councilor(s) is in a conflict of interest if he or she accepts a gift or personal benefit that might reasonably be seen to have been given to influence him or her in the exercise of his or her powers or the performance of his or her duties or functions.
- 11 Despite section 10, the Chief or a Councilor(s) may accept a gift or benefit if the gift or benefit
- (a) would be considered within
 - (i) normal protocol exchanges or social obligations associated with the person's office or duties,
 - (ii) normal exchanges common to ordinary business relationships, or
 - (iii) normal exchanges common at public cultural events of the Saugeen First Nation or other First Nations,
 - (b) is of nominal value,
 - (c) is given by a friend or a relative solely as an element of that relationship, or
 - (d) is of a type that is permitted under the policies or directions issued by Chief and Council.
- 12 The Chief or a Councilor(s) is not in a conflict of interest if engaged in the conduct of business with another party if the party, by agreement, assumes costs which otherwise would be costs to the Saugeen First Nation or a Saugeen First Nation Corporation as a result of the business relationship.
- 13 If a gift or benefit with a value greater than \$500 is given to the Chief or a Councilor(s), he or she is not in a conflict of interest provided he or she makes a written disclosure of the gift or benefit to the Band Administrator.

Exception

- 14 The Chief or a Councilor(s) must not be found to be in a conflict of interest if the matter with respect to which he or she has an interest is the payment of an account or the creation or alteration of a benefit generally available to Saugeen First Nation Members, about which he or she as a Saugeen First Nation Member or as a property owner, has a right to be heard.

Disclosure statement

- 15** The Chief and each Councilor must each file with the Band Administrator, within thirty (30) days of taking office, an affidavit in the prescribed form, setting out the following:
- (a) the names of all corporations in which they have an interest as shareholder, director or officer;
 - (b) the names of each proprietorship, partnership or other business entity in which they have an interest and the names of each of the other persons who have a substantial financial interest in that proprietorship, partnership or other business entity.
- 16** The Chief and or Councilor(s), to whom section 15 applies, must
- (a) make a supplemental affidavit in the form set out by the Band Administrator and file it with him or her as soon as is reasonably possible if any of the matters set out in the affidavit provided under section 15 are not or are no longer true, accurate and complete, and
 - (b) provide any additional information about such matters that the Band Administrator may require.
- 17** The Band Administrator must maintain a permanent record of affidavits and supplemental affidavits required and made under this Part.

Responsibility to Disclose when in Conflict of Interest

- 18** The Chief or a Councilor(s) must not be found to be in a conflict of interest if he or she, at the first available opportunity
- (a) discloses the particulars of a real or apparent conflict of interest, and
 - (b) abstains from being involved in any discussion regarding the matter and from voting on any question relating to it.

Conduct at Meetings

- 19** If the Chief or a Councilor(s) considers that they have a conflict of interest in respect of a matter to be discussed or voted on at a meeting, he or she:
- (a) must declare the conflict of interest and its general nature at the meeting;
 - (b) must immediately leave the meeting or that part of the meeting during which the matter is to be discussed or voted on;
 - (c) must not take part in the discussion or vote on the matter or attempt to influence the discussion or vote on the matter before, during or after the

meeting; and

(d) must not execute any document in relation to the matter unless specifically directed to do so by the body concerned.

- 20** A person responsible for recording the proceedings of a meeting referred to in section 19 must record the Chief or a Councilor(s) declaration of a conflict of interest and the time when the member was absent from the meeting.
- 21** On request of a Councilor(s) at a meeting, the Chair may invite any Councilor to consider whether they have a conflict of interest in respect of a matter to be discussed or voted on at the meeting.
- 22** For purposes of sections 19, 20 and 21, the Chief or a Councilor(s):
- (a) has a conflict of interest in respect of a matter if their direct or indirect private interest would be, or could reasonably be expected to be, affected by a decision on that matter, and if the Chief or a Councilor(s) is in a position to use his or her office to make, participate in the making of, influence or attempt to influence that decision; but
 - (b) does not have a conflict of interest in respect of a matter if the Chief or Councilor(s) direct or indirect private interest in the matter:
 - (i) is the same interest as a broad class of Saugeen First Nation Members;
 - (ii) relates to the Chief or Councilor(s) compensation or payment of expenses while acting in his or her official capacity;
 - (iii) is so remote or insignificant that it cannot be reasonably be regarded as likely to influence the Chief or a Councilor(s) in relation to the matter; or
 - (iv) arises out of a gift given or received by the Chief or a Councilor(s) during a customary celebration or similar public occasion.
- 23** The Chief or a Councilor(s) indirect private interest includes the private interest of:
- (a) his or her spouse;
 - (b) a minor in respect of whom he or she is a parent, acts in a parental capacity or is a guardian;
 - (c) an individual, other than his or her employee, who is financially dependent upon him or her or upon whom he or she is financially dependent; and
 - (d) an entity in which her or she or in combination with a person described in

paragraph (a), (b) or (c) has a controlling interest.

Quorum where Disclosure Occurs

- 24** The absence of the Chief or a Councilor(s) from a meeting because of the requirements of section 19 must not be taken into account in determining whether a quorum is present for that meeting and for this purpose the Chief or a Councilor(s) must be counted as being present, even though he or she is absent from part or all of the meeting.
- 25** If, because of the operation of section 19 there are fewer than five (5) members of the Chief and Council able to be involved in any discussion on a particular matter or to vote on any question relating to that matter, the matter must be deferred or tabled until such time as a quorum of Chief and Council can be established, or, if the matter is urgent or an emergency, then, so long as their real or apparent conflict(s) of interest and the reasons they believe they are in a conflict of interest(s) has been disclosed and recorded, all members of the Chief and Council may nevertheless participate and vote.

