

**ELDERS COUNCIL
FIRST NATION OF NACHO NYAK DUN**

RULES OF PROCEDURE

1.0 Preamble

- 1.1 These rules of procedure are intended to provide guidance and establish rules so that the Elders Council can carry out its responsibilities and duties under the constitution of the First Nation of the Nacho Nyak Dun (the "NND"), including its responsibility to provide advice and assistance so as to ensure the continuity of our values and traditions.

2.0 Definitions

- 2.1 In these rules of procedure,

"Assembly" means the body established pursuant to section 6 of the NND constitution;

"Chief" means the person elected pursuant to section 8 of the NND constitution;

"Citizen" means a person who is a NND citizen within the meaning of "Part V – Citizenship Code" of the NND constitution;

"Elders Council" means the body established pursuant to section 10 of the NND constitution;

"Governing Body" means the Assembly, NND Council, Chief, Deputy-Chief; Elders Council; and Youth Council;

"NND Council" means the body established pursuant to section 7 of the NND constitution; and

"Youth Council" means the body established pursuant to section 11 of the NND constitution.

3.0 Role and Authority

- 3.1 The Elders Council is responsible to:
- 3.1.1 advise the NND Council and Assembly on relevant matters, including law and policy;
 - 3.1.2 work with the Youth Council to teach and promote the Northern Tutchone culture and language to Citizens;
 - 3.1.3 assist the NND Council and other Governing Bodies to resolve conflicts and promote harmony and healing; and

- 3.1.4 appoint or nominate Elders to be members of any board and committee established by the NND in accordance with the terms of reference of that board or committee.
- 3.2 All activities and decisions of the Elders Council will be in accordance with the laws of the NND, including the NND constitution, and these rules of procedure.
- 4.0 Membership**
- 4.1 Subject to subsection 4.3 of these rules of procedure, any Citizen, who is sixty years of age or older, is a member of the Elders Council and is entitled to attend and participate in any meeting of the Elders Council in accordance with these rules of procedure.
- 4.2 A Citizen who is at least fifty-five years of age but not yet sixty years of age will be a “young Elder” and may attend all meetings of the Elders Council to observe and speak at the meeting in accordance with these rules of procedure but cannot vote.
- 4.3 If a Citizen is a member of the NND Council, that Citizen cannot be a voting member of the Elders Council so long as he or she is a member of the NND Council.
- 5.0 Chair**
- 5.1 The Elders Council will appoint a member of the Elders Council Citizen as the Chair for a one-year term. If the Chair is absent, the Elders Council will appoint a member of the Elders Council to carry out the responsibilities of the Chair for that meeting.
- 5.2 The Chair will be responsible to:
- 5.2.1 call meetings of the Elders Council;
 - 5.2.2 chair the meetings of the Elders Council and maintain order during the meetings;
 - 5.2.3 ensure that the agenda is followed and the discussions remain constructive and focused;
 - 5.2.4 decide points of order, if necessary;
 - 5.2.5 provide direction to the Elders’ support staff on behalf of the Elders Council; and
 - 5.2.6 any other duties or direction set out in these rules of procedure or as directed by the Elders Council.
- 5.3 The Chair will participate in all votes of the Elders Council in accordance with these rules of procedure if the Chair is a member of the Elders Council and is not a member of the NND Council.
- 5.4 Prior to any decision made by the Elders Council, the Chair will determine if a quorum is present. In the absence of a quorum, the Elders Council may hold an information meeting.

6.0 Meetings

- 6.1 The Elders Council will meet monthly, unless the Elders Council agrees otherwise, and additional meetings may be held in accordance with these rules of procedure.
- 6.2 The meetings of the Elders Council will be held at the Government House, unless the Elders Council agrees otherwise.
- 6.3 At least one week before any meeting of the Elders Council, a public notice of the date, time and location of the meeting will be posted at the Government House and other appropriate locations.
 - 6.3.1 The Chair will provide this notice to the members of the NND Council and invite them to attend meetings of the Elders Council as observers, unless the Elders Council agrees otherwise.
- 6.4 Each member of the Elders Council has equal authority and right to attend the meetings of the Elders Council and participate in its discussions. But no person may speak at a meeting without having been recognized by the Chair and each person will be permitted to speak for a reasonable period in the order in which he or she is recognized by the Chair.
- 6.5 The Chair may call to order a speaker whose comments have no relevance to the subject at issue.
- 6.6 Any Citizen may attend a meeting of the Elders Council as an observer, unless the Elders Council decides otherwise.
- 6.7 A Citizen who does not respect these rules of procedure or the direction of the Chair or the Elders Council will be directed by the Chair to leave the meeting.

7.0 In camera discussions

- 7.1 The Elders Council will decide when its discussions will be held *in camera* and only the members of the Elders Council and staff, as required, will attend such discussions of the Elders Council. Any member of the Elders Council who has a conflict of interest and all other persons will be asked to leave the meeting room. If the quorum of the meeting is lost, a decision cannot be made and the minutes will record when the person left the meeting and when he or she returned.
- 7.2 Any decision or direction made during the *in camera* discussions will be recorded in the minutes of the meeting.

