

CONSTITUTION AMENDMENT COMMUNITY UPDATE

August 28, 2018

The shíshálh Nation formed a Constitution Committee in November 2017 with a mandate to review and engage with the membership on four sections of the current 1993 Constitution including: Elections, Referendums, Laws and Finance.

The Constitution was first drafted in 1986. Since then it has been amended three times with the last amendment in 1993. In 2014 a full amendment review began but was not completed. In 2016 the amendment process began again leading up to 2017 when the Constitution committee was formed.

The Council are working with Canada to amend the Self Government Legislation to remove Section 12 that requires Canada approval of any further Constitutional amendments, and to change the definition of Sechelt Lands, and to legally change the name of Sechelt Indian Band to shíshálh Nation. The timeframe set for these tasks of the committee and council was September 2018.

Given the short window of time for Canada to submit proposed legislative changes to cabinet by October 2018, it has been recommended that the referendum to update our Constitution target only the updated Definitions, Elections and Referendum parts for now.

These two sections are critical to meeting the compliance with the Charter of Rights and Freedoms and will enable the legislation to be approved by Canada. Once the requirement to approve future Constitutional amendments is removed, the Council can appoint a committee again to deal with all of the remaining sections.

Under the current amendment process we require the Department of Justice to review any amendments and recommend the approval to cabinet. As this process will take some time, it is anticipated that the Referendum for membership approval will be November 24, 2018.

We look forward to meeting with community members over the next two months to answer any final questions you may have on the Constitution amendments. Please see the attached documents listed below. The committee would also like to thank all those community members who have attended the nine engagement sessions this past year.

1. 1993 Constitution
2. Companion Documents for Elections, Referendums, Laws, and Finance
3. Schedule of all community engagement meetings that were held
4. Terms of Reference for the Constitution Committee
5. Updated draft of 2018 proposed amendments
6. Companion Document for Elections, Referendums, and Definitions
7. Draft Nomination Form