Contracts

- 26** The Chief or a Councilor(s) may not directly or indirectly enter into a contract with the Saugeen First Nation or a Saugeen First Nation Corporation while he or she is acting in an official capacity or for six (6) months following the date on which that person ceases to act in that capacity, unless
- (a) the contract is awarded in accordance with the procurement policies of the Saugeen First Nation or a Saugeen First Nation Corporation,
 - (b) the interest is disclosed, and
 - (c) the work to be performed under the contract is reasonably necessary to the Saugeen First Nation or a Saugeen First Nation Corporation and the fees payable for performing the work stipulated in the contract are fair and reasonable in relation to the fees that would be paid to charged by an independent person for the same work.

Unauthorized use of Restricted Information

- 27** The Chief or a Councilor(s) may not use information that is
- a) supplied in confidence to Chief and Council,
 - b) not generally available to all Saugeen First Nation Members, and
 - b) obtained while that person serves in an official position or at any time after he or she ceases to serve in that position,

if the information at issue could result in, or could appear to have resulted in, a financial benefit to him or her.

Implications for Agreements in which Restricted Information Used

- 28** Any financial benefit received in contravention of section 27 may be recovered by the Chief and Council from the person who received the financial benefit, unless it involved doing something required to be done because of the existence of an emergency, if it could be reasonably concluded that compliance with the requirements of section 27 would have been impracticable.

Reporting to the Band Administrator

- 29** Any Saugeen First Nation Member, member of Chief and Council or an employee who believes, on reasonable grounds, that information contained in an affidavit is untrue, incomplete or inaccurate, may report in writing that belief and the reasons for it to the Band Administrator.
- 30** Any Saugeen First Nation Member, member of Chief and Council or an employee who perceives either the Chief or a Councilor(s) to be in an actual or a perceived conflict of interest may report in writing that belief and the reasons for it to the Band Administrator.
- 31** The Band Administrator upon receipt of a written allegation, under section 29 or 30, shall immediately report the matter(s) to Chief and Council.

Meeting to Address the Band Administrator's Report

- 32** Upon receipt of a report from the Band Administrator set out in section 31, the Chief and Council shall convene a meeting within two business days to address the matter.
- 33** The Chief or a Councilor(s) subject to the allegation outlined in the Band Administrator's report, outlined in section 31, shall, at the meeting convened under section 32, be given an opportunity to voluntarily recuse him or herself from all further discussions and activities pertaining to the matter in question.
- 34** If the Chief or Councilor subject to the allegation outlined in the Band Administrator's report refuses to recuse him or self from the meeting, discussions and activities pertaining to the matter in question, as outlined in section 32 and 33, the Chief and Council shall immediately suspend any further discussions on the matter and immediately appoint, by motion, a Conflict Review Committee to meet within ten (10) business days to decide whether or not a conflict of interest actually exists for the Chief or a Councilor(s).

Conflict Review Committee

- 35** The Conflict Review Committee appointed by Chief and Council pursuant to section 34 shall be comprised of the Band Administrator, Human Resource Manager, Senior Finance Officer and two Elders.
- 36** Within ten (10) business days of the Chief and Council's appointment, the Conflict Review Committee shall:
- a) investigate all alleged Conflict of Interest issues that involve the Chief or Councilor(s);
 - b) review and assess all relevant information and documentation regarding the alleged conflict;
 - c) determine whether the facts substantiate a conflict or not; and
 - d) formally advise the Chief and Council of their findings, through the Band Administrator.
- 37** For purposes of accountability and continuity, the Band Administrator shall establish and maintain a master manual of all the cases and proceedings of the Conflict Review Committee to ensure similar or recurring Conflict of Interest issues are consistently addressed.
- 38** The roles and responsibilities of each member of the Conflict Review Committee shall be as follows:
- a) the Band Administrator shall act as the Chair of the Conflict Review Committee and shall only vote in times of a tie;
 - b) the Human Resource Manager's role on the Conflict Review Committee shall be to provide any and all human resource documentation related to the alleged conflict and to provide his/her professional opinion as to whether a conflict actually exists or not for the Chief or a Councilor(s);
 - c) the Senior Finance Officer's role on the Conflict Review Committee shall be to provide any and all financial documentation related to the alleged conflict and to provide his/her professional opinion as to whether a conflict actually exists or not for the Chief or a Councilor(s); and
 - d) the two Elders' role on the Conflict Review Committee shall be to provide their input based on an assessment of all the information and documentation pertaining to the alleged conflict and the respective Chief or Councilor(s).
 - (i) To ensure the balance of a male and female opinion of the two Elder positions of the Conflict Review Committee, one Elder seat shall be reserved for a female Elder and the other Elder seat shall be reserved for a male Elder.

(ii) The two Elder positions of the Conflict Review Committee shall be selected and appointed through a BCR or motion of a duly convened Council meeting of at least a quorum of the Chief and Council.

e) All decisions of the Conflict Review Committee shall strive for consensus. However, if consensus cannot be reached within the first meeting, at the second meeting of the Conflict Review Committee, it shall cast a majority vote in order to determine its decision regarding the Conflict of Interest issue.

f) If the Chief or Councilor(s) is found to be in conflict, the Chief and Council shall establish rules of conduct or procedures to ensure that the person in conflict does not participate in any applicable matters and any related matters that give rise to the conflict.

