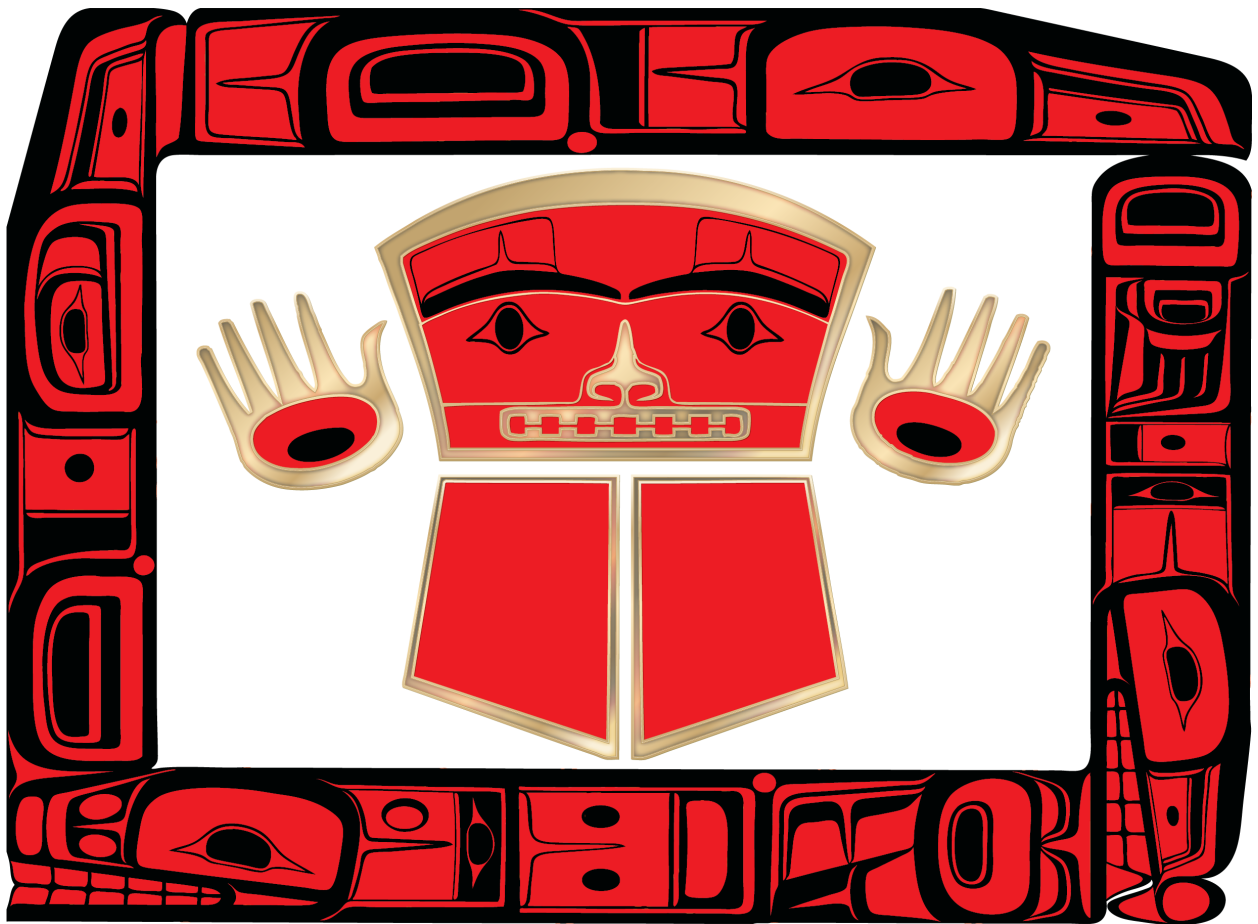


*DA'AX KW'ALAAMS MAN-AYAAWX*

CONSTITUTION OF THE LAX KW'ALAAMS FIRST NATION



*Draft for Ratification*

*\*Edited for typos March 12, 2025*

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## Preamble

We, the Allied Ts'msyen Tribes of Lax Kw'alaams, assert our inherent rights as the original peoples of our territory that we have governed from time immemorial. Together, we freely adopt this Constitution as a framework of governance to serve our people, our territory, and our collective freedom.

We come from our land as we come from our mothers. Our matrilineal society represents a direct unbroken connection to our past and has sustained our people and territory throughout time. Our *Adaawx*, *Ayaawx*, songs, dances, crests, and ancestral names come from the land and are transferred from generation to generation. We actively breathe life into our culture, traditions, spiritual beliefs, and Sm'algyax language for the benefit of current and future generations.

We honour the strength and identity we inherit and must ourselves carry forward. We are grateful for, and indebted to, our ancestors' protection of our territory, culture, collective rights, and freedoms. The light of our ancestors' strength and resilience ensures we can remember and practice our culture and traditions in perpetuity.

The longhouse is the home of our people, and our governance, where we affirm and pass on our ancestral names, rights, relationships, and responsibilities faithful to our *Adaawx* and *Ayaawx*. Hereditary and elected leadership each have unique roles in our government. We affirm our responsibility to work together in unity for a strong, independent, and healthy community. With peace and respect, we invite others to join us in celebration.

