

**LEGISLATIVE ASSEMBLY OF THE
NORTHWEST TERRITORIES
10TH ASSEMBLY, 8TH SESSION**

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LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

AN ACT RESPECTING SETTLEMENTS
IN THE NORTHWEST TERRITORIES

Statement of Purpose

The purpose of this Bill is to establish settlements and to provide for their administration, powers and duties.

Important

This Bill is tabled by the Minister of Municipal and Community Affairs for public review. This Bill does not represent the final policy of the Government of the Northwest Territories and is subject to change after public review and comment. Furthermore, changes of a technical nature can be expected to prepare the Bill for introduction in the Legislative Assembly.

AN ACT RESPECTING SETTLEMENTS
IN THE NORTHWEST TERRITORIES

The Commissioner of the Northwest Territories,
by and with the advice and consent of the
Legislative Assembly, enacts as follows:

SHORT TITLE

Short title 1. This Act may be cited as the Settlements Act. 5

INTERPRETATION

Definitions 2.(1) In this Act,

"band council" "band council" means the council of a band under
the Indian Act (Canada);

"budget" "budget" means the budget of a settlement corpora- 10
tion adopted by the council pursuant to section 55;

"chairperson" "chairperson" means the presiding council member;

"council" "council" means the council of a settlement
corporation;

"council
member" "council member" means a member of a council; 15

"councillor" "councillor" means any council member other than
the chairperson;

"election" "election" means an election of a council member
pursuant to the Local Authorities Elections Act; 20

"election day" "election day" means the day fixed for an election;

"employee" "employee" means an employee of a settlement
corporation including the senior administrative
officer;

"municipal
inspector" "municipal inspector" means a municipal inspector 25
appointed pursuant to the Cities, Towns and
Villages Act;

EXPLANATORY NOTES

New Act

"public notice"	"public notice" means the giving of a notice to the general public in accordance with section 90;	
"resolution"	"resolution" means a resolution of a council;	
"senior administrative officer"	"senior administrative officer" means the senior administrative officer of a settlement corporation appointed by a council under section 44;	5
"settlement"	"settlement" means the geographic area designated as a settlement under section 3;	
"settlement administrator"	"settlement administrator" means a settlement administrator appointed pursuant to section 73;	10
"settlement corporation"	"settlement corporation" means a corporation established under section 6 as a settlement corporation;	
"voter"	"voter" means a person who is eligible to vote at an election.	
Aboriginal rights	(2) Nothing in this Act shall be interpreted so as to affect aboriginal rights.	15

PART I

SETTLEMENTS

Establishment of settlement	3. The Minister may, on his own initiative or at the request of any person, by order declare an unincorporated community to be a settlement and fix its boundaries.	20
Provision of municipal services	4.(1) The Minister may, on behalf of the Government of the Northwest Territories, provide such municipal services and programs to the residents of a settlement as he deems appropriate.	25
Receipt of advice	(2) The Minister may, in exercising his powers under subsection (1), receive advice from any person or group of persons in the settlement.	
Variation of boundaries	5. Where the Minister considers it to be in the public interest, the Minister, upon the recommendation of the Executive Council, may, by order, vary the boundaries of a settlement and provide for such transitional matters as may be necessary.	30

PART II

SETTLEMENT CORPORATIONS

Incorporation

Settlement corporation 6.(1) Where the Minister is satisfied that the residents of a settlement desire that a settlement corporation be established, the Minister may, by order, establish a settlement corporation. 5

Contents of order (2) In an order establishing a settlement corporation, the Minister shall

- (a) specify the duties of the council; 10
- (b) specify the name of the council;
- (c) specify the composition of the council and the terms of office of its members;
- (d) specify those matters respecting the delivery of programs and services in which the settlement corporation is to act as an agent of the Government of the Northwest Territories; 15
- (e) fix the date of incorporation for the settlement corporation; 20
- (f) specify the manner in which any members of the council, who are not to be elected, are to be chosen or appointed;
- (g) specify those acts of the council that, in addition to those specified in this Act, shall be subject to the prior approval of the Minister; and 25
- (h) provide for such other matters as the Minister considers necessary.

Idem (3) In an order establishing a settlement corporation, the Minister may

- (a) define the relationship between the settlement council and the band council, if any, in or near the settlement; and
- (b) appoint an interim council to hold office until the first election. 35

Body corporate 7. A settlement corporation is a corporation, but is not a municipal corporation.

