

**POLICY RESPECTING  
PUBLICATION IN FIRST NATIONS GAZETTE**

**PART I  
PREAMBLE**

WHEREAS:

- A. Policies are established by the Commission to further the policy objectives of the Commission and to assist the Commission in fulfilling its statutory obligations under the *First Nations Fiscal Management Act*;
- B. Subsection 34(1) of the Act requires that all local revenue laws approved by the Commission and all standards and procedures established by the Commission under section 35 be published in the *First Nations Gazette*;
- C. Subsection 55(4) of the Act requires that all laws made under section 9 and approved by the Board and all standards established by the Board under subsection 55(1) be published in the *First Nations Gazette*;
- D. Section 86 of the *Indian Act* provides as an option the publication of by-laws made under that Act in the *First Nations Gazette*;
- E. The Commission ensures the publication in the *First Nations Gazette* of all First Nation by-laws made under section 83 of the *Indian Act* and approved by the Minister, and enables the publication of other *Indian Act* by-laws that are submitted for publication; and
- F. The Commission enables the publication of other First Nation laws, by-laws, codes and other enactments submitted to the *First Nations Gazette* for publication.

**PART II  
PURPOSE**

The purpose of this Policy is to set out the policies and procedures for publication in the *First Nations Gazette* of First Nation enactments, Commission standards, policies, procedures, sample laws and sample by-laws, and Financial Management Board standards and sample laws.

**PART III  
DEFINITIONS**

In this Policy:

- “Act” or “FMA” means the *First Nations Fiscal Management Act*, S.C. 2005, c. 9, and the regulations enacted under that Act;
- “blue-stamp” means a certification that a proposed standard, policy, procedure, sample law or sample by-law has been reviewed by the Managing Editor and translated in both official languages;
- “Commission” means the First Nations Tax Commission established under the Act;
- “Commission address” means the mailing address and contact information of the head office of the Commission, being

First Nations Tax Commission  
321 – 345 Chief Alex Thomas Way  
Kamloops, BC V2H 1H1  
Phone: (250) 828-9857  
Fax: (250) 828-9858

Email: [mail@fntc.ca](mailto:mail@fntc.ca)

“designated officer” means the person identified by the Financial Management Board to coordinate with the FMA Registrar the publication and translation of the Financial Management Board standards and sample financial administration laws;

“Digital Gazette” means an electronic volume containing all of the laws, by-laws, codes and other First Nation enactments published on the *First Nations Gazette* website during a calendar year;

“Financial Management Board” means the First Nations Financial Management Board established under the Act;

“First Nation” includes a band as defined in the *Indian Act*, a self-governing First Nation, and a treaty First Nation;

“*First Nations Gazette* website” means the website <http://www.fng.ca>;

“FMA Registrar” means the person designated by the Commission as the FMA Registrar of the Commission;

“FMA Registry” means the electronic and physical storing place of First Nation laws made under the Act, and records of information associated with those laws that are submitted to the Commission;

“Managing Editor” means the Managing Editor of the *First Nations Gazette*;

“Minister” means the Minister of Indian and Northern Affairs;

“sample by-law” means a section 83 by-law prepared by the Commission for the use and adaptation by First Nations;

“sample financial administration law” means a financial administration law prepared by the Financial Management Board for the use and adaptation by First Nations;

“sample law” means a local revenue law prepared by the Commission for the use and adaptation by First Nations;

“Section 83 Registrar” means the person designated by the Commission as the Section 83 Registrar of the Commission;

“Section 83 Registry” means the electronic and physical storing place of First Nation by-laws made under section 83 of the *Indian Act* and approved by the Minister, and records of information associated with those by-laws that are submitted to the Commission;

“Style Guide” means the *First Nations Gazette* Style Guide as amended from time to time; and

“Translation Coordinator” means the person designated by the Commission to liaise with external translation suppliers and coordinate translation requests.

Except as otherwise provided in this Policy, words and expressions used in this Policy have the same meaning as in the Act.

## PART IV

### PUBLICATION OF LAWS MADE UNDER THE FMA

#### 1. Publication of Local Revenue Laws

1.1 All local revenue laws approved by the Commission shall be published in the *First Nations Gazette*.

1.2 After a local revenue law is approved by the Commission, the FMA Registrar shall deposit the law in the FMA Registry.

