

**Tłıchọ Ndek'áowó**



**Tłıchọ Government**

**Nàowó Wet'á Ełets'eedıı  
Tłıchọ Assembly  
Rules of Order**

*Approved May 10, 2018*



## TABLE OF CONTENTS

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	Page
PREAMBLE.....	1
PART 1 – DEFINITION AND APPLICATION .....	2
PART 2 – OATH OF OFFICE AND REGISTER OF MEMBERS .....	3
PART 3 – SESSIONS	
• Regular Sessions .....	4
• Special or Emergency Sessions .....	5
• Annual Gatherings.....	7
• Treaty Medal .....	8
• Quorum .....	9
• Attendance of Members and Speaker at Sessions .....	9
• Agendas .....	10
• Public Observance of Sessions .....	10
• In-camera Matters .....	10
• Opening and Closing of Sessions .....	11
• Cell Phone Usage .....	11
• Recordings .....	11
• Carry Over of Agenda Items .....	11
PART 4 – SPEAKING AT SESSIONS	
• Members of the Assembly .....	12
• Inviting Others to Speak.....	13
• Inviting Dignitaries or Visitors to Speak .....	14
PART 5 – CONSENSUS AND VOTING .....	14
PART 6 – MOTIONS ON SPECIFIC SUBJECTS	
• Removal of the Speaker .....	15

## TABLE OF CONTENTS

---

PART 7 – TĤĤCHQ LAWS, DIRECTIVES AND REGULATIONS	
• Consideration of TĤĤchq laws .....	15
• Approval of Directive .....	16
• Approval for Regulations .....	16
• Public Registry of TĤĤchq Laws.....	17
PART 8 – COMMITTEES .....	18
PART 9 – AMENDMENT .....	18
PART 10 – MAINTENANCE OF ORDER AT SESSIONS	
• Members Conduct .....	19
• Order .....	20
• Suspension of Member .....	20
PART 11 – CONFLICT OF INTEREST .....	22

### **PREAMBLE**

The Tłıchq are a united people and believe in collective responsibility. Tłıchq unity is based on preserving, protecting and promoting the Tłıchq language, culture and way of life. Consensus decision-making process is the traditional Tłıchq governance system and the Tłıchq Government shall abide by this tradition. All Tłıchq leaders are role models and leaders must act in the most respectful manner. Tłıchq leaders shall follow the principles of the Tłıchq Constitution, Tłıchq Agreement and Tłıchq Laws.

### PART 1 – DEFINITIONS AND APPLICATION

1. In these Rules:

“Assembly” has the same meaning as in the Tłıchq Constitution.

“Assembly member” and/or “member” are members of the Tłıchq Assembly, including the Chiefs Executive Council.

“Chiefs Executive Council” has the same meaning as in the Tłıchq Constitution.

“Speaker” has the same meaning as in the Tłıchq Constitution.

“Tłıchq Government” means the Tłıchq Government and its institutions as defined in the Tłıchq Constitution.

2. These rules are subject to Tłıchq Laws, Tłıchq Constitution and Tłıchq Agreement.
3. The proceedings of the Tłıchq Assembly shall be conducted according to these rules.
4. If a matter or procedure is not provided for in these rules, the matter or the procedural issue under question will be referred to the Proceedings Committee for review and recommendation to the Assembly.
5. The official language of the Tłıchq Nation is Tłıchq and English. Every reasonable effort shall be made by the Assembly members to speak Tłıchq at all sessions.

**PART 2 – OATH OF OFFICE AND REGISTER OF MEMBERS**

6. Each member shall take an oath of office or an affirmation.
7. Upon taking oath of office or an affirmation, the member shall sign the registry.
8. The Laws Guardian shall keep a permanent registry and the registry shall include the following:
  - a) Name of the member
  - b) Signature of member
  - c) Date of swearing in
  - d) Date member ceases to be a member
  - e) Witness signature

## PART 3 – SESSIONS

### Regular Sessions

9. The time and place of regular sessions is as follows:
  - a) There shall be at least five regular sessions per year, one of which shall be held during the annual gathering.
  - b) The Assembly may have additional regular sessions as deemed necessary.
  - c) There shall be a ten (10) day public notice.
  - d) Regular sessions shall be held on a rotational basis among the four Tłıchq communities and in the following order: Behchokò, Whatì, Gamètì and Wekweètì. This section is subject to the scheduled annual gatherings.
  - e) There shall be an Assembly caucus on the first day of each regular session starting at 10:00 am and regular session shall start at 1:00 pm.
  - f) There may be additional caucus as deemed necessary by the Assembly.
  - g) Regular sessions shall be called to order by the Speaker at 10:00 am, other than the first day.
  - h) Regular sessions shall be adjourned by the Speaker at 5:00 pm.
  - i) Speaker may vary the times of the regular session when necessary.