Removal from Office

39 A Chief or Councilor(s) found to be in conflict by the Conflict Review Committee who fails to comply with the direction set out by Chief and Council to address the conflict pursuant to subsection 38(f) shall be deemed to have acted contrary to the best interests of the Saugeen First Nation and shall be disqualified from holding office. **(NOTE: This will section will need to be consistent with the Saugeen First Nation Election Law and is included to facilitate further discussion)**

Confidentiality and Discretion

40 If in the course of his or her official duties, the Chief or Councilor(s) acquires information about a person that is considered confidential information, either by the Chief and Council or under this or any other Saugeen First Nation law, he or she must not use or disclose that information except in accordance with Chief and Council or any Saugeen First Nation laws, by-laws, regulations, codes, policies, rules, procedures, directives, guidelines, authorizations, standards, declarations, notices, requirements and directions and:

(a) with the consent of that person; or

(b) in so far as is necessary to carry out his or her's official duties.

41 If during a meeting, the Chief and Council hold an in-camera discussion of a matter, a person present at that discussion must not reveal the details of that discussion, except

(a) in so far as is reasonably necessary to carry out a decision arising from that discussion in accordance with a resolution of the Chief and Council; or

(b) as specifically authorized by a resolution of that or a later meeting.

Abuse of Office

- 42** The Chief or Councilor(s) must not directly or indirectly accept, demand, or request any personal economic favour, advantage or benefit for any person in exchange for:
- (a) voting or deciding a matter in a particular way;
 - (b) influencing or attempting to influence a vote or decision of any branch of the Saugeen First Nation; or
 - (c) causing or attempting to cause a denial, interruption, or delay of any service provided by the Saugeen First Nation.
- 43** The Chief or Councilor(s) must not directly or indirectly:
- (a) cause an improper denial, interruption, or delay of any service provided by the Saugeen First Nation;
 - (b) attempt to cause such an improper denial; or
 - (c) threaten to cause or attempt to cause such an improper denial.
- 44** The Chief or Councilor(s) must not engage in any conduct towards another elected or appointed person, or an employee or contractor of the Saugeen First Nation that contravenes the laws of the Saugeen First Nation, Canada or Ontario.

Dealing with Finances and Property

- 45** The Chief or Councilor(s):
- (a) must not knowingly claim any payment or financial benefit to which the person is not entitled; and
 - (b) must promptly pay to the Saugeen First Nation any money that the person owes to the Saugeen First Nation.
- 46** The Chief or Councilor(s) who has in their possession or custody any property of the Saugeen First Nation must:
- (a) handle and safeguard that property with the same degree of care as would a prudent owner;
 - (b) use that property only for purposes associated with the person's official duties, or for any personal and occasional purpose;
 - (c) not allow any other person to use that property other than for purposes

associated with the person's official duties, or for any personal and occasional purpose; and

(d) return that property to the designated person, on demand.

Conduct towards Employees and Contractors

47 The Chief or Councilor(s), when acting in their official capacity:

(a) must treat each employee or contractor of the Saugeen First Nation in a respectful manner; and

(b) must respect the responsibility of managers and administrators to direct and instruct employees and contractors.

PART 4 – GOVERNANCE: ROLES AND RESPONSIBILITIES

General Provisions

48 Chief and Council's primary responsibility is to govern as one by working collectively and speaking with one unified voice. The Chief has limited additional roles including the Chair at all Chief and Council meetings and the spokesperson for Chief and Council and the Saugeen First Nation. Individual Councilors cannot make decisions on behalf of the Chief and Council or on the Saugeen First Nation's behalf unless otherwise stated in this Law.

49 Employees and contractors are obligated to follow the direction of Chief and Council, but never obligated to follow the direction of an individual Councilor acting alone.

50 Chief and Council are ultimately accountable to the Saugeen First Nation and Saugeen First Nation Members. As such, the Chief and Council shall ensure that all decisions that are made and implemented are done so in the best interests of the Saugeen First Nation and Saugeen First Nation Members, particularly regarding matters affecting Anishnaabeking, Aboriginal Rights, Treaty Rights and Saugeen First Nation resources and finances.

51 In maintaining its accountability to the Saugeen First Nation and Saugeen First Nation Members, Chief and Council will abide by all legal obligations established from time to time in relation to the Chief and Council and the Saugeen First Nation.

General Chief and Council Responsibilities

52 Chief and Council's authority and responsibilities shall include, but is not limited to:

a) the development, approval, and implementation of Saugeen First Nation laws, by-

- laws, regulations, codes, policies, rules, procedures, directives, guidelines, authorizations, standards, declarations, notices, requirements and directions;
- b) the allocation and administration of Saugeen First Nation funds on behalf of and in the best interests of the Saugeen First Nation and Saugeen First Nation Members;
 - c) the designation and appointment of an interim Chief when there is a vacancy in the Chief's position;
 - d) calling and conducting community meetings;
 - e) calling and holding referendums;
 - f) approving and ensuring policies and objectives are fully implemented by the Band Administrator;
 - g) approving new programs and services;
 - h) granting interests in Saugeen First Nation land(s);
 - i) advancing, protecting and ensuring the sustainability of the Aboriginal Rights, Treaty Rights and way of life of the Saugeen First Nation and Saugeen First Nation Members;
 - j) advancing, protecting and ensuring the sustainability of the Nation's jurisdiction and sovereignty over Anishnaabekiing;
 - k) negotiating with the Crown or its designate concerning Aboriginal Title, Aboriginal Rights, Treaty Rights, Jurisdiction and Treaty implementation;
 - l) negotiating with proponents, including municipalities, operating and seeking to operate within Anishnaabekiing;
 - m) negotiating with government, agencies and other funders regarding the funding and implementation of programs and services;
 - n) communicating with the Band Administrator in accordance with this Law and other applicable Saugeen First Nation laws, by-laws, regulations, codes, policies, rules, procedures, directives, guidelines, authorizations, standards, declarations, notices, requirements and directions;
 - o) appointing and dismissing the Band Administrator with just cause, according to the procedures described in the Personnel Policy or contractual agreement if applicable;