1.3 On registration of a local revenue law in the FMA Registry, the FMA Registrar shall, within five (5) business days,

- (a) publish a digitized copy of the law in Part II of the *First Nations Gazette* website;
- (b) post a notice in Part I of the *First Nations Gazette* website that the law has been published; and
- (c) deliver a copy of the law, in electronic format, to the Managing Editor.

## **2. Publication of Section 9 Laws**

- 2.1 All laws made under section 9 of the Act and approved by the Financial Management Board shall be published in the *First Nations Gazette*.
- 2.2 Laws for publication shall be delivered to the FMA Registrar at the Commission address.
- 2.3 On receipt of a law made under section 9 and approved by the Financial Management Board, the FMA Registrar shall, within five (5) business days,
- (a) deposit the law in the FMA Registry;
  - (b) publish a digitized copy of the law in Part II of the *First Nations Gazette* website;
  - (c) post a notice in Part I of the *First Nations Gazette* website that the law has been published; and
  - (d) deliver a copy of the law, in electronic format, to the Managing Editor.

## **PART V**

### **PUBLICATION OF SECTION 83 BY-LAWS**

#### **3. Publication of By-laws made under Section 83 of the *Indian Act***

- 3.1 All by-laws made under section 83 of the *Indian Act* and approved by the Minister shall be published in the *First Nations Gazette*.
- 3.2 By-laws for publication shall be delivered by the Minister to the Section 83 Registrar at the Commission office located at 202-190 O'Connor Street, Ottawa ON, K2P 2R3.
- 3.3 On receipt of a by-law, the Section 83 Registrar shall, within five (5) business days
- (a) deposit the by-law in the Section 83 Registry;
  - (b) publish a digitized copy of the by-law in Part II of the *First Nations Gazette* website;
  - (c) post a notice in Part I of the *First Nations Gazette* website that the by-law has been published; and
  - (d) deliver a copy of the by-law, in electronic format, to the Managing Editor.

## **PART VI**

### **PUBLICATION OF OTHER FIRST NATION ENACTMENTS**

#### **4. Publication of Other First Nation Enactments**

- 4.1 The *First Nations Gazette* will accept for publication First Nation laws, by-laws, codes and other enactments that are not made under the Act or section 83 of the *Indian Act*.
- 4.2 A request for publication and a digital copy of the law, by-law, code or other enactment shall be submitted by email to the Managing Editor.
- 4.3 After receiving a publication request, the Managing Editor may
- (a) request additional information or documentation to support the request;
  - (b) require the First Nation to provide the enactment in a specified format.

4.4 After receiving a publication request and receiving any additional information or documents under subsection 4.3, the Managing Editor shall

(a) publish a digitized copy of the law, by-law, code or other enactment in Part II of the *First Nations Gazette* website on the date indicated in the publication request or as soon as possible after that date; and

(b) post a notice in Part I of the *First Nations Gazette* website that the law, by-law, code or other enactment has been published.

## **PART VII**

### **COMMISSION PUBLICATIONS**

#### **FMA STANDARDS, PROCEDURES, POLICIES AND SAMPLE LAWS**

##### **5. Pre-Publication Procedures**

5.1 The FMA Registrar shall provide each proposed standard, FMA procedure, policy and sample law to the Managing Editor for review to ensure consistency with the Style Guide.

5.2 The FMA Registrar shall ensure that each proposed standard, FMA procedure, policy and sample law is translated and available in both official languages.

5.3 The FMA Registrar shall coordinate the translation of proposed standards, FMA procedures, policies, and sample laws with the Managing Editor and the Translation Coordinator.

##### **6. Blue-stamping and Publication of Standards and Procedures**

6.1 On completion of the requirements set out in subsections 5.1 and 5.2 for a proposed standard or FMA procedure, the FMA Registrar shall blue-stamp that standard or procedure.

6.2 Once approved by the Commission and where required by the Commission's Public Input Policy, the FMA Registrar shall publish each blue-stamped standard and procedure in both official languages on the Commission website <<http://www.fntc.ca>> for the purpose of seeking public input.

##### **7. First Nations Gazette Publication**

7.1 Where a standard or FMA procedure is established or amended by the Commission, the FMA Registrar shall coordinate any required further review and translation of the standard or procedure with the Managing Editor and the Translation Coordinator.

7.2 Where an FMA policy or sample law is approved by the Commission, the FMA Registrar shall coordinate any required further review and translation of that policy or sample law with the Managing Editor and the Translation Coordinator.

7.2 On completion of any final review or translation requirements under subsection 7.1 or 7.2, the FMA Registrar shall publish the standard, procedure, policy or sample law, in both official languages, on the *First Nations Gazette* website.