### Order of Business at Regular Sessions

10. The order of business at regular sessions shall be as follows:
  - a) Call to order
  - b) Opening drumming and prayer
  - c) Welcoming remarks by Grand Chief
  - d) Welcoming remarks by host Chief
  - e) Chiefs Executive Council Report
  - f) Tłıchq Government business, including enactment of Tłıchq laws
  - g) Documents or reports presentation
  - h) Schedule
  - i) Directive
  - j) Closing comments by Grand Chief and Chiefs
  - k) Closing comments by host Chief
  - l) Closing prayer and drumming

### **Special or Emergency Sessions**

11. The Grand Chief shall call for a special or emergency session.
12. The Grand Chief shall seek written consent from ten (10) Assembly members for a special or emergency session.
13. If it is determined the Grand Chief cannot continue in office, three (3) Chiefs may seek written consent from ten (10) Assembly members for a special or emergency session.

## TLĪCHQ ASSEMBLY – RULES OF ORDER

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14. Written consent shall include:
- a) the purpose of the special or emergency session;
  - b) the location of the emergency session;
  - c) the date; and
  - d) to waive ten (10) days public notice if it is deemed that the issue is of such a nature that the ten (10) day notice cannot wait.
15. Subject to section 14 d), there shall be a ten (10) day public notice.

### Order of Business at Special or Emergency Sessions

16. The order of business at special or emergency sessions shall be as follows:
- a) Call to order
  - b) Opening drumming and prayer
  - c) Opening comments by Grand Chief
  - d) Opening comments by host Chief
  - e) Agenda shall be restricted to purpose of the session
  - f) Tłıchq Government business, including enactment of Tłıchq laws
  - g) Closing comments by Grand Chief
  - h) Closing prayer and drumming
17. In the event that the Grand Chief cannot continue in office, a designated Chief will provide opening comments under subsection 16 c) and closing comments under subsection 16 g).
18. In the event that a Tłıchq law is to be considered at the special or emergency session, the proposed Tłıchq law shall be circulated to the members in advance of the session.

### **Annual Gatherings**

19. The Speaker shall chair the Annual Gathering and the TĪchq Assembly session during the Annual Gathering.
20. The Speaker has full authority and discretion to preserve order and decorum of the Annual Gathering and TĪchq Assembly Session at the Annual Gathering.
21. Any person under the influence of alcohol or illicit drugs will not be allowed in the session.
22. VHF mobile radiophones must be turned off before they can be brought into the session.
23. TĪchq Citizens may register as participants for each day of the session.
24. Non-TĪchq Citizens may register as observers for each day of the session.
25. When a TĪchq Citizen wishes to pose a question during an open forum, they should:
  - a) identify themselves by first and last name;
  - b) state the community they reside in;
  - c) be respectful of other TĪchq Citizens that may wish to also ask a question;
  - d) ask one question per report with the opportunity for supplemental questions subject to:
    - i. others having asked their questions; and
    - ii. time permitting; and
  - e) should refrain from using hearsay, gossip and make unsubstantiated accusations.

## TLĪCHQ ASSEMBLY – RULES OF ORDER

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26. Tłıchq Citizens that would like to pose a question shall register their name with the Laws Guardian or designate.
27. A Tłıchq Citizens may make recommendation to the Tłıchq Government regarding a matter on the agenda.
28. A recommendation by a Tłıchq Citizens under section 27 must not obligate Tłıchq Government to appropriate or expend funds and must not be contrary to Tłıchq Laws, Tłıchq Agreement and Tłıchq Constitution.
29. Where a Tłıchq Citizen wishes to address the Assembly, the Speaker shall determine the time and duration of the address.