- p) supporting the Band Administrator in decisions made in accordance with this Law and other Saugeen First Nation laws, by-laws, regulations, codes, policies, rules, procedures, directives, guidelines, authorizations, standards, declarations, notices, requirements and directions;
- q) approving rules governing Chief and Council's own procedures and operations;
- r) establishing Committees;
- s) establishing complaints and appeals procedures;
- t) establishing an independent body to resolve disputes;
- u) establishing and maintaining relationships with local and regional municipalities on behalf of the Saugeen First Nation;
- v) appointing representation to external agencies and organizations; and
- w) appointing a proxy Councilor to attend political assemblies in the absence of the Chief.

Chief's Role

53 The Chief is responsible for providing leadership to the Chief and Council and ensuring the integrity of Chief and Council's internal processes is preserved such that Chief and Council conducts itself consistent with this Law and the applicable Saugeen First Nation laws, by-laws, regulations, codes, policies, rules, procedures, directives, guidelines, authorizations, standards, declarations, notices, requirements and directions.

Accordingly, the Chief:

- a) serves as the elected leader of the Saugeen First Nation;
- b) represents and promotes the long term best interests of the Saugeen First Nation, by listening to and understanding the needs of Saugeen First Nation Members, and reflecting those needs and interests in the plans and policies that will enhance the overall well being of the Saugeen First Nation;
- c) works with the Chief and Council to establish and communicate the short term, intermediate and long term vision, direction and goals of the Saugeen First Nation;
- d) works with the Chief and Council to empower staff, through the office of the Band Administrator, to establish programs and services to achieve the Saugeen First Nation's short term, intermediate and long term vision, direction and goals;

- e) works with the Chief and Council to approve and enforce all Saugeen First Nation laws, by-laws, regulations, codes, policies, rules, procedures, directives, guidelines, authorizations, standards, declarations, notices, requirements and directions;
- f) works with the Chief and Council to communicate with and educate Saugeen First Nation Members on all Saugeen First Nation laws, by-laws, regulations, codes, policies, rules, procedures, directives, guidelines, authorizations, standards, declarations, notices, requirements and directions;
- g) works with the Chief and Council through the office of the Band Administrator and the Saugeen First Nation Finance Department to establish the appropriate financial management and administrative structures and procedures for the efficient operation of all Saugeen First Nation programs and departments;
- h) works with the Chief and Council to negotiate with funding agents for sufficient and effective funding levels;
- i) contributes to the best impartial decision making processes to ensure that Saugeen First Nation funds are being utilized in the most effective and efficient manner possible in order to benefit all Saugeen First Nation Members;
- j) works with the Chief and Council and the office of the Band Administrator annually to review and discuss community input and feedback through the various methods of program and service evaluations from all Saugeen First Nation programs and/or departments;
- k) works with the Chief and Council to present an Annual Master Report, Annual Master Budget and Annual Audit to the community outlining each of the Saugeen First Nation programs and departments' accomplishments and future plans and objectives;
- l) attends, participates in and represents the community, as a whole, at all Chief and Council meetings;
- m) maintains respect and civility for colleagues, managers, directors, employees and Saugeen First Nation Members;
- n) honours the Seven Grandfather Teachings when making decisions regarding the governance affairs of the Saugeen First Nation;
- o) promotes and upholds the integrity and dignity of the Saugeen First Nation, which includes its programs, departments, services, administrative structures, policies and employees;

- p) works with the Chief and Council to oversee and maintain all the financial and administrative affairs of the Saugeen First Nation, through the office of the Band Administrator;
- q) holds the authority of Chief and Council to act in good faith of Chief and Council in exercising decision making regarding matters which require immediate attention, emergency situations and special circumstances affecting the Saugeen First Nation;
- r) will report to Chief and Council as soon as possible following his or her decision making process;
- s) speaks on behalf of the Chief and Council and may delegate this authority to a Councilor(s);
- t) represents the Saugeen First Nation at ceremonial and other special functions and may delegate this authority to a Councilor(s);
- u) is the lead on inter-governmental affairs issues and may delegate this role to a Councilor(s);
- v) chairs the Chief and Council meetings or delegates this authority to a Councilor and ensures that the meetings are conducted in an orderly and business-like manner and decides all questions of procedure;
- w) ensures all meetings and deliberations involving Chief and Council and Saugeen First Nation Members will be fair, open, thorough, and orderly and allocated the appropriate amount of time keeping in mind the other matters before Chief and Council;
- x) shall ensure that meeting content will be limited to those issues that clearly fall exclusively within Chief and Council's jurisdiction and not the Band Administrator;
- y) only votes in the event of a tie;
- z) is an ex-officio member of all committees of Council;
- aa) is a voting member of a committee when his or her attendance is required to make quorum for the committee; and
- bb) will attend Chief's assemblies and other bodies where the Chief is the official representative of the Saugeen First Nation or delegates this authority, including the authority to appoint a proxy in the absence of a quorum of Chief and Council.