We must live in balance with all living beings within our territory. We utilize, and care for, our territory in cultural and harvesting cycles based on gifts and knowledge our ancestors passed down from our Creator. We embrace all our allied tribal members, no matter where they live, with kind hearts so that we may fairly balance our rights and responsibilities amongst our people.

Our common purpose forbids stagnation and embraces transformation. We retain rights to transform and change as we see fit to maintain our place as Ts'msyen in the constellation of Creation. As our ancestors did, we continue to cycle forward using whatever means necessary to further our collective self-determination. In the spirit of unity, we as the Allied Ts'msyen Tribes of Lax Kw'alaams will create a future worthy of both our children and ancestors.

*Txamsem, the powerful transformer, heard about this great house. Txamsem crept in, and removed their Indian Act robe. The firelight danced across the carved surfaces. Txamsem was thoroughly impressed by the sight of the house. Txamsem gave the young people a gift. The people knew Txamsem is still alive and travelling our world.*

## *Da'ax Kw'alaams Man-Ayaawx*

### Constitution of the Lax Kw'alaams First Nation

#### *Sigwaalk* 'light the fire' – Declaration:

1. This Constitution is an expression of the collective self-determination of the Allied Ts'msyen Tribes of Lax Kw'alaams.
2. The Allied Ts'msyen Tribes of Lax Kw'alaams is an alliance of the:
  - Gitlaan – 'Canoe Stern People'
  - Gispaxlo'ots – 'People of the Elderberry'
  - Gilutz'aaw – 'People Inside'
  - Gitandoa – 'People of the Otherside'
  - Gitnadoixs – 'People of the Swiftcurrent'
  - Ginax'angiik – 'People of the Hemlock'
  - Gits'iis – 'People of the Sealtraps'
  - Gitzaxlaał – 'People from the side of'
  - Gitwilgyoots – 'People of the Kelp'
3. The Allied Ts'msyen Tribes of Lax Kw'alaams unite together to *ha'yin* – create, a contemporary Lax Kw'alaams Government in accordance with this Constitution.
4. Our unity exists in ourselves, our families, our houses, our tribes, our clans, and our shared commitment to build a stronger nation worthy of our ancestors' legacy and in keeping with the bright hopeful promise of generations unborn.
5. The Lax Kw'alaams Government is established in accordance with the *Adaawx* and *Ayaawx* of the Allied Ts'msyen Tribes of Lax Kw'alaams.
6. It is the will of the people of the Allied Ts'msyen Tribes of Lax Kw'alaams to govern ourselves according to our own ancestral customary laws together with contemporary democratic civic government consistent with our inherent right of self-determination.

7. This Constitution celebrates our *laa gigyet* – ancestors, and present and future generations, in promoting the *aygyet* – perpetual expression, of the traditions, relationship to territory, and way of life of the Allied Ts’msyen Tribes of Lax Kw’alaams.
8. *La gwelga lak* – the fire has started.

**Da’ax Kw’alaams Man-Ayaawx:**

9. *Da’ax* means ‘terraced house’ in Sm’algyax. The governance of our ancestors found a home within our terraced houses. Today, the Allied Ts’msyen Tribes of Lax Kw’alaams adopt the terraced house as a symbol of our contemporary government.
10. Within the terraced house, everybody and everything has a place in creation. The *Da’ax Kw’alaams Man-Ayaawx*, is a house of the Allied Ts’msyen Tribes of Lax Kw’alaams, its people, and its *wuk’wootk* – honoured guests. In this house, the fire of self-determination of our ancestors provides warmth and light to all that is within.