Contracts

Power to contract 8.(1) A settlement corporation has the power to contract for settlement purposes. 40

Making of contracts	(2) A council may, by resolution, provide for the making of	
	(a) contracts for and on behalf of the settlement corporation; and	
	(b) contracts with other persons for the provision of services by them on behalf of the settlement corporation.	5

Property

Power to acquire, hold and dispose of property	9.(1) A settlement corporation may acquire, hold and dispose of personal property for purposes authorized under this Act.	10
Procedural resolution	(2) A council may, by resolution, provide for the acquisition, holding and disposal of personal property belonging to the settlement corporation.	15
Prohibition	(3) No person shall sell or dispose of any property belonging to the settlement corporation, except in accordance with a resolution made pursuant to subsection (2).	

Limitations 20

Prohibition on exemptions	10.(1) No council has the power to grant any specific person an exemption from any rate, rent or other charge payable to the settlement corporation, unless specifically authorized by an Act or regulation.	25
Prohibitions	(2) No settlement corporation shall	
	(a) borrow money;	
	(b) make grants;	
	(c) make loans;	
	(d) forgive debts;	
	(e) write-off debts or assets; or	30
	(f) invest money.	

Limit on powers after election day	11.(1) During the period commencing on election day and ending on the day the term of new council members begins, no council or council member shall	35
	(a) make any resolution that will result, directly or indirectly, in an expenditure not set out in the budget for the current fiscal year;	
	(b) enter into any contract or obligation on behalf of the settlement corporation; or	40
	(c) appoint or dismiss the senior administrative officer.	

Exception	(2) Notwithstanding subsection (1), a council or council member may do those things referred to in subsection (1) where	
	(a) it is in the public interest and is urgently required; or	5
	(b) it is authorized by a resolution made prior to the election day.	

PART III

ADMINISTRATION

Settlement Councils 10

Role of council	12. Except as otherwise provided by this Act, the powers and duties of a settlement corporation shall be exercised and performed by the council.	
Term of council members	13.(1) The term of office of a council member shall not exceed three years.	15
Staggering of terms of office	(2) The terms of office of council members may be staggered.	
Election of council members	14.(1) Subject to subsection (2), the <u>Local Authorities Elections Act</u> applies to a settlement council.	20
Appointment of council members	(2) The Minister may appoint up to two-thirds of the council members.	
Resolutions	15.(1) Every council shall exercise its powers and perform its duties by resolution.	
By-laws	(2) No council has the power to make by-laws.	25
Effect of order changing number of council members	16. An order varying the number of council members	
	(a) shall not affect the term of office of any council member in office at the time the order is made;	
	(b) shall apply to the next general election in respect of elected council members; and	30
	(c) may apply before the next general election in respect of non-elected council members.	

Oath of office	17. Every council member shall, before taking office, take an oath or affirmation as follows: "I, _____, do solemnly and sincerely promise and swear (affirm) that I will duly, faithfully and to the best of my skill and knowledge, execute the powers and trust reposed in me as a (name of office)."	5
Ineligibility	18. A council member who, subsequent to his election, would not be eligible to be a candidate shall vacate his seat and cease to be a chairperson or councillor, as the case may be.	10
Corporate seal	19. Every settlement corporation shall have a corporate seal.	

Meetings of Council

Place of business	20. Every council shall hold its meetings and transact its business only within the settlement, unless the council by resolution provides otherwise.	15
Language of business	21.(1) A council may conduct its meetings and transact its business in the language of its choice.	20
Translations of proceedings	(2) A council may provide a translation of its proceedings in a language of its choice, during or after the proceedings.	
Language of records	22.(1) The resolutions and minutes of every council must be in English.	25
Translations of records	(2) A council may provide a translation of its resolutions and minutes in a language of its choice.	
Quorum	23. A quorum for a council is a majority of the number of council members who comprise the council.	30
Public meetings	24.(1) Subject to this section, every council shall hold its regular, special and committee meetings in public.	
Exclusion from meetings	(2) No person shall be excluded from any meeting of a council or a committee of council except for improper conduct.	35

