



**VUNTUT GWITCHIN FIRST NATION  
SECURITY REGULATIONS**

**1.0 Interpretation**

- 1.1 These Regulations may be cited as the *Security Regulations*.
- 1.2 In these Regulations, “Significant Alteration” has the same meaning as in the *Land and Resources Regulations*.
- 1.3 Capitalized terms not otherwise defined have the same meaning as in the Act.

**2.0 When Security Required**

- 2.1 Where the Director determines that an Activity may cause Significant Alteration or Significant Damage, the Director may require the deposit of security.
- 2.2 2.2.1 In determining whether to require the deposit of security, the Director may consider:
  - 2.2.2 the purpose of the Activity;
  - 2.2.3 the risk of Significant Alteration or Significant Damage;
  - 2.2.4 any plan or study related to the reclamation of Settlement Land;
  - 2.2.5 the applicant's past performance under Grants, Permits, Access Notices or authorizations issued under a Law of General Application; and
- whether the applicant has provided adequate security under another Vuntut Gwitchin Law or a Law of General Application.

**3.0 Assessment of Security**

- 3.1 Where the Director determines that security should be required, the Director may:

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at the applicant's expense, order:

- 3.1.1.1 an independent review of a study provided under section 3.5.2.1 of the *Lands and Resources Regulations*; or
  - 3.1.1.2 an independent estimate of the cost of reclamation;
- require the deposit of security in any amount:
- 3.1.2.1 proposed in a study provided under section 3.4.2 of the *Lands and Resources Regulations*;
  - 3.1.2.2 recommended in an independent review or estimate under section 3.1.1; or
  - 3.1.2.3 that, in the opinion of the Director, will provide adequate security for the applicant's performance of obligations set out in a Grant or Permit.

3.2 The Director may reassess the amount of security required at any time:

- 3.2.1 at the request of the holder of the Grant or Permit; or
- 3.2.2 where the Director determines that the circumstances justify an increase or decrease in the amount of security.

3.3 Before increasing the amount of security required, the Director shall provide:

- 3.3.1 written notice to the Grantee or Permittee of the reasons for the increase;
- 3.3.2 and  
30 calendar days for the Grantee or Permittee to submit written comments on the Director's reasons.

**4.0 4.1.1 Use and Release of Security**

4.1 The Director may use any part of the security to:

- 4.1.2 carry out any reclamation required by the Grant or Permit, where the Grantee or Permittee fails to do so;
- 4.1.3 pay any compensation due to a Vuntut Gwitchin Citizen as part of a Benefits and Stewardship Agreement, where the Grantee or Permittee fails to do so;
- carry out remedial actions under section 15.0 of the Act, where the Grantee or Permittee fails to do so;

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carry out the terms of an order under the Act, where the Grantee or Permittee fails to do so; and

reimburse Vuntut Gwitchin Government for costs incurred in connection with an Emergency caused by an act or omission of the Grantee or Permittee.

4.1.4

- 4.2 4.1.5 Where the Director determines that any part of the security is no longer required, the Director shall return that security, and any proceeds from its investment, to the Grantee, Permittee or successor.

## 5.0 Form of Security; Liability

- 5.1 Security shall be in the form of:

a promissory note guaranteed by a chartered bank in Canada and payable to Vuntut Gwitchin Government;

5.1.1

a certified cheque or bank draft drawn on a chartered bank in Canada and payable to Vuntut Gwitchin Government;

5.1.2

bearer bonds issued or guaranteed by the Government of Canada;

5.1.3

any combination of the securities described in section 5.1.

5.1.4

- 5.2 Nothing in this regulation shall affect the liability of a Grantee or Permittee for any damage to Settlement Land or improvements that exceeds the amount of security.