**MAXSNSK ‘HOUSE POSTS’ – FUNDAMENTAL PRINCIPLES:**

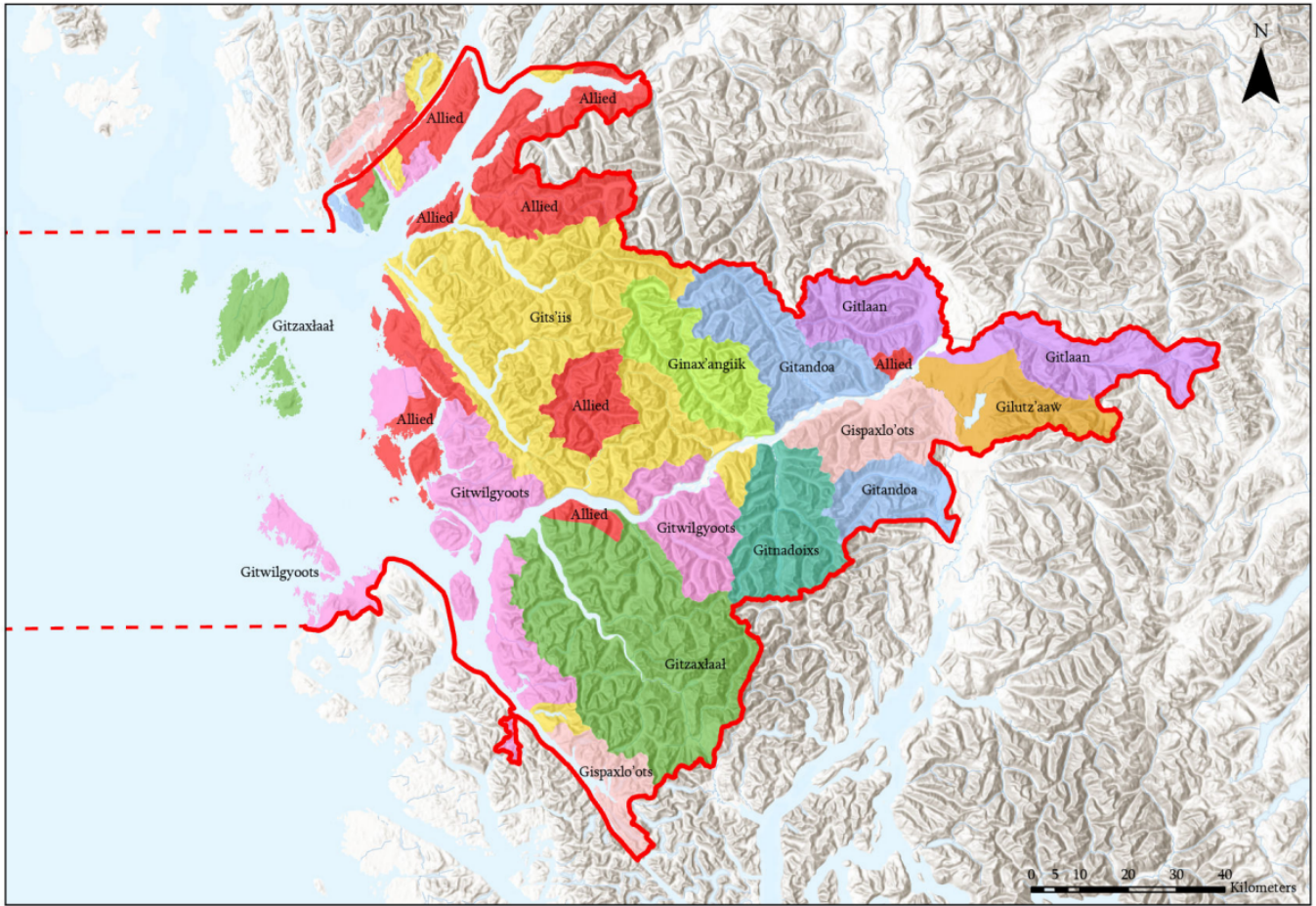
11. This Constitution is animated by the following fundamental values:
  - (1) *Sityaaw* – mutual recognition and *toomsk* – respect among:
    - (i) Hereditary and Civic leadership;
    - (ii) Lax Kw’alaams and its neighbours;
    - (iii) Lax Kw’alaams citizens; and
    - (iv) Indigenous and non-Indigenous peoples.
  - (2) Incremental, cultural, and political transformation.
  - (3) Indigeneity and the importance of place-based identity, knowledge, and way-of-life.
  - (4) Connectedness of all beings including the spirit of the land.
  - (5) *Silmda’axk* – healing, revival and return.
12. The *Adaawx* and *Ayaawx* of the Allied Ts’msyen Tribes of Lax Kw’alaams *diduuls* – give life and meaning to this Constitution.

RELATIONSHIP TO LAND & WATERS:

*Gyemsax* - 'feel at home':

13. *'Wagayt la'ooy wil sit'aatga na adaawga Ts'msyen.* – time immemorial is when our story began.
14. We are our lands and waters, with our *Adaawx*, *Ayaawx*, culture, identity and way of life rooted in our *Laxyuup* – territory.
15. The Allied Ts'msyen Tribes of Lax Kw'alaams are the original peoples within our *Laxyuup* – territory and have always owned and stewarded Lax Kw'alaams territory according to our inherent jurisdiction to govern ourselves and our *Laxyuup* – territory.
16. The Allied Ts'msyen Tribes of Lax Kw'alaams have never ceded or surrendered our territory or inherent jurisdiction to any other government or people.
17. Lax Kw'alaams citizens maintain a deep relationship with our territory and its natural abundance that is foundational to our culture, language, way of life and inherent jurisdiction to govern ourselves and our territory.
18. The citizens of Lax Kw'alaams, as the descendants of the Allied Ts'msyen Tribes of Lax Kw'alaams, are entitled to claim all rights arising from the existence and past-practices of the Allied Ts'msyen Tribes of Lax Kw'alaams.
19. The Lax Kw'alaams Government will exercise the Allied Ts'msyen Tribes of Lax Kw'alaams collective rights, title, and jurisdiction in respect of our territorial lands, waters, and resources for their preservation, development and management.
20. The Lax Kw'alaams Government will promote utilization of the territory to a degree permitting the ongoing wellbeing of Lax Kw'alaams citizens and the ongoing self-determination of the Allied Ts'msyen Tribes of Lax Kw'alaams.
21. The Lax Kw'alaams Government will govern Lax Kw'alaams territory in accordance with the values and principles expressed in this Constitution.

