



NOTICE OF LAW AMENDMENT
Westbank First Nation Constitution (Section 60.3)
WFN Business Licence Law 2005-17

TO: Westbank First Nation Membership

DATE: August 3rd, 2018

TAKE NOTICE that in consideration of the legalization of recreational and medical cannabis by Canada on October 17th, 2018, Westbank First Nation (WFN) is considering amendments to the *WFN Business Licence Law 2005-17* (BLL). Amendments to the *WFN Safe Premises Law* (SPL) and the *WFN Land Use Law* (LUL) will also be considered due to the legalization of cannabis. The specifics of those proposed amendments will be set out on separate Notices in accordance with section 60.3 of the WFN Constitution.

Under section 4.2 of the BLL, a business license would not be issued to an operation that violates the provision of any WFN Law. The *WFN Safe Premise Law* (SPL) currently prohibits all cannabis use, including business operations on WFN Lands. An amendment to the SPL would be required prior to approval of a business license for an operator of either a recreational or medical cannabis business. Specific categories within the BLL for retail operations and grow operations along with establishment of appropriate licensing fees are contemplated.

The BLL was a Band Bylaw prior to Self-Government in 2005. It has not been updated in several years and is out-of-date in many respects. It is proposed that the BLL be amended and modernized to the same standard as WFN laws enacted after Self-Government.

Request for Feedback From WFN Members

WFN is requesting that Members provide their written comments, concerns or suggestions about this proposed law amendment. Comments must be received by 4:30pm, Friday, September 7th, 2018. Please direct all comments to:

Julia Buck
WFN Legal Counsel
301-515 Highway 97 South
Kelowna, BC, V1Z 3J2
Email: jbuck@wfn.ca

OR

Della Elliott
WFN Legal Services Supervisor
301-515 Highway 97 South
Kelowna, BC, V1Z 3J2
Email: delliott@wfn.ca

Process for Amending the Law under Part VIII of the WFN Constitution

Once all comments from Members are received and reviewed, a draft law will be prepared. The draft law will then be presented to Council for First Reading (acceptance in principle). If Council accepts the draft law in principle, a Special Membership meeting is then scheduled. At the Special Membership meeting, Council will explain the purposes and provisions of the draft law, and Members will be provided with an opportunity to ask questions and make comments. The law will then return to a Council meeting for Second Reading. Where Council has accepted the Second Reading draft law Council shall, within 30 days of Second Reading, hold a Council Meeting for the Third Reading where it will either enact the law, reject the law, refer the law to a Special Membership Meeting for enactment by Electors, or require a referendum to enact the law. For further information on this process please see Sections 60 to 64 of the WFN Constitution or contact the office of the WFN Council Secretariat/Legal Services (see contact information above).