Role of a Councilor

- 54** A Councilor serves as an elected representative of the Saugeen First Nation and shall ensure that he or she:
- a) represents and promotes the long term best interests of the Saugeen First Nation, by listening to and understanding the needs of Saugeen First Nation Members, and reflecting those needs and interests in the plans and policies that will enhance the overall well being of the Saugeen First Nation;
 - b) develops and maintains a sharing and exchanging network with other First Nations, First Nation organizations, and federal, provincial and municipal government agencies to enhance their leadership knowledge, skills and abilities as a Councilor;
 - c) works with the Chief and Council to establish and communicate the short term, intermediate and long term vision, direction and goals of the Saugeen First Nation;
 - d) works with the Chief and Council to empower staff, through the office of the Band Administrator, to establish programs and services to achieve the Saugeen First Nation's short term, intermediate and long term goals, objectives and plans;
 - e) works with the Chief and Council to approve and enforce all Saugeen First Nation laws, by-laws, regulations, codes, policies, rules, procedures, directives, guidelines, authorizations, standards, declarations, notices, requirements and directions;
 - f) works with the Chief and Council to communicate with and educate all Saugeen First Nation Members on all Saugeen First Nation laws, by-laws, regulations, codes, policies, rules, procedures, directives, guidelines, authorizations, standards, declarations, notices, requirements and directions;
 - g) works with the Chief and Council through the office of the Band Administrator and the Saugeen First Nation Finance Department to establish the appropriate financial management and administrative structures and procedures for the efficient operation of all Saugeen First Nation programs and departments;
 - h) works with the Chief and Council to negotiate with funding agents for sufficient and effective funding levels;
 - i) contributes to the best impartial decision making processes to ensure that Saugeen First Nation funds are being utilized in the most effective and efficient manner possible in order to benefit all Saugeen First Nation Members;
 - j) works with the Chief and Council and the office of the Band Administrator annually to review and discuss community input and feedback through the various

- methods of program and service evaluations from all Saugeen First Nation programs and/or departments;
- k) works with the Chief and Council to present an Annual Master Report, Annual Master Budget and Annual Audit to the community outlining each of the Saugeen First Nation programs and departments' accomplishments and future plans and objectives;
 - l) attends, participates in and represents the community, as a whole, at all Chief and Council meetings;
 - m) contributes to establishing and abiding by the Chief and Council meeting rules, and being respectful of his or her peers and those he or she represents, by attending all meetings, providing his or her input in making decisions and supporting the decisions made by the Chief and Council;
 - n) does not utilize his or her absence(s) as a means to re-open discussion on decisions that were already made by at least a quorum of the Chief and Council;
 - o) contributes to the establishment of and abide by the agenda for Council meetings, with topics that are relevant to the roles and responsibilities of the Chief and Council;
 - p) passes or rejects Band Council Resolutions (BCRs) and/or motions, based on factual, impartial and rational information of a reliable and professional source;
 - q) discharges the duties and responsibilities of a Councilor in a manner becoming of the position of a Saugeen First Nation Councilor;
 - r) provides prompt, courteous and temperate behavior in the performance of their duties as a Councilor;
 - s) maintains respect and civility for colleagues, managers, directors, employees and all Saugeen First Nation Members;
 - t) honours the Seven Grandfather Teachings when making decisions regarding the governance affairs of the Saugeen First Nation;
 - u) demonstrates that the primary duty as a Saugeen First Nation Councilor is to serve the Saugeen First Nation and all Saugeen First Nation Members;
 - v) promotes and upholds the integrity and dignity of the Saugeen First Nation, which includes its programs, departments, services, administrative structures, policies and employees;
 - w) seeks opportunities to learn proper laws, rules, policies, procedures, roles and

responsibilities associated with the position of a Saugeen First Nation Councilor;

- x) works with the whole Chief and Council to oversee and maintain all the financial and administrative affairs of the Saugeen First Nation, through the office of the Band Administrator; and
- y) takes full advantage of any training opportunities that may help in the performance of his or her roles and responsibilities as a Saugeen First Nation Councilor.

Strategic Planning

55 Chief and Council recognize the importance of strategic planning to the future of the Saugeen First Nation. Accordingly, Chief and Council shall undertake the following:

- a) establish and review the Saugeen First Nation's vision, comprehensive community plan, long and short term goals, objectives, policies, laws, bylaws, regulations and procedures related to the Saugeen First Nation's administrative programs and services and ensure that they are followed and implemented;
- b) define specific priorities in alignment with the comprehensive community plan for the Saugeen First Nation's programs and departments in cooperation with program supervisors and Committees, where applicable, and revise where appropriate;
- c) ensure all programs and services within its jurisdiction are being effectively administered, and that related Saugeen First Nation laws, by-laws, regulations, codes, policies, rules, procedures, directives, guidelines, authorizations, standards, declarations, notices, requirements and directions are followed;
- d) undertake a comprehensive, annual evaluation and review of Saugeen First Nation programs and staff roles and responsibilities;
- e) regularly review, approve and, where necessary, revise the Saugeen First Nation's comprehensive community plan;
- f) develop and implement an effective communication strategy to keep Saugeen First Nation Members involved in Chief and Council's progress and decisions;
- g) meet with Saugeen First Nation Members at least once annually to discuss the comprehensive community plan and priorities within it; and
- h) ensure that any external organizations that are carrying out a function on behalf of the Saugeen First Nation are aligning their strategic planning with the Saugeen First Nation's strategic plan.