### Order of Business at Annual Gatherings

30. The order of business for regular session at Annual Gatherings shall be as follows:
  - a) Call to order
  - b) Opening drumming and prayer
  - c) Welcoming remarks by Grand Chief
  - d) Welcoming remarks by host Chief
  - e) Report presentations and Tłıchq Citizens open forum
  - f) Tłıchq Government law approving Tłıchq Government Audited Financial Statements
  - g) Closing comments by Grand Chief and Chiefs
  - h) Closing comments by host Chief
  - i) Closing prayer and drumming

### **Treaty Medal**

31. The Treaty Medal from 1921 (or its replica) shall be prominently displayed at all sessions of the Assembly.

### **Quorum**

32. A quorum of all sessions shall be nine (9) members and shall include the Grand Chief.
33. The Speaker shall call quorum.
34. In the event there is no quorum on the first day of session, the Speaker shall adjourn the session to the second day.
35. In the event there is no quorum on the second day of session, the Speaker shall adjourn the session to a later date.

### **Attendance of Members and Speaker at Sessions**

36. Unless the members or Speaker have reasonable excuse, the members and Speaker must attend all sessions.
37. Reasonable excuse may include:
  - a) household domestic emergency;
  - b) illness;
  - c) death in immediate family;
  - d) transportation problems;
  - e) serious community emergency; or
  - f) employment commitments.
38. In the event the Speaker cannot attend a session, the Speaker shall make every reasonable effort to provide notice in advance.
39. The Chiefs Executive Council shall appoint an Acting Speaker for that session that the Speaker is unable to attend.

### **Agendas**

40. In consultation with the Tłıchq Executive Officer, the Laws Guardian shall prepare the draft agenda for the regular sessions and for the session at annual gatherings.
41. The Tłıchq Executive Officer shall provide the draft agenda to the Assembly members no later than twenty-one (21) days before the scheduled session.
42. The Assembly members shall provide their input into the draft agenda no later than fourteen (14) days before the scheduled session.
43. Any agenda item that requires a decision must have supporting documents or briefings. The Assembly shall not consider agenda items that do not have supporting documents or briefings.
44. If a member requires assistance with compiling supporting documents or briefing, the Tłıchq Executive Officer shall provide assistance to that member.
45. Once the Assembly members have provided their input into the draft agenda, the Tłıchq Executive Officer will distribute the final agenda. There shall be no last minute additions to the agenda.

### **Public Observance of Sessions**

46. The public may observe all sessions.

### **In-camera Matters**

47. A member may request to go in-camera by notifying the Speaker.
48. The Speaker will determine when a matter will go to in-camera.
49. The Assembly will proceed to caucus for in-camera discussions.

### **Opening and Closing of Sessions**

50. Each session will start and end with drumming.
51. Each day of the session will begin with an opening prayer and end with a closing prayer.

### **Cell Phone Usage**

52. All cellular phones and other transmitting devices must be on mute.

### **Recordings**

53. All sessions of the TĪchq Assembly shall be audio recorded, with the exception when the TĪchq Assembly goes in-camera.
54. Recorded sessions may be transcribed.
55. All regular sessions may be broadcast.

### **Carry Over of Agenda Items**

56. Prior to the general election of the TĪchq Community Governments, unfinished business or matters tabled by the previous TĪchq Assembly and carried to the next Assembly shall be considered to have expired on that agenda.

## PART 4 – SPEAKING AT SESSIONS

### Members of the Assembly

57. Each member has the right to speak.
58. A member can only speak once recognized by the Speaker.
59. Members should not speak longer than necessary.
60. The Speaker may determine the length of time the member is allowed to speak.
61. Members shall speak to the matter that is on the agenda.
62. The member's comments should relate to the matter within the responsibility of the Tłıchq Government and not related to matters:
  - a) that is pending in a court or before a judge;
  - b) being contemplated for judicial action by Tłıchq Government;  
or
  - c) before any quasi-judicial body or investigative body.
63. The member's comments should be factual, not based on hearsay or second-hand information.
64. Members can ask question to the appropriate persons on matters before the Assembly.
65. Questions by members should be specific and relating to the matter before the Assembly.
66. The members should refrain from referring to persons or single out persons.
67. The Speaker may determine the matter has been dealt with in sufficient matter and move to the next matter on the agenda.



68. The Speaker may request that an issue of urgent public importance or emergency be dealt with by the Assembly.
69. An urgent public importance or emergency may be considered only if the circumstances involved:
- a) could not practicably be brought to the Assembly;
  - b) threaten the well-being of the Tłıchq Nation as a whole, the Tłıchq community; or
  - c) is so grave that it would be imprudent or impractical to delay the matter.