## **PART VIII**

### **COMMISSION PUBLICATIONS**

#### **SECTION 83 POLICIES, PROCEDURES AND SAMPLE BY-LAWS**

##### **8. Pre-Publication Procedures**

8.1 The Section 83 Registrar shall provide each proposed section 83 policy, procedure and sample by-law to the Managing Editor for review to ensure consistency with the Style Guide.

8.2 The Section 83 Registrar shall ensure that each proposed section 83 policy, procedure and sample by-law is translated and available in both official languages.

8.3 The Section 83 Registrar shall coordinate the translation of proposed section 83 policies, procedures and sample by-laws with the Managing Editor and the Translation Coordinator.

#### **9. Blue-stamping and Publication of Policies and Procedures**

9.1 On completion of the requirements set out in subsections 8.1 and 8.2 for a proposed section 83 policy or procedure, the Section 83 Registrar shall blue-stamp that proposed procedure or policy.

9.2 Once approved by the Commission and where required by the Commission's Public Input Policy, the Section 83 Registrar shall publish each blue-stamped section 83 policy or procedure in both official languages on the Commission website <<http://www.fntc.ca>> for the purpose of seeking public input.

#### **10. First Nations Gazette Publication**

10.1 Where a section 83 policy, procedure or sample by-law is approved by the Commission, the Section 83 Registrar shall coordinate any required further review and translation of that policy, procedure or sample by-law with the Managing Editor and the Translation Coordinator.

10.2 On completion of any final review or translation requirements under subsection 10.1, the Section 83 Registrar shall publish the policy, procedure or sample by-law, in both official languages, on the *First Nations Gazette* website.

### **PART IX**

#### **PUBLICATION OF FINANCIAL MANAGEMENT BOARD STANDARDS AND SAMPLE LAWS**

##### **11. Publication of Standards and Sample Laws**

11.1 The Financial Management Board shall provide each standard and sample financial administration law, in both official languages and drafted in accordance with the Style Guide, to the FMA Registrar.

11.2 The FMA Registrar shall provide to the Managing Editor the standard or sample financial administration law, in both official languages, for publication in the *First Nations Gazette*.

11.3 The Managing Editor may communicate directly with the designated officer for any clarification needed, or respecting any errors or omissions, in the form or content of a standard or sample financial administration law, or in the translation of the document.

11.4 The Managing Editor shall publish the standard or sample financial administration law on the *First Nations Gazette* website.

### **PART X**

#### **DIGITAL GAZETTE**

##### **12. Annual Digital Gazette**

12.1 The Managing Editor shall produce an annual Digital Gazette containing all laws, by-law, codes and other enactments published on the *First Nations Gazette* website for each calendar year.

12.2 The Managing Editor shall maintain the Digital Gazette on the *First Nations Gazette* website in a format that may be downloaded as a digital volume.

12.3 The Managing Editor shall, each month, update and consolidate the Digital Gazette volume for that calendar year.

12.4 Each annual volume of the Digital Gazette shall be given a citation in the format of "F.N. Gaz.year.volume".

12.5 After the end of each calendar year, the Managing Editor shall submit a copy of the final, consolidated Digital Gazette volume for that year to Library and Archives Canada.

**PART XI**  
**GENERAL PROVISIONS**

**13. Publication Format**

13.1 All laws, by-laws, codes and other enactments published in the *First Nations Gazette* are digitally imaged and reproduced in the exact form in which they are submitted to the Commission for publication, subject only to minor formatting alterations for publication purposes in the Digital Gazette.

13.2 Each law, by-law, code or other enactment published in the *First Nations Gazette* is reproduced only in the language in which it is submitted to the Commission for publication.

**14. Timing of Publication**

Taking into account operational considerations,

- (a) standards, procedures, policies, sample laws and sample by-laws; and
- (b) Financial Management Board standards and sample laws,

will be published as expeditiously as possible on the *First Nations Gazette* website.

**15. Inquiries and Contact Information**

15.1 Inquiries with respect to the publication process can be made to the Managing Editor.

15.2 The Managing Editor may be contacted at the Commission address, by email at [notice@fng.ca](mailto:notice@fng.ca), or through the “contact us” form on the *First Nations Gazette* website.

**16. General Requirements**

The requirements set out in this Policy are in addition to any requirements set out in the Act.

**PART XII**  
**EFFECTIVE DATE**

This Policy is established and in effect as of December 13, 2017.