Finance

- 56** Chief and Council's responsibilities for finances includes, but is not limited to, the following:
- a) approving the Saugeen First Nation's annual budget and budget's for all programs, departments and services;
 - b) authorizing certain banks for securing and handling the Saugeen First Nation's monies and investments;
 - c) negotiating funding arrangements with Northern and Aboriginal Affairs Canada or its successor, other government departments, and other sources of funding for matters that fall within the Saugeen First Nation's jurisdiction, and for which the Chief and Council has assumed responsibility;
 - d) being fully transparent and accountable to all Saugeen First Nation Members and to the Saugeen First Nation's funding agents;
 - e) establishing the necessary financial policies and procedures to ensure transparency and accountability; and
 - f) appointing an auditor on an annual basis to audit the finances of the Saugeen First Nation.

Capital Projects

- 57** Chief and Council's responsibilities for all capital projects shall include, but is not limited to, the following:
- a) developing, approving, implementing and reviewing a capital plan for the Saugeen First Nation;
 - b) approving any new capital or infrastructure projects; and
 - c) negotiating and approving any service and taxation agreements with other governments.

Other Governments

- 58** Chief and Council shall:
- a) subject to this Law, liaise with all levels of government, government agencies and departments on all matters affecting the Saugeen First Nation; and
 - b) represent the Saugeen First Nation's interests at meetings and conferences and

report back to Saugeen First Nation Members on key issues and concerns raised at these meetings and conferences; and

- c) be the sole voice of the Saugeen First Nation and is prohibited from delegating the Saugeen First Nation's authority to designated bodies at the regional, provincial and national level, to speak on behalf of the Saugeen First Nation on matters pertaining to the Saugeen First Nation's interests, with the exception of such bodies that have been established by the Saugeen First Nation by way of agreement.

External Agency and Organization Representation

- 59** Chief and Council may appoint the Chief and or a Councilor(s) to represent the Saugeen First Nation's interests on external agencies, entities or organization's governance structures. In accordance with the provisions set out in this Law, the Chief or Councilor appointed to an external representation position shall:
- a) submit meeting reports to the Chief and Council of each meeting attended on behalf of the Saugeen First Nation;
 - b) provide the Executive Assistant to Chief and Council with a copy of the organization's latest minutes for file as requested by Chief and Council;
 - c) ensure Chief and Council has access to the organization's founding and corporate documents;
 - d) consider the Saugeen First Nation's best interests in all decision making;
 - e) advocate for Saugeen First Nation's best interests;
 - f) disclose and honourarium or gifts received from the organization to the Executive Assistant to Chief and Council; and
 - g) ensure a positive relationship exists between the Saugeen First Nation and the organization.

Compensation

- 60** The Chief and Councilors must be present at and take part in all scheduled Council meetings, committee meetings, Joint Council meetings and Joint Council committee meetings in order to be fully compensated.
- 61** For greater certainty, the Chief or Councilor will be compensated for scheduled Council meetings, committee meetings, Joint Council meetings and Joint Council committee meetings if his or her absence was for the purpose of a scheduled vacation, scheduled appointment, for Council business or illness.

61 Compensation for the Chief and Councilors shall be established by July 30th of each election year.

62 Compensation for the Chief and Councilors shall be paid bi-weekly.

Committees – General Provisions

63 Chief and Council shall create Committees for specific and time-limited purposes and appoint the appropriate number of members with terms of reference established in accordance with Schedule A.

64 All Committee members must be familiar with and conduct themselves at all times in accordance with all Saugeen First Nation laws, by-laws, regulations, codes, policies, rules, procedures, directives, guidelines, authorizations, standards, declarations, notices, requirements and directions.

65 Committees are a key component to the governance of the Saugeen First Nation and vital to the successful implementation of the necessary goals, strategic direction and mandates of the Chief and Council. As such, it is critical that Committees function appropriately. Accordingly, the Chief and Council shall review all Committees annually and, where necessary, dissolve and or appoint a new Committee(s).

66 Committees do not have any authority to act independently of Chief and Council. As such, any recommendations made by Committees are not deemed to be decisions until adopted by the Chief and Council by way of motion(s).

67 Committees do not have the authority to direct the Band Administrator or staff, and shall not engage in or entertain any and all matters that fall under Administration and the authority of the Band Administrator.

68 The role of staff on Committees must be clearly outlined in the Committee's terms of reference, and the Band Administrator must authorize their involvement.

69 Chief and Council shall appoint at least two members of Council to each Committee to serve as the Chair and Co-Chair. Councilors appointed to Committees shall sit as non-voting members except when the Co-Chair is required for the purpose of establishing a quorum, in which case the Co-Chair shall be entitled to vote on any recommendations made by the Committee. The Chair shall at no time be entitled to vote on any recommendations made by the Committee.

70 The Chief shall be an ex-officio member of all Committees established by Chief and Council.

Standing Committees

- 71** Chief and Council shall appoint all Standing Committees within 60 days after an election to include, but not limited to, the following:
- a) Lands and Environment;
 - b) Housing;
 - c) Health and Community Wellness;
 - d) Governance;
 - e) Infrastructure;
 - f) Education;
 - g) Culture and Language;
 - h) Fisheries;
 - i) Elders;
 - j) Youth; and
 - k) Justice, Treaty and Intergovernmental Affairs.
- 72** All Standing Committees shall be appointed to serve a term concurrent with the Chief and Council.
- 73** Applications for all Standing Committees must be received within 30 days after an election.
- 74** Chief and Council shall screen applications for all Standing Committees based on the applicants' skills and experience for each specific Standing Committee and appoint all successful applicants by way of motion.
- 75** Chief and Council shall assign a minimum of two Councilors, as portfolio holders, to each Standing Committee to serve as the Chair and Co-Chair and will:
- a) attend meetings, conferences, functions and assemblies specific to their portfolio(s);
 - b) provide written reports of regional, provincial, national and international policy issues affecting the Saugeen First Nation;
 - c) liaise and network with individuals and organizations within their portfolio(s) as requested by Council and Council;

- d) propose within their respective portfolio(s), where needed, amendments to existing Saugeen First Nation laws, by-laws, regulations, codes, policies, rules, procedures, directives, guidelines, authorizations, standards, declarations, notices, requirements and directions; and
- e) advocate for the Saugeen First Nation, with the support of the respective Standing Committee(s) and as requested by Chief and Council, on issues within their portfolio(s).