### **Inviting Others to Speak**

70. The Speaker may invite the following persons to give oral report, table a written report or other document, or address the Assembly at any time during the session.
- a) Tłıchq Executive Officer;
  - b) Laws Guardian;
  - c) Department Director;
  - d) Legal Counsel;
  - e) A member of the Tłıchq Odaa' Advisory Council;
  - f) Representative of Tłıchq Government Institution; or
  - g) Any other persons as determined by the Speaker whose participation may assist the Assembly.

**Inviting Dignitaries or Visitors to Speak**

71. With the consent of the members, the Speaker may invite a visiting dignitary to address the Assembly.
72. The members shall show respect by remaining seated and refrain from talking, making noise or causing disturbance during the address.
73. Should it be necessary, the Speaker may allow members to ask questions.

**PART 5 – CONSENSUS AND VOTING**

74. Only members shall consent or vote in the Assembly.
75. The Speaker shall seek consensus on matters before the Assembly by allowing members to provide affirmative comments on an individual basis.
76. In the event of no consensus, the Speaker shall declare that the matter will be dealt with by a vote.
77. The Speaker shall call for a vote.
78. Speaker shall announce final result of the vote.
79. If a member abstains on a vote, the member is considered to have not voted on the matter.
80. If the vote results in a tie, the vote is defeated.

**PART 6 – MOTIONS ON SPECIFIC SUBJECTS**

**Removal of the Speaker**

81. The Speaker may be removed on a motion approved by two-thirds (2/3) of the Assembly members. For clarity, 2/3 of the Assembly members shall be nine (9) members.
82. If the Speaker is removed from office or is otherwise unable to continue, the Tłıčhq Assembly may appoint an Acting Speaker from among Tłıčhq Citizens who are not members of the Tłıčhq Assembly.

**PART 7 – TŁIČHQ LAWS, DIRECTIVES AND REGULATIONS**

**Consideration of Tłıčhq Laws**

83. The process for consideration of Tłıčhq laws by consent or a vote is as follows:
  - a) The Speaker shall seek consensus to have the proposed Tłıčhq law be introduced.
  - b) If there is no consensus, then the Speaker shall call for a vote.
  - c) A member shall introduce the proposed Tłıčhq law.
  - d) The proposed Tłıčhq law will be discussed in detail.
  - e) The Speaker may call upon persons whose participation may assist the Assembly.
  - f) The Speaker shall determine if the proposed Tłıčhq law was discussed in sufficient detail and does not require further questioning, then the Speaker will seek final consensus for approval, with or without amendment.
  - g) Once the Assembly has granted their final approval by consensus or by a vote, the Grand Chief shall sign the approved Tłıčhq law.

84. The Assembly may post a proposed Tłıchq law in the Tłıchq communities in order for Tłıchq Citizens to provide comments or input on that proposed Tłıchq law.
85. The Assembly shall determine the duration for the posting of the proposed Tłıchq law.

### **Approval of Directive**

86. A decision of the Tłıchq Assembly, other than the consideration of Tłıchq law, shall be by way of a directive.
87. The process for the approval of a directive by consent or a vote is as follows:
  - a) Items on an approved agenda requiring action and decision by the Tłıchq Assembly shall be considered.
  - b) Items approved will be consolidated as a directive.
  - c) The Assembly will review and approve the directive by consensus or vote.
  - d) Grand Chief shall sign the approved directive.

### **Approval for Regulations**

88. A regulation under any Tłıchq law has been enacted when:
  - a) the Assembly has approved by consensus or vote to accept the regulation; and
  - a) the regulation has been signed by the Grand Chief.

89. In a Tĕchq law, a power to enact regulations includes, for the purpose of carrying out the law according to its intent, the authority;
- a) to enact regulations that are ancillary to it and not inconsistent with it;
  - b) to provide for administrative and procedural matters for which no express or only partial provision has been made;
  - c) to limit the application of a regulation in time or place or both;
  - d) to prescribe the amount of a fee authorized by the law;
  - e) to provide that a contravention is an offence;
  - f) to provide that a person is guilty of an offence; or
  - g) to repeal or amend the regulation, or make others in place of it.

