



## VUNTUT GWITCHIN FIRST NATION

### BUSINESS LICENCE ACT

#### Interpretation

- 1 In this Act, “resident” means a person who resides on Vuntut Gwitchin First Nation Settlement Lands for not less than eight months in each year.

#### Application of the Act

- 2 This Act applies to all Vuntut Gwitchin First Nation Settlement Lands.

#### Eligibility to apply for licence

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

#### Issue of licence

- 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.  
(2) Where a person is required by the *Workers Compensation Act* to insure and maintain insurance for the protection of his employees, the Vuntut Gwitchin First Nation Chief and Councilors shall refuse to issue a licence to that person under this Act if he fails to produce satisfactory evidence showing that he has complied with the *Workers Compensation Act*.  
(3) Where a person who is required by the *Workers Compensation Act* to insure and maintain insurance for the protection of his employees has failed to comply with that Act, the Vuntut Gwitchin First Nation Chief and Councilors shall suspend or cancel the licence issued to such person.

#### Prohibition and inclusion

- 5 (1) No person shall carry on within the Vuntut Gwitchin First Nation Settlement Lands any business, calling, trade or occupation without having first obtained a licence for the purpose and paid the prescribed fee.

- (2) A licence is required by this Act to be obtained by any person for the purpose of carrying on within Vuntut Gwitchin First Nation Settlement Lands the occupation of prospecting, mining exploration and development, or oil and gas exploration and development.

**Partnerships**

- 6 In case of persons engaging in, following, practising, carrying on or exercising any trade, occupation, profession, business or calling as members of a partnership, it shall be sufficient compliance with this Act if one licence is taken out by the partnership in the partnership name in respect of that trade, occupation, profession, business or calling and the licence fee is paid thereon.

**Prescribed fee payable by person carrying on business**

- 7 The prescribed fee shall be payable by the person engaging in, following, practising, carrying on or exercising the trades, occupations, businesses, professions, or callings for each store, office, house or place of business, calling or trade occupied or carried on by him, either in his own name or in the name of an agent or representative in any part of Vuntut Gwitchin First Nation Settlement Lands.

**Offence and penalty**

- 8 Subject to section 8 any person engaging in, following, practising, carrying on or exercising any trade, occupation, profession, business or calling without having taken out and had granted to him and holding a licence in that behalf is guilty of an offence under this Act and liable upon summary conviction to a penalty not exceeding \$100, together with the amount that he should have paid for such licence.

**Other Acts**

- 9 Where a person is required, pursuant to any other Act, to obtain a licence from the Vuntut Gwitchin First Nation for the purpose of carrying on within Vuntut Gwitchin First Nation Settlement Lands any business, calling, trade or occupation, no licence is required to be obtained by him for that purpose pursuant to this Act.

**Application to be in writing**

- 10 Every application for a Vuntut Gwitchin First Nation trade licence shall be in writing, and shall set forth the following particulars:
- (a) the name, occupation and address of the applicant;
  - (b) proof that the applicant is a resident and eligible for a licence;
  - (c) the nature of the licence applied for;
  - (d) the place where the trade, occupation, business, profession, employment or calling, if licenced will be carried on; and
  - (e) such further and other particulars as the Vuntut Gwitchin First Nation Chief and Councilors may require.

### **Expiry date**

- 11** (1) Unless it is expressly issued for a lesser period and so endorsed, a licence shall be for the fiscal year current at the time of issue, and shall expire on March 31 next thereafter.
- (2) The fee payable in respect of any licence shall be an annual fee whether the licence is issued on April 1 in any year or any later day, unless it is expressly paid for a licence for a shorter period, or a particular occasion or event and the licence is so endorsed.

### **Transfer of licence**

- 12** With the consent of the Vuntut Gwitchin First Nation Chief and Councilors, a licence may be transferred if the applicant for such transfer of licence files with the Vuntut Gwitchin First Nation Chief and Councilors an application in writing setting forth:
- (a) the name, occupation and address of the applicant;
  - (b) the nature and number of the licence to be transferred;
  - (c) the name and address of the licence from whom the licence will be transferred;
  - (d) the place where the applicant will carry on business under the licence;
  - (e) the real consideration or reason for the transfer of the licence; and
  - (f) such further and other particulars as the Vuntut Gwitchin First Nation Chief and Councilors may require.

### **Power to suspend or revoke licences**

- 13** (1) Wherever by this Act power is given to the Vuntut Gwitchin First Nation Chief and Councilors to grant or issue licences for any trade, business, profession, occupation, calling, employment or purpose, they shall have power to revoke or to suspend any licence so granted in the event of the holder of such licence being convicted of a breach of any law or Act relating to the trade, business, profession, occupation, calling, employment or purpose in respect of which such licence was granted or issued.
- (2) In such case there shall be no refund made of any part of the fee paid by the licensee in respect of such licence.

### **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.

### **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.

**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.

**Regulations**

- 17** The Vuntut Gwitchin First Nation Chief and Councilors may prescribe the fees to be charged under this Act.