76 Each Standing Committee shall have terms of reference consistent with Schedule A.

Ad hoc Committees

77 Chief and Council may establish from time to time an Ad hoc Committee(s) to address specific issues or matters of importance to the Chief and Council, Saugeen First Nation or Saugeen First Nation Members.

78 An Ad hoc Committee(s) shall be appointed for a specific period of time and will cease to function as soon as the Ad hoc Committee's specific purpose has been met.

79 An Ad hoc Committee(s) shall be established by way of motion.

80 Chief and Council will determine the composition of an Ad hoc Committee(s) and, if applicable, shall screen applications for the Ad hoc Committee(s) based on the applicants' skills and experience for the Ad hoc Committee(s) and appoint all successful applicants by way of motion.

81 An Ad hoc Committee(s) shall have terms of reference consistent with Schedule A.

PART 5 – ROLE OF THE BAND ADMINISTRATOR

General Provisions

82 Only decisions of the Chief and Council acting as one are binding on the Band Administrator.

83 Decisions or instructions of the Chief or an individual Councilor(s) or Committees are not binding on the Band Administrator, except in where the Chief and Council specifically authorizes the exercise of such authority by motion or the Chief's exercise of authority set out in this Law or other Saugeen First Nation laws, by-laws, regulations, codes, policies, rules, procedures, directives, guidelines, authorizations, standards, declarations, notices, requirements and

directions.

- 84** If an individual Councilor or Committee member requests information or assistance without Chief and Council authorization, the Band Administrator can refuse those requests that require (in the reasonable opinion of the Band Administrator) a material degree of staff time or funds, or are disruptive to the Band Administrator's other responsibilities.
- 85** All requests for information must be made in writing and any personal information regarding Saugeen First Nation Members will not be disclosed except in accordance with the applicable privacy law(s).
- 86** Except as provided in this Law or other Saugeen First Nation laws, by-laws, regulations, codes, policies, rules, procedures, directives, guidelines, authorizations, standards, declarations, notices, requirements and directions the Band Administrator is the Chief and Council's only link to administrative activities and conduct. Therefore:
- a) the Chief and Council shall not give instructions to persons who report directly or indirectly to the Band Administrator;
 - b) the Chief and Council shall refrain from evaluation, either formally or informally, of any staff other than the Band Administrator or the Executive Assistant; and
 - c) the Chief and Council will review the Band Administrator's performance on an annual basis;

General Responsibilities

- 87** The Band Administrator shall, subject to Saugeen First Nation laws, by-laws, regulations, codes, policies, rules, procedures, directives, guidelines, authorizations, standards, declarations, notices, requirements and directions, be responsible for the day-to-day operations and administration of the Saugeen First Nation as well as maintaining financial administrative controls of the all funds, including:
- a) the implementation of Saugeen First Nation laws, policies, programs and services;
 - b) hiring and managing staff;
 - c) defining and ratifying staff job descriptions and responsibilities;
 - d) determining compensation of staff by establishing a scale of salaries for specific classes of work based on the appropriate budget;

- e) ensuring that all staff comply with the Saugeen First Nation Personnel Policy;
- f) supervising Saugeen First Nation departments and programs to ensure that the daily operations of the Saugeen First Nation are managed effectively and efficiently;
- g) meeting regularly with directors and managers to review program activities, progress, priorities, budgets and any other items of concern;
- h) ensuring the necessary training and professional development is available to all Saugeen First Nation Staff;
- i) working with Chief and Council to implement Chief and Council priorities and Saugeen First Nation laws, by-laws, regulations, codes, policies, rules, procedures, directives, guidelines, authorizations, standards, declarations, notices, requirements and directions;
- j) making recommendations to the Chief and Council regarding policies and procedures for the efficient and effective operation of all Saugeen First Nation programs and departments;
- k) ensuring that all directors and managers are conducting annual evaluations on their respective programs, services and staff; and
- l) assist Chief and Council, when requested, with the negotiation of agreements relevant to all programs, services and capital projects.

Delegation

- 88** While the Chief and Council is ultimately accountable for the performance of the Saugeen First Nation, it shall, to the greatest extent possible, be free from involvement in the day-to-day administrative operations of the Saugeen First Nation. Therefore Chief and Council, as a general principle, support the delegation of all aspects of the administration to the Band Administrator.

Operational Practices

- 89** When performing his or her duties, the Band Administrator will not engage in, cause or allow any practice, activity, decision or organizational situation which is unlawful, imprudent, violates the commonly accepted business and professional ethics of the Saugeen First Nation, violates Saugeen First Nation laws, by-laws, regulations, codes, policies, rules, procedures, directives, guidelines, authorizations, standards, declarations, notices, requirements and directions or adversely impacts the reputation of the Saugeen First Nation.

- 90** The Band Administrator will not use or divulge to any person information acquired as a result of his or her role as the Band Administrator for his or her own

benefit or advantage or for the benefit or advantage of any other person.