### **Public Registry of Tĕchq Laws**

90. The Laws Guardian must deposit in the register,
- a) the original copy of each Tĕchq law enacted by the Assembly, as soon as it has been signed by the Grand Chief; or
  - b) the original copy of any other document required or authorized under a Tĕchq law to be deposited in the register.
91. The Laws Guardian shall attached to the approved Tĕchq law a certified cover page with the following:
- a) date and result of the vote of the Assembly;
  - b) that the Grand Chief signed the approved Tĕchq law;
  - c) disposition of the Tĕchq law; and
  - d) signature of the Laws Guardian.

**PART 8 – COMMITTEES**

92. The Assembly shall approve terms of reference for the committees.
93. When in attendance, the Chair shall preside over the meetings.
94. If the Chair is absent, a member chosen by committee members shall chair that particular meeting.
95. The Chair or another member that is presiding over that meeting can vote and take part in proceedings of the committee.
96. A quorum of the committee shall be majority of the members.
97. The committee shall make decisions by consensus or majority vote.
98. The committee shall keep a summary of its proceedings.
99. Subject to TĪchq laws and these rules, the committee may determine its own procedures.
100. The committee shall report to the Assembly as required.

**PART 9 – AMENDMENT**

101. A member may propose an amendment or amendments to these rules to the Assembly.
102. The Assembly may consider the proposed amendment or amendments and refer the proposed amendment or amendments to the proceedings committee.
103. The proceedings committee shall consider the proposed amendment or amendments.
104. The proceedings committee shall make recommendation to the Assembly.
105. The Assembly shall consider the recommendation of the proceedings committee.

**PART 10 – MAINTENANCE OF ORDER AT SESSIONS**

106. The Speaker shall preserve order and decorum.
107. Members may use the following electronic devices provided their usage does not disrupt the proceedings:
- a) Cellphones for receiving and transmitting emails and other usages, except making and receiving phones calls, including facetime. Cellphones should be kept on silent mode.
  - b) Mini-laptops (such as iPads) and laptops.

**Members Conduct**

108. All members shall conduct themselves in accordance with the following:
- a) Adhere to standard of dress that is appropriate.
  - b) When the Speaker is addressing the Assembly, members must show respect by remaining seated and refrain from talking, making other noise or causing disturbance.
  - c) Members must not use unseemly, abusive or insulting language that:
    - i. is of a nature that could create disorder;
    - ii. is profane;
    - iii. charges another member with uttering a deliberate falsehood;
    - iv. imputes false or hidden motives to another member;
    - v. is pointing fingers or make obscene gestures; or
    - vi. is disrespectful of the Assembly, the Speaker, any Tłıchq Government employee, Tłıchq Government institution or the rules.

- d) Member must adhere to standard of behaviour that demonstrates the respect for all members.
- e) Members shall shake hands after each session.

### **Order**

109. The Speaker may call to order any member whose conduct in the Assembly contravenes these rules.
110. Every member shall comply with the Speaker's orders.

### **Suspension of Member**

111. The Speaker may suspend a member if the Speaker is of the opinion the member:
- a) disregards the authority of the Speaker;
  - b) refuses to comply with the orders of the Speaker;
  - c) persistently and willfully obstructs the business of the Assembly;
  - d) abuses the rules; or
  - e) fails to adhere to the rules.
112. If the Speaker suspends a member, the member shall:
- a) leave the session immediately;
  - b) if member does not leave, the Speaker can order the member's removal;
  - c) must not attend the session or participate in any proceedings or committees during the suspension; and
  - d) must apologize to the Assembly upon re-entering the session after the suspension period.



## TLIČHQ ASSEMBLY – RULES OF ORDER

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113. A member suspended for the first time shall be suspended for the remainder of the day.
114. A member suspended for the second time shall be suspended for the remainder of the session
115. A member suspended for the third time shall be dealt with in the following manner:
- a) matter shall be referred to the proceedings committee;
  - b) the proceedings committee may call upon the member to appear before the committee; and
  - c) the proceedings committee shall meet and make recommendation to the Assembly on the appropriate disciplinary actions or remediation and may include reduced or suspension of pay.
116. At the next Session, the Assembly shall consider the recommendations of the proceedings committee.

**PART 11 – CONFLICT OF INTEREST**

117. Member shall declare conflict of interest on a matter before the Assembly if that member has a direct or indirect financial interest.
118. A member may request that the Speaker call upon a member to declare conflict.
119. Notwithstanding sections 117 and 118, a member is entitled to vote on indemnities, expenses, allowances and salaries of members payable by Tĕhçq Government.