8.0 Decisions

- 8.1 The Elders Council will try to conduct its business by way of consensus. Subject to section 13.4, a vote by show of hands will be taken and two-thirds of the members of the Elders Council present must vote in favour of the decision for the vote to pass where consensus cannot be reached and a decision of the Elders Council is required.

9.0 Quorum

- 9.1 The quorum for a meeting of the Elders Council will be 10 members of the Elders Council, excluding any Citizen who is a member of the NND Council.
- 9.2 A member of the Elders Council may participate in meetings of the Elders Council by way of telephone or other means so long as he or she can communicate effectively and that member will form part of the quorum for that meeting.

10.0 Presentations to the Elders Council by Citizens

- 10.1 Any Citizen who wishes to make a presentation to the Elders Council at a meeting must provide written notice to the Chair no later than 24 hours before the meeting. The notice will indicate the Citizen's name and the matter on which he or she wishes to speak.
 - 10.1.1 The notice period referred to in section 10.1 may be waived by consensus of the Elders Council.
- 10.2 The time for each Citizen's presentation at a meeting will be limited to a maximum of ten minutes. Each member of the Elders Council may ask two questions to the Citizen who made the presentation at the end of his or her presentation.
- 10.3 Citizens should avoid repetition of the comments of previous speakers. The purpose of the presentations is to provide information and the Citizen's view for the consideration of the Elders Council. Any questions raised by the Citizen will not necessarily be answered or responded to by the Elders Council at that meeting.
- 10.4 Except when the Citizen is answering a direct question from a member of the Elders Council, all remarks will be addressed to the Elders Council as a whole and not to individual members of the Elders Council.
- 10.5 The Chair of the Elders Council may close presentations even if not all Citizens have had the opportunity to speak to allow the meeting to proceed with its agenda and deal with its business.
- 10.6 If a Citizen who provided written notice to the Chair under section 10 of these rules of procedure did not have an opportunity to speak, he or she will be provided such an opportunity at a subsequent meeting of the Elders Council.

11.0 Minutes

- 11.1 It is the responsibility of the Chair to ensure an accurate record of the meeting is recorded and distributed to the members of the Elders Council at the next scheduled meeting.
- 11.2 The minutes of a meeting referred to in section 11.1 will be in the form of a summary of the motions and resolutions passed or considered by the Elders Council.

11.3 The minutes of a meeting referred to in section 11.1 will be tabled for acceptance and amendment as a record of the business conducted at the meeting. The Chair will sign the minutes after they have been approved by the Elders Council and provide them to the NND Council as well as the Executive Director.

12.0 Conflict of interest

12.1 A member of the Elders Council will disclose to the Elders Council any direct or indirect financial or other personal interest that he or she or a member of his or her immediate family has in any matter before the Elders Council and will not take part in the discussions of the Elders Council with respect to that matter or vote on that matter.

12.2 Where a disagreement arises as to whether an Elders Council member or a member of his or her immediate family has a direct or indirect financial or other personal interest in a matter before the Elders Council, the Elders Council will decide, by a vote, whether that Elders Council member or a member of his or her immediate family has such an interest and the affected Elders Council member will not take part in that vote.

12.3 Where the Elders Council finds pursuant to subsection 12.2 that the Elders Council member or a member of his or her immediate family has a direct or indirect financial or other personal interest in a matter before the Elders Council, that Elders Council member will not take part in the discussions of the Elders Council with respect to that matter or vote on that matter and will be asked to leave the meeting room.

13.0 Appointment of the Elder Councillor

13.1 The Elders Council will appoint the Elder Councillor for a term of one year in accordance with these rules of procedure.

13.2 The Chair will call a special meeting of the Elders Council for the purpose of appointing the Elder Councillor. Public notice of the date, time and location of this special meeting will be posted at the Government House, in Whitehorse and other appropriate locations at least two weeks before the date of the meeting. The quorum requirements for a special meeting are set out in section 9.1 of these rules of procedure.

13.3 Any member of the Elders Council may be nominated at the special meeting by another member of the Elders Council for the position of the Elder Councillor. Any nomination must be accepted in person in order to be considered by the Elders Council.

13.4 If more than one member of the Elders Council is nominated and accepts that nomination, the Elders Council will strive to reach consensus with respect to the appointment of the Elder Councillor. If the Elders Council cannot reach consensus, the Chair may call for a majority vote by secret ballot of the members of the Elders Council present at that special meeting.

- 13.5 If no nominations are made or accepted at the special meeting, the Chair will adjourn the special meeting to a date no earlier than two weeks following the date of this special meeting.
- 13.6 If the Elder Councillor cannot continue in office for health or other reasons, a successor will be appointed by the Elders Council in manner consistent with this section to fulfill the remainder of the term.
- 13.7 A member of the Elders Council may be re-appointed as the Elder Councillor.
- 14.0 Amendment of these rules of procedure**
- 14.1 The Elders Council may agree in writing to amend these rules of procedure in accordance with section 8.1.
- 15.0 Where there are matters not covered by these rules of procedure**
- 15.1 The Elders Council may make such rules not inconsistent with these rules of procedure in respect of matters not specifically provided for, as it may be necessary from time to time.
- 16.0 Previous rules and processes**
- 16.1 Any and all rules of procedure previously adopted by the Elders Council are hereby repealed and superseded by these rules of procedure.