22. Lax Kw'alaams territory encompasses the following area:



**GALK'OOLKS- 'WARM ONE'S BACK BY THE FIRE'**

**RIGHTS, FREEDOMS & RESPONSIBILITIES:**

23. Lax Kw'alaams citizens have the following rights and freedoms:
- (1) the freedom to practice, protect, and promote the culture, Sm'algyax language, traditions and way of life of the Allied Ts'msyen Tribes of Lax Kw'alaams;
  - (2) the freedom to pursue education enabling meaningful participation in civic, cultural and economic life;
  - (3) freedom of conscience, religion, belief, opinion, expression, association and peaceful assembly;
  - (4) the right to enter, remain, and leave Lax Kw'alaams territory;
  - (5) the freedom to maintain kinship and parental relationships;
  - (6) the right to life and security of the person;
  - (7) the freedom to choose and embody sex, gender, and sexual orientation;
  - (8) the right of equality and equal protection and benefit of the law;
  - (9) the right of due process in governmental or judicial proceedings;
  - (10) the right to reasonable access to governmental information;
  - (11) the right to privacy and protection of personal information;
  - (12) the right to vote in Lax Kw'alaams elections and hold office in the Lax Kw'alaams Government; and
  - (13) such other rights as may be prescribed by Lax Kw'alaams law.

***Güüdisk* – Harvesting:**

24. Lax Kw'alaams citizens may hunt, fish, harvest, or otherwise benefit from the bounty and natural abundance of Lax Kw'alaams territory in accordance with customary law, Lax Kw'alaams law and the commitment to collective stewardship in accordance with this Constitution.



***Gyngyiin* – Responsibilities of Citizens:**

25. Lax Kw’alaams citizens share responsibility to promote the *Adaawx*, *Ayaawx*, knowledge, customs, language, traditions, and way-of-life of the Allied Ts’msyen Tribes of Lax Kw’alaams.
26. Lax Kw’alaams citizens share responsibility for the well-being of all Lax Kw’alaams citizens and share a particular responsibility for the protection and well-being of children, elders, and citizens who require unique care.
27. Lax Kw’alaams citizens share responsibility to promote the promise of this Constitution and the integrity of Lax Kw’alaams governing institutions and laws.

**Non-Citizen Responsibility:**

28. Everyone within Lax Kw’alaams territory has a responsibility to *hagwil-yaan* – walk softly, abide by our laws, and respect Lax Kw’alaams self-determination and territory.

**Tribal Continuity & Responsibility:**

29. Lax Kw’alaams citizens share responsibility to participate within the tribal affairs of the Allied Ts’msyen Tribes of Lax Kw’alaams with the aim of promoting the social and cultural continuity of the Allied Ts’msyen Tribes of Lax Kw’alaams.
30. To maintain the integrity of tribal rights and entitlements rooted in *Adaawx*, the Allied Ts’msyen Tribes of Lax Kw’alaams will ensure the succession of names, crests, and other associated tribal rights in accordance with *Ayaawx*.
31. The Allied Ts’msyen Tribes of Lax Kw’alaams, together with the Lax Kw’alaams Government, will promote Lax Kw’alaams citizen participation within the tribal affairs of the Allied Ts’msyen Tribes of Lax Kw’alaams with the aim of protecting and promoting the social, political, and cultural continuity of the Allied Ts’msyen Tribes of Lax Kw’alaams.

***Gugwil'ya'ansk* ‘pass through generations’ – Cultural Continuity:**

32. All rights, freedoms, and responsibilities expressed in this Constitution are inherited in spirit and intent from the collective vision and self-determination of our ancestors.
33. Living generations of Lax Kw’alaams citizens exercise their rights, freedoms, and responsibilities in trust for unborn generations, in respect and recognition of living generations own inheritance from our ancestors.

34. Our generational cycle will maintain, and further strengthen, the promise of collective rights, freedoms, responsibilities, and self-determination of Lax Kw'alaams people in perpetuity.

***Aap'ax* – 'Remember':**

35. The Allied Ts'msyen Tribes of Lax Kw'alaams, together with the Lax Kw'alaams Government and its citizens, will protect and steward the culture, Sm'algyax language, traditions, natural and healthy state of Lax Kw'alaams territory, and way of life of the Allied Ts'msyen Tribes of Lax Kw'alaams for future generations.
36. The various Indigenous species, including ordinarily migratory species, within Lax Kw'alaams territory are entitled to healthy habitat.
37. Consistent with the teachings outlined in *Adaawx*, Lax Kw'alaams citizens will respect the dignity and integrity of the parallel natural, and *naxnox* - supernatural, worlds.

**Harmonious Interpretation:**

38. The rights, freedoms and responsibilities expressed within this Constitution will be interpreted harmoniously with one another to the greatest extent possible while maintaining the promise and meaning of each right, freedom and responsibility.

**Reasonable Limits:**

39. The rights, freedoms and responsibilities expressed within this Constitution are subject to reasonable limits, as may be expressed by Lax Kw'alaams law, that are:
  - (1) consistent with maintaining the promise and meaning of each right, freedom, and responsibility; and
  - (2) justified in consideration of individual, collective, democratic, traditional, cultural and environmental interests of Lax Kw'alaams.

**Exercise Citizenship Rights:**

40. Lax Kw'alaams citizens may maintain, exercise, and promote any existing rights or freedoms granted to them as citizens of any other nation or country, provided those rights are consistent with the collective self-determination of the Allied Ts'msyen Tribes of Lax Kw'alaams.

**LAX KW'ALAAMS FIRST NATION GOVERNMENT:**

***Da'ax Kw'alaams* – ‘Terraced House of Wild Roses’:**

41. The Allied Ts'msyen Tribes of Lax Kw'alaams unite together to express our collective inherent right of self-government and self-determination by creation within this *Da'ax Kw'alaams Man-Ayaawx* – Constitution, a contemporary Lax Kw'alaams Government comprised of:
  - (1) The *Wilgagoosk* - Hereditary Council;
  - (2) The Lax Kw'alaams Civic Council; and
  - (3) the various governing institutions created in accordance with this Constitution and Lax Kw'alaams law.

**Hanaa'nax Leadership:**

42. As a matrilineal society, who honours the untold generations of hanaa'nax who have led and sustained our people, the Allied Ts'msyen Tribes of Lax Kw'alaams acknowledge the distinct and prominent role hanaa'nax have in a contemporary Lax Kw'alaams Government and society.

**Youth Leadership:**

43. As an intergenerational society, we call upon our families, elders, leaders, and community to honour the hopeful promise of our youth in their right to meaningfully participate in our governance by guiding, respecting, and nurturing future generations' strength and resilience.

**Reserved Rights:**

44. Any power, right, or freedom, not expressly ceded, surrendered, conveyed or relinquished by the Allied Ts'msyen Tribes of Lax Kw'alaams is retained.

**WILGAGOOSK - HEREDITARY COUNCIL:**

***Amhalaayt* – Hereditary Council Role:**

45. The Hereditary Council will act as an independent branch of Lax Kw'alaams Government by expressing Allied Ts'msyen Tribes of Lax Kw'alaams values, customs, and traditions in the best interests of all Lax Kw'alaams citizens.
46. The Hereditary Council will respect and uphold the promise of contemporary self-government expressed by the united creation of the Lax Kw'alaams Government, law, and governing institutions.
47. Leaders of the Allied Ts'msyen Tribes of Lax Kw'alaams, including those appointed to the Hereditary Council, will promote participation in tribal affairs of Lax Kw'alaams citizens.

***Hayetsk* - Decision Making:**

48. The Hereditary Council will conduct their affairs in accordance with the customs and traditions of the Allied Ts'msyen Tribes of Lax Kw'alaams.

***Sagaytwaal* - Composition:**

49. Each of the nine Allied Ts'msyen Tribes of Lax Kw'alaams may appoint one representative and one Sigyidm-Hana'a to the Hereditary Council.
50. Hereditary Council representatives will be Lax Kw'alaams citizens.

***Stuup'l'Back of House'* – Hereditary Council Powers:**

51. The Hereditary Council will:
  - (1) Provide leadership in promoting Allied Ts'msyen Tribes of Lax Kw'alaams social cultural, and ceremonial practices and way-of-life according to our *Adaawx* and *Ayaawx*;
  - (2) Deliberate on any matter of importance to the Allied Ts'msyen Tribes of Lax Kw'alaams;
  - (3) Provide guidance on *Laxyuup* – territorial stewardship;
  - (4) Have final authority in respect of place-naming within the territory;
  - (5) Provide guidance on any matter within the authority of the Civic Council, upon request of the Civic Council, or as prescribed by law;

- (6) Represent Lax Kw'alaams citizens, and territory, in a social, cultural, and ceremonial capacity; and
- (7) Confer *amadaalx* – honours for and on behalf of the Allied Ts'msyen Tribes of Lax Kw'alaams.

***Maxsk* - Appointment of Hereditary Council Representatives:**

52. In making appointments to the Hereditary Council, leaders and members of respective tribes will consider:
  - (1) knowledge of Allied Ts'msyen Tribes of Lax Kw'alaams territory, traditions, language, values, customs and traditions and other social or ceremonial attributes;
  - (2) political, administrative, and governmental familiarity;
  - (3) the importance of *hanaa'nax* – women as leaders;
  - (4) ability to uphold the promise and principles of this Constitution; and
  - (5) any other attribute of significance to that tribe.
53. If a tribe is unable to appoint a representative or Sigyidm-Hana'a in a timely manner, the Hereditary Council may implement a dispute resolution process to guide tribal representation in the interest of all citizens.
54. The names of the Hereditary Council, and details of tribal appointment, will be public.

***Galm'algyax* – Hereditary Council Spokesperson:**

55. The Hereditary Council will appoint a Galm'algyax principal representative who is responsible for providing overall political, administrative and social leadership of the Hereditary Council by:
  - (1) Convening regular meetings of the Hereditary Council;
  - (2) Liaising with and overseeing the Allied Ts'msyen Tribes of Lax Kw'alaams Secretariat as prescribed by Lax Kw'alaams law;
  - (3) Acting as the primary contact person for all matters within the authority of the Hereditary Council;
  - (4) Acting as the principal spokesperson, where appropriate, when dealing with collective tribal affairs;

- (5) Serving as a voting member of the Civic Council;
- (6) Delegating responsibilities, on specified terms, upon consultation and approval of the Hereditary Council;
- (7) Demonstrating leadership in resolving issues arising from tribal affairs, including with the assistance of judicial bodies where appropriate; and
- (8) Acting as a champion of this Constitution and the collective promise of united Allied Ts'msyen Tribes of Lax Kw'alaams governance as expressed through the creation of the Lax Kw'alaams Government.

**Civic Council Representation:**

56. The Hereditary Council may appoint its Galmalgyax and one Sigyidm-Hana'a to participate in the affairs of the Civic Council as voting members.

***Ha'ligoot* – Referral to Civic Council:**

57. The Hereditary Council may refer issues of importance to the Civic Council for consideration.

**Allied Ts'msyen Tribes of Lax Kw'alaams Secretariat:**

58. The Civic Council, in collaboration with the Hereditary Council, will by enactment of law, establish an Allied Ts'msyen Tribes of Lax Kw'alaams Secretariat to support the Allied Ts'msyen Tribes of Lax Kw'alaams.
59. Any Allied Ts'msyen Tribes of Lax Kw'alaams Secretariat law will enable the Allied Ts'msyen Tribes of Lax Kw'alaams Secretariat to support tribal affairs including:
  - (1) Providing administrative support to the Hereditary Council;
  - (2) Maintaining records of tribal names, lineage, crests and customary titles;
  - (3) Research & genealogy; and
  - (4) Administrative support for gatherings and other events.
60. The Allied Ts'msyen Tribes of Lax Kw'alaams Secretariat will be a Public Institution.

**LAX KW'ALAAMS CIVIC COUNCIL:**

61. The Civic Council will be vested with all powers of civic government and may exercise any right, power or privilege, and may carry out any duty, function or obligation, of the Lax Kw'alaams Government, in accordance with this Constitution, and any Lax Kw'alaams law.

***Sagaytwaal* – Composition:**

62. The Civic Council will consist of:
- (1) one elected Chief Councillor;
  - (2) ten elected Civic Councillors;
  - (3) the Hereditary Council appointed Galmalg yax; and
  - (4) one Hereditary Council appointed Sigyidm-Hana'a.

**Legislative Function:**

63. The Civic Council is the primary legislative body of the Lax Kw'alaams Government and may propose, approve, amend, and rescind Lax Kw'alaams law in accordance with this Constitution and rules of procedure that may be adopted by the Civic Council.
64. The Civic Council may adopt any law of Canada on a consent basis.

***Txa'ax* 'front of house' – Civic Council Powers:**

65. The Civic Council will have authority over all matters of civic government including, but not limited to, matters within or ancillary to:
- (1) Governmental administration & procedures;
  - (2) Fiscal and other asset administration;
  - (3) Health, safety, and community wellbeing;
  - (4) Administration of justice;
  - (5) Property and civil rights;
  - (6) Economic affairs;
  - (7) Civic affairs;

- (8) Child Welfare
- (9) Wills and Estates
- (10) Public Institutions;
- (11) Citizenship;
- (12) Education;
- (13) Shelter and Infrastructure;
- (14) The relationship with other governments; and
- (15) Territorial stewardship and resource administration, including, but not limited to:
  - (i) designation and zoning of Lax Kw'alaams territory;
  - (ii) processes for acquiring interests in Lax Kw'alaams territory; and
  - (iii) consultation and public involvement in land use and development planning.

**Executive Function:**

66. The Civic Council will:
  - (1) Manage the financial affairs of the Lax Kw'alaams Government;
  - (2) Manage intergovernmental relations with other First Nations and the Crown;
  - (3) Manage the Lax Kw'alaams public service;
  - (4) Manage Lax Kw'alaams Government program and service delivery;
  - (5) Manage property held by the Lax Kw'alaams Government;
  - (6) Manage relationships with industry, labour, and civil society organizations; and
  - (7) Exercise, or delegate, any other executive function of civic government.



**Election:**

67. Election of the Chief Councillor and Civic Councillors will occur pursuant to this Constitution and any Lax Kw'alaams law.

**Term of Office:**

68. The term of office of the Chief Councillor and Civic Councillors will be 4 years.

**Chief Councillor:**

69. The Chief Councillor of the Civic Council is the head of the Lax Kw'alaams Government and head of the Civic Council.
70. The Chief Councillor has only those powers entrusted to the Chief Councillor under this Constitution and under any Lax Kw'alaams law.

***K'wūnuu* – General Referrals to Hereditary Council:**

71. The Civic Council may refer a matter to the Hereditary Council for guidance at any time, and in particular may seek guidance in respect of customary practices, traditional laws, and other matters related to the culture and society of the Allied Ts'msyen Tribes of Lax Kw'alaams.

***Yawłmx* - Transparency:**

72. The Civic Council, by enactment of law, will establish processes for access to information related to government affairs subject to reasonable limits prescribed by law.
73. The Civic Council will uphold, defend, and respect this Constitution.

**LAW MAKING:**

74. The Civic Council will establish procedures to:
  - (1) *Gyiwilanool* - Develop and pass Lax Kw'alaams law;
  - (2) *Liit'am* - Bring Lax Kw'alaams law into force and effect; and
  - (3) *Daalx* - Publish Lax Kw'alaams law.
75. The procedure for passing Lax Kw'alaams law will require that at least a majority of those who vote on a proposed Lax Kw'alaams law vote in favour of the law.

***Ts'aalt* – Hereditary Council Guidance:**

76. The Civic Council will refer proposed law to the Hereditary Council for review prior to enactment.

***T'amiis* – Registry of Laws:**

77. The Civic Council will establish and maintain a public registry of Lax Kw'alaams law.
78. The laws of the Lax Kw'alaams Government are *Ayaawx*.

***SGAN LAX KW'ALAAMS – PUBLIC INSTITUTIONS:***

79. The Civic Council may establish Public Institutions by enactment of law to perform functions of the Lax Kw'alaams Government.

**Mandate:**

80. The Civic Council, with guidance from the Hereditary Council, may provide each Public Institution with a mandate, instructions, and feedback consistent with that Public Institution's purpose.

**Director:**

81. Each Public Institution will have a director appointed by the Civic Council in accordance with Lax Kw'alaams law.

**Neutrality:**

82. Public Institutions will be neutral, equitable, efficient, and function for the benefit of all Lax Kw'alaams citizens.

**Annual Plan:**

83. Each Public Institution will provide to the Civic Council, and the Hereditary Council, a plan containing goals and objectives and an outline of steps to achieve those goals and objectives including fiscal and resource requirements on an annual basis for approval.
84. Annual plans prepared by Public Institutions will be made available to citizens.

**CITIZENSHIP:**

85. The Civic Council will enact a law in respect of Lax Kw'alaams citizenship which will set out:
- (1) the basis for individuals being entitled to Lax Kw'alaams citizenship;
  - (2) the processes and procedures for applying for citizenship; and
  - (3) the processes and procedures for appealing decisions about entitlement to citizenship.

**Lax Kw'alaams Members are Citizens:**

86. All existing members of the Lax Kw'alaams First Nation or Lax Kw'alaams Band are Lax Kw'alaams citizens.

**Birthright Citizenship**

87. Any child of a Lax Kw'alaams citizen is entitled to be a Lax Kw'alaams citizen.

**ALGYAX- LANGUAGE:**

88. The languages of the Lax Kw'alaams Government are Sm'algyax and English.
89. The Lax Kw'alaams Government will support and promote the use of Sm'algyax.

**ADMINISTRATION OF JUSTICE:**

**Self-Determination:**

90. Administration of Justice is a core aspect of Lax Kw'alaams self-determination.

**Inherent & Original Jurisdiction:**

91. The Civic Council may, by enactment of law, establish judicial institutions with inherent and original jurisdiction to:
- (1) Interpret Lax Kw'alaams law;
  - (2) Determine the validity of Lax Kw'alaams law;
  - (3) Resolve or adjudicate violations of Lax Kw'alaams law;
  - (4) Resolve or adjudicate matters arising under Lax Kw'alaams law;

- (5) Adjudicate matters between citizens by application;
- (6) Hear appeals or reconsiderations of decisions made by any decision maker with powers of decision pursuant to Lax Kw'alaams law; and
- (7) Exercise all the powers conferred and perform all the duties imposed by or under this Constitution and any Lax Kw'alaams law in relation to all matters before it.

**Hereditary Guidance in the Validity of Laws:**

92. Judicial institutions will consider any legislative guidance by the Hereditary Council in the adjudication of the validity of Lax Kw'alaams law.

**Justice & Fundamental Values:**

93. Lax Kw'alaams administration of justice is rooted within Ts'msyen customary and traditional processes for resolving disputes inherited from our ancestors.
94. In hearing or adjudicating any matter, Lax Kw'alaams judicial institutions will protect and promote:
  - (1) The collective identity and nature of Lax Kw'alaams society;
  - (2) Lax Kw'alaams relationship and responsibilities to its territory;
  - (3) Traditional knowledge and customs, spiritual beliefs and practices, language and oral history existing within Lax Kw'alaams society and culture;
  - (4) Reconciliation of Lax Kw'alaams law with other sources of law;
  - (5) Healing, mutual respect, fairness, integrity, honesty, responsibility, rehabilitation, and accountability of all beings connected to Lax Kw'alaams.

**Enabling Legislation:**

95. Lax Kw'alaams law establishing judicial institutions will ensure that principles of judicial independence, impartiality and fairness apply to Lax Kw'alaams judicial institutions.

***Sityaawda goot* 'change of mind' – Judicial Review and Appeal:**

96. The Civic Council will establish processes for review or appeal of administrative decisions made by the Lax Kw'alaams Government and Public Institutions.

**AAM LA WAAL - CODE OF CONDUCT:**

97. The Civic Council will make law providing for the standard of conduct of Lax Kw'alaams Government Councillors, Representatives and Directors.
98. The whole of the Lax Kw'alaams Government including each Public Institution, and all persons or bodies performing functions of the Lax Kw'alaams Government will:
- (1) be loyal to the Lax Kw'alaams people, and respect and uphold this Constitution;
  - (2) preserve and promote the peace, unity and well-being of Lax Kw'alaams citizens;
  - (3) protect the lands and resources of Lax Kw'alaams territory;
  - (4) provide good, effective, and accountable government; and
  - (5) exercise their powers, duties, and responsibilities in the best interests of all generations of Lax Kw'alaams people.

**FINANCIAL ADMINISTRATION & ACCOUNTABILITY:**

99. The Civic Council will enact a financial management and administration law that provides for accountable, effective, transparent and efficient use of financial resources according to standards comparable to other governments.

**KSI NIKNIITS – ELECTIONS:**

100. The Civic Council will make laws in respect of elections and referendums, including the establishment of:
- (1) qualifications of voters;
  - (2) qualifications of candidates for election to office;
  - (3) the independent office of Chief Electoral Officer to administer elections and referenda;
  - (4) procedures for the conduct of elections and referenda; and
  - (5) areas or locations within which elections or referenda will be held.

***Gox* – Hereditary Recognition:**

101. The Hereditary Council will endorse the result of any election or referendum of citizens held in accordance with this Constitution and Lax Kw'alaams law.

**REFERENDUM & CITIZEN CONSULTATION:**

102. The Civic Council, by enactment of law, will establish procedures for conducting referenda.
103. At minimum, the procedures for conducting referenda will provide for:
  - (1) Notice of referenda be available to all citizens at least thirty days before the voting date;
  - (2) At least two information meetings be held regarding the subject matter; and
  - (3) A referendum will be considered passed if at least a majority of voters, who vote in the referendum, vote in favour of the decision or question.

***Amlahaw* – Citizen Consultation:**

104. The Civic Council, by enactment of law, will establish processes of consultation with Lax Kw'alaams citizens on matters:
  - (1) of importance to Lax Kw'alaams citizens;
  - (2) that meaningfully impact the collective interests of the Allied Ts'msyen Tribes of Lax Kw'alaams;
  - (3) that meaningfully impact the rights, freedoms, and responsibilities within this Constitution; and
  - (4) such other rights that may be held or acquired by the Lax Kw'alaams Government or its citizens.

**AMENDMENT & REVIEW:**

105. This Constitution should be amended by future generations to protect and promote our collective self-determination.
106. This Constitution may be amended only in accordance with the following procedures:

- (1) The Civic Council, on its own or at the request of the Hereditary Council, may propose an amendment.
- (2) The Civic Council will refer the amendment to the Hereditary Council which will consider whether the proposed amendment is consistent with the values and principles of the Lax Kw'alaams First Nation and report the result of its consideration to the Civic Council within the time period specified in the referral.
- (3) The Civic Council may edit the proposed amendment according to the guidance received from the Hereditary Council and determine whether to proceed with the proposed amendment.
- (4) If the Civic Council decides to proceed with the proposed amendment, the Civic Council will direct a referendum be held in accordance with Lax Kw'alaams law.
- (5) If at least a majority of citizens voting in the referendum vote in favour of the proposed amendment, this Constitution is amended accordingly.

#### RATIFICATION:

107. This Constitution will have force and effect, on the effective date, when approved by at least 60% of voters who vote in a referendum held for the purpose of ratification of this Constitution.
108. The effective date of this Constitution is September 30, 2025.

#### WA'ANSK - SUPREMACY:

109. Any Lax Kw'alaams law that is inconsistent with the provisions of this Constitution is, to the extent of the inconsistency, of no force or effect.
110. This Constitution is the superior law of the Lax Kw'alaams Government.

#### **Jus Cogens:**

111. The Lax Kw'alaams Government will respect the United Nations Declaration on the Rights of Indigenous Peoples and other peremptory norms of general international law.

**TRANSITIONAL PROVISIONS:**

112. The Lax Kw'alaams Government is the successor government to the Lax Kw'alaams Band.
113. All property and interests held directly or indirectly by the Lax Kw'alaams Band will be held and managed by the Lax Kw'alaams Government.
114. The Civic Council may exercise any power or authority of the Lax Kw'alaams Band under the laws of Canada.
115. The inaugural Civic Councillors will be those elected Councillors of the Lax Kw'alaams Band at the time of ratification of this Constitution.
116. The inaugural Chief Councillor will be the elected Mayor of Lax Kw'alaams Band at the time of ratification of this Constitution.
117. The Lax Kw'alaams First Nation will hold an election pursuant to the Lax Kw'alaams Band Election Regulation or Election Code to elect the Chief Councillor and Civic Councillors during or before November 2027.
118. The existing administration of the Lax Kw'alaams Band will be managed by the Civic Council and will continue according to existing policies and procedures until altered or amended by the Civic Council.
119. Lax Kw'alaams Band affiliated organizations, departments, societies, companies, and other affiliated entities will each submit transition plans to the Civic Council, by the Effective Date, that outline steps to operate within the Lax Kw'alaams Government structure.
120. Disputes arising under Lax Kw'alaams law, including challenging the validity of Lax Kw'alaams law, may be adjudicated by a Canadian Court, until such time as Lax Kw'alaams establishes a judicial body of original jurisdiction.
121. Before a person may challenge the validity of a Lax Kw'alaams law, that person must first exhaust any other procedures established by Lax Kw'alaams law for challenging the validity of that law.
122. The leaders of the Allied Ts'msyen Tribes of Lax Kw'alaams will take steps to appoint representatives, and Sigyidm-Hanaa'nax to the Hereditary Council.
123. This Constitution will be periodically reviewed 1, 3 and 5 years after the Effective Date for amendment.