Private meetings	<p>(3) A council or a committee of council may, by resolution, authorize its meeting to be closed to the public where</p> <p>(a) it is of the opinion that to do so is in the public interest; and</p> <p>(b) the resolution is made by at least two-thirds of the council members present.</p>	5
Limitation on power	<p>(4) A council has no power, at a meeting that is closed to the public, to make a resolution, other than a resolution to revert to a public meeting.</p>	10
First meeting of council	<p>25. The first meeting of a council following a general election must be held no later than twenty-eight days after the election day at such time and place as the chairperson designates.</p>	
Regular meetings	<p>26. Every council shall hold at least one regular meeting each month at such time and place as the council fixes by resolution.</p>	15
Public notice	<p>27. The council shall ensure that public notice of the time and place of each regular meeting of council is given at least three days prior to the meeting.</p>	20
Special meetings	<p>28.(1) The senior administrative officer shall call a special meeting of the council if requested to do so in writing by</p> <p>(a) the chairperson; or</p> <p>(b) two councillors.</p>	25
Notice of special meeting	<p>(2) The senior administrative officer shall, at least forty-eight hours in advance, give notice of the time and place of the special meeting and the nature of the business to be transacted at the special meeting.</p>	30
Method of notice	<p>(3) The notice referred to in subsection (2) must be given by</p> <p>(a) posting a copy of the notice in a conspicuous place in the office of the settlement corporation; and</p> <p>(b) delivering a copy of the notice to each council member or to a place designated by a council member for this purpose.</p>	35
Limit on nature of business	<p>(4) No council shall transact any business at a special meeting other than what was specified in the notice of the special meeting, unless all council members are present at the special meeting and they all agree to it.</p>	40

Waiver of notice	29. If all council members are present, they may, by unanimous consent, waive notice of a meeting and hold a meeting at any time.	
Rules of procedure for council	30. Every council shall, by resolution, make rules respecting	5
	(a) the calling of meetings of council and its committees;	
	(b) the procedure of the council;	
	(c) the behaviour of council members and other persons present at meetings of council and its committees;	10
	(d) the establishment, appointment and duties of committees of council; and	
	(e) the general transaction of its business.	
Rules for public meetings	31. A council may, by resolution, make rules respecting	15
	(a) the calling of public meetings;	
	(b) the procedure at public meetings; and	
	(c) the behaviour of persons at public meetings.	20
Validity of resolutions	32.(1) Subject to this Act, a resolution is not valid unless a majority of the council members present and entitled to vote at a duly constituted meeting of council vote in favour of it.	
Idem	(2) A resolution is not invalid by reason only that	25
	(a) the election of a council member is invalid; or	
	(b) a council member is disqualified from serving on a council,	30
	if the resolution was validly made by a duly constituted council.	
Council Members		
Entitlement to vote	33. Every council member has one vote at a meeting of council or committees of council.	35
Deemed resignation for non-attendance	34. A council may, by resolution, provide that, where any council member is absent from regular meetings of council, without the prior consent of the council, more than a certain number of times specified in the resolution, the council member shall be deemed to have resigned.	40

Indemnities and allowances to council members 35. Subject to this Act, a council may, by resolution, provide for the payment of

- (a) an annual indemnity to
 - (i) the chairperson, and
 - (ii) the councillors;
- (b) an indemnity to council members for attending meetings of council or for performing any other duties; and
- (c) a reasonable allowance for expenses necessarily incurred in the performance of a council member's duties.

Protection for council members 36. Subject to the Conflict of Interest Act, no council member is liable to any civil action, prosecution, arrest, imprisonment or damages by reason of

- (a) anything said by the council member in a meeting of council or a committee of council; or
- (b) anything brought before council or a committee of council by the council member,

unless it is said or brought with malicious intent.

Records

Record of voting 37. The senior administrative officer shall record in the minutes the name of each council member and how that council member voted where

- (a) a recorded vote is demanded by a council member; or
- (b) the vote requires more than a majority.

Keeping of minutes 38.(1) The senior administrative officer shall record, legibly and in writing, the minutes of the proceedings of all meetings of the council and shall certify them as correct.

Adoption of minutes (2) Every council shall, after correcting any errors, adopt the certified record of its minutes after which the mayor or other presiding council member shall sign them.

Public inspection of records 39.(1) The minutes of all meetings of every council and its committees must be open for public inspection once they have been adopted by the council.

Copies of records (2) Any person may receive copies of all or any part of the minutes of a council upon the payment of a fee to be determined by resolution.

Chairperson

Presiding council member	40.(1) The chairperson shall preside at all meetings of the council.	
Senior executive officer	(2) The chairperson is the senior executive officer of the settlement corporation.	5
Maintaining order	(3) The chairperson shall maintain order and decorum at all meetings of the council and shall decide all questions of order subject to appeal to the council as a whole.	
Responsibility to council	41.(1) The chairperson, as senior executive officer of a settlement corporation, shall communicate to the council such information and recommend to it such measures, within the authority of the council, as, in the chairperson's opinion, may be necessary in the public interest.	10 15
Direction to senior administrative officer	(2) The chairperson shall provide direction to the senior administrative officer of the settlement corporation.	
Membership in all committees	42. The chairperson is, by virtue of his office, a member of all committees of the council, and possesses all the rights, privileges, powers and duties of such membership.	20
Deputy chairperson	43.(1) A council may appoint a council member to be the deputy chairperson.	25
Duties of deputy chairperson	(2) The deputy chairperