

VUNTUT GWITCHIN FIRST NATION

ACT TO AMEND THE BUSINESS LICENCE ACT (2023)

WHEREAS:

- A. Vuntut Gwitchin First Nation has the power to enact laws in relation to the licensing and regulation of any person or entity carrying on any business, trade, profession, or other occupation on Settlement Land pursuant to 13.3.6 of the Vuntut Gwitchin First Nation Self-Government Agreement;
- B. Vuntut Gwitchin First Nation has enacted the Business Licence Act to establish a law for the licensing of any person or entity carrying on any business, trade, profession, or other occupation on Settlement Land; and
- C. Council has reviewed the Business Licence Act and now wishes to amend it in order to bring greater clarity to the requirement of residency for in order to be eligible to apply for a business licence and other amendments to clarify the administration of business licences.

NOW, THEREFORE, THE COUNCIL OF THE VUNTUT GWITCHIN FIRST NATION ENACTS AS FOLLOWS:

1 The Business Licence Act is hereby amended as follows:

- (1) The following provision shall be added as section 3 immediately following section 2 to read:

Eligibility to apply for licence

3 A person is eligible to apply for a licence under this Act if they are a resident.

- (2) The numbering of all provisions in the Act following section 3, as amended above, shall be amended to accord with all provisions enacted by this Act to Amend the Business Licence Act.

- (3) The words “The Vuntut Gwitchin First Nation Chief and Councilors or a person authorized by them may issue licences” in section 4(1) under the heading “Issue of licence” shall be amended and replaced with the words “The Vuntut Gwitchin First Nation Chief and Councilors or a person authorized by them may, in their sole discretion, issue or deny to issue a licence under the Act” to read:

4 (1) The Vuntut Gwitchin First Nation Chief and Councilors or a person authorized by them may, in their sole discretion, issue or deny a licence under the Act.

- (4) The following provision shall be added as section 10, subparagraph (b) immediately following section 10, subparagraph (a) to read:

(b) proof that the applicant is a resident and eligible for a licence;

- (5) The following provision shall be added as section 14 immediately following section 13 to read:

Written reasons for denial, suspension or revocation of licences

14 The Vuntut Gwitchin First Nation Chief and Councilors or a person authorized by them shall provide written reasons for any decision to deny, suspend or revoke a licence under this Act.

- (6) The following provision shall be added as section 15 immediately following section 14 to read:

Finality of decisions

15 All decisions by the Vuntut Gwitchin First Nation Chief and Councilors or a person authorized by them under this Act shall be final.

- (7) The words “has been issued” shall be added to section 16 under the heading “Display and production of licences” immediately following the words “Every person to whom a licence” and prior to the words “under this Act shall” to read:

Display and production of licences

16 Every person to whom a licence has been issued under this Act shall:

- (a) display and keep displayed in some conspicuous public position in the place of business, if any, where he carries on the business, calling, trade or occupation in respect of which he is licenced, his licence for the current year; and
- (b) produce his licence when required to do so by the Vuntut Gwitchin First Nation Chief and Councilors or by a person authorized by the Vuntut Gwitchin First Nation Chief and Councilors to require production of the licence.

Coming into Force and Effect of Amendment Act

- 2** This Act to Amend the Business Licence Act (2023) shall come into force and effect immediately upon the completion of second reading by the Council in accordance with section 4 of the Vuntut Gwitchin Governance Act.

Publication of Amended Business Licence Act

- 3** Upon the coming into force and effect of this Act to Amend the Business Licence Act (2023) the Vuntut Gwitchin First Nation shall publish this Act to Amend the Business Licence Act (2023) and an updated version of the Business Licence Act incorporating the amendments set out in section 1 above as shown in form attached as Schedule 1 to this Act to Amend the Business Licence Act (2023).