Staff Policy Development

- 91** The Chief and Council, subject to the provisions set out in this Law, will delegate staff policy development to the Band Administrator. These policies must guide both the Band Administrator and staff.
- 92** The Band Administrator may not operate without:
- a) administrative policies and procedures that ensure operational and administrative efficiency and consistency;
 - b) publishing such procedures and making them appropriately available to all staff; and
 - c) a procedure that limits conflicts of interest to ensure openness, equal opportunity, and equal access to otherwise “inside” information.

Fiscal Financial Policy

- 93** The Band Administrator, with respect to planning financial matters, shall:
- a) ensure accounting and reporting systems are consistent with generally accepted accounting principles (GAAP);
 - b) plan the expenditures in any fiscal year to balance with the operating funds that are conservatively projected to be received in that period;
 - c) produce a budget which contains sufficient information to facilitate a reasonable accurate projection of revenues and expenses, reliable cash flow projection, subsequent audit trails and planning assumptions; and
 - d) maintain current liquid assets to a level required to meet the Saugeen First Nation’s current liabilities.

Financial Activities and Control

- 94** The Band Administrator shall oversee the Saugeen First Nation’s finances in a sound, responsible and prudent manner to limit risk to the First Nation and ensure the proper allocation of funds. As such, the Band Administrator shall:
- a) assist in the development of annual budgets and monitoring of all departments and programs to ensure that expenditures do not exceed approved budgets;
 - b) ensure that funds are expended and accounted for in accordance with generally

accepted accounting principles, procedures and the Saugeen First Nation Finance Policy;

- c) ensure that all requirements are met for the annual financial audit including up to date inventory lists;
- d) ensure that the Saugeen First Nation finance department's records of accounts are complete and accurate regarding all financial transactions;
- e) ensure that all records, books of accounts, invoices, vouchers, receipts and other documents related to financial operations are filed and secured properly;
- f) ensure the accuracy of financial statements, bank reconciliations, and budgetary reports;
- g) ensure a timely and efficient payroll system is in place;
- h) ensure the timely resolution of all accounts receivables;
- i) ensure all financial reports are filed within the timeframes prescribed;
- j) seek Chief and Council authorization for single purchases or financial commitments of greater than \$10,000.00 that are not contained in the annual budget;
- k) seek Chief and Council authority before acquiring, encumbering, selling, transferring or otherwise disposing of assets and real property;
- l) provide Chief and Council with the consolidated annual budget and quarterly financial report(s) for all Saugeen First Nation programs and departments;
- m) draft and submit proposals to government, agencies or organizations to secure funding to enhance services, programs and infrastructure of the Saugeen First Nation;
- n) ensure that all contracts and financial transactions are conducted in accordance with the Saugeen First Nation Finance Policy and budgets; and
- o) establish lines of credit with various suppliers and agencies.

The Band Administrator and Policies

- 95** The Council will instruct the Band Administrator through written policies that describe the goals to be achieved and situations and actions to be avoided. The Administrator will interpret these policies in a prudent, ethical and reasonable manner consistent with the Saugeen First Nation's vision, values and strategic plan.

Therefore:

- a) the Band Administrator shall take all actions and develop all activities that are consistent with the Saugeen First Nation's laws, by-laws, regulations, codes, policies, rules, procedures, directives, guidelines, authorizations, standards, declarations, notices, requirements and directions;
- b) the Chief and Council will respect the Band Administrator's choices and decisions if a policy is absent, provided that the Band Administrator acts in accordance with this Law;
- c) the Band Administrator shall report contraventions of policy to the Chief and Council as part of his or her normal reporting;
- d) Chief and Council may discipline the Band Administrator appropriately for contravention of policy; and
- e) the Band Administrator may delegate their responsibilities with the consent of Chief and Council.

Asset Protection

96 The Saugeen First Nation's assets must be properly cared for, including property, equipment, membership lists, and computerized data. The Band Administrator is responsible for adequately maintaining the assets and protecting them from unnecessary risks. To this end the Band Administrator shall:

- a) ensure all equipment is adequately maintained;
- b) make purchases with consideration of a balance between cost and long-term quality;
- c) not knowingly place information and files at risk of loss or significant damage;
- d) arrange for full and adequate risk insurance coverage for the Saugeen First Nation's assets.

PART 6 – MANNER AND FORM OF AMENDING THIS LAW

Application

97 This Part establishes the manner and form by which amendments to this Law are to be proposed.

Preparation of proposed amendments

98 Chief and Council shall first prepare any proposals to amend this Law for

approval by the members of the Saugeen First Nation.

Notice of and meeting about amendments

- 99** 1) Chief and Council shall
- (a) post publicly the proposed amendments for a period of 60 days;
 - (b) provide notice to the Saugeen First Nation Members of the date, time and location of a minimum of three (3) public meetings to be held for the purpose of discussing the proposed amendments with the Saugeen First Nation Members.

Procedure after meeting

- 100** 1) After the meeting(s) of the Saugeen First Nation Members to discuss proposed amendments to this Law, Chief and Council may decide whether to proceed with the amendment or not.
- 2) If Chief and Council decides to proceed with the proposed amendments, including any modifications to the amendments as a result of the discussions with the Saugeen First Nation Members, it may do so
- (a) by resolution; or
 - (b) by referendum.
- 2) No amendments to this Law may be made in the six (6) months prior to an election.

Community Ratification

- 101** This Law shall become law only after ratification by a majority of Saugeen First Nation Members.

Coming into force

- 102** The Law comes into force and in effect on the date it is ratified by Saugeen First Nation Members.