POLICY DIRECTIVE RESPECTING PUBLICATION IN FIRST NATIONS GAZETTE

PART I

PREAMBLE

WHEREAS:

A. Policy directives 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*; and

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*.

PART II

PURPOSE

The purpose of this Policy Directive is to provide instructions for the publication of all local revenue laws, standards, procedures, and sample laws approved by the Commission and all financial administration laws, standards, and sample laws approved by the Board.

PART III

DEFINITIONS

In this Policy Directive:

"Act" means the *First Nations Fiscal Management Act*, S.C. 2005, c.9, and the regulations enacted under that Act;

"blue-stamp" means Registrar certification that a proposed standard, procedure, or sample law has been reviewed by the Managing Editor and translated in both official languages;

"Board" means the First Nations Financial Management Board established under the Act;

"Commission" means the First Nations Tax Commission established under the Act;

"Commission address" means the mailing address of the Commission, being
First Nations Tax Commission
321 – 345 Chief Alex Thomas Way
Kamloops, BC V2H 1H1
Fax: (250) 828-9858;

"designated officer" means the person identified by the Board to coordinate with the Registrar the publication and translation of the FNFMB standards and sample financial administration laws;

"drafter" means the person who prepares ongoing and subsequent amendments to documents at the direction of the Director of Policy and Law Review, the Chief Operating Officer, or the Chief Commissioner;

"First Nation" means a band named in the schedule to the Act;

"FNFMB standards" means standards developed and approved by the Board and consistent with the FNG Drafting Guidelines for Standards;

"*First Nations Gazette* address" means the mailing address of the *First Nations Gazette*, being

First Nations Gazette
Native Law Centre
University of Saskatchewan
15 Campus Drive
Saskatoon, SK S7N 5A6;

"FNG Drafting Guidelines for Standards" means the drafting guidelines for standards published by the *First Nations Gazette*;

"FNG Style Guide" means the First Nations Gazette Style Guide as amended from time to time;

"Managing Editor" means the Managing Editor of the *First Nations Gazette*;

"proofing" means the act of reviewing a document for typographical errors and conformity to the FNG Style Guide;

"PAO" means the Public Affairs Officer of the Commission;

"Registrar" means the FMA Registrar of the Commission;

"Registry" means the electronic and physical storing place of laws and records of information associated with those laws;

"sample financial administration law" means a template of a financial administration law prepared by the Board for the use and adaptation by First Nations; and

"sample law" means a template of a local revenue law prepared by the Commission for the use and adaptation by First Nations.

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

PART IV

PUBLICATION OF LOCAL REVENUE LAWS

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 Laws for publication shall be delivered to the Registrar at the Commission address.

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

(a) deliver a copy of the law, in both print and electronic format, to the Managing Editor at the *First Nations Gazette* address; and

(b) publish the law electronically on the *First Nations Gazette* website <http://www.fng.ca>.

PART V

PUBLICATION OF SECTION 9 LAWS

2. Publication of Section 9 Laws

2.1 All laws made under section 9 and approved by the Board shall be published in the *First Nations Gazette*.

2.2 Laws for publication shall be delivered to the Registrar at the Commission address.

2.3 Upon registration in the Registry of a law made under section 9 and approved by the Board, the Registrar shall within five (5) business days

(a) deliver a copy of the law, in both print and electronic format, to the Managing Editor at the *First Nations Gazette* address; and

(b) publish the law electronically on the *First Nations Gazette* website <http://www.fng.ca>.

PART VI

PUBLICATION OF COMMISSION STANDARDS, PROCEDURES AND SAMPLE LAWS

3. Pre-Publication and Blue Stamping

3.1 Prior to Commission review, the Registrar shall provide all proposed standards, procedures, and sample laws to the Managing Editor for review to ensure consistency with the FNG Style Guide.

3.2 Prior to Commission review, the Registrar shall ensure that all proposed standards, procedures, and sample laws are translated and available in both official languages.

3.3 The Registrar shall coordinate the proofing and translation of the proposed standards, procedures, and sample laws with the Managing Editor and the PAO.

3.4 Upon completion of 3.2 and 3.3, the Registrar shall blue-stamp the proposed standard, procedure, or sample law.

4. Publication of Consultative Drafts

4.1 Once approved by the Commission, the Registrar shall publish all blue-stamped standards and procedures in both official languages on the Commission website <http://www.fntc.ca> for the purpose of seeking public input.

4.2 The duration of the website publication of blue-stamped standards and procedures will be a minimum of thirty (30) days.

5. FN Gazette Publication of Standards, Procedures and Sample Laws

5.1 Upon Commission approval, the Registrar shall provide to the Managing Editor the approved standard, procedure, or sample law, in both official languages, for publication in the *First Nations Gazette*.

5.2 The Managing Editor may communicate directly with the drafter of the standard, procedure, or sample law respecting any errors or omissions in the form or content of the standard, procedure, or sample law.

5.3 The Managing Editor may communicate directly with the PAO respecting any questions or concerns related to the translation of a standard, procedure, or sample law.

5.4 The Managing Editor shall prepare the text for publication and shall transmit an electronic version of the text to the Registrar.

6. Timing of Review and Publication

6.1 Taking into account operational considerations, standards and procedures will be published as expeditiously as possible in the *First Nations Gazette*.

PART VII

PUBLICATION OF BOARD STANDARDS AND SAMPLE LAWS

7. Publication of FNFMB Standards and Sample Laws

7.1 The Board shall provide FNFMB standards and sample financial

administration laws in both official languages and drafted in accordance with the *First Nations Gazette* Style Guide to the Registrar.

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

7.3 The Managing Editor shall prepare the text for publication and shall transmit an electronic version of the text to the Registrar.

7.4 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 FNFMB standard or sample financial administration law, or in the translation of the document.

7.5 On receipt from the Managing Editor, the Registrar shall transmit the electronic version of the FNFMB standard or sample law to the designated officer.

8. Timing of Publication

FNFMB standards and sample laws will be published expeditiously according to the publication schedule established by the Managing Editor.

PART VIII

GENERAL PROVISIONS

9. General Inquiries

All general inquiries with respect to the publication process can be made to the Registrar at the Commission address.

10. General Requirements

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

PART IX

EFFECTIVE DATE

This Policy Directive is established and in effect as of July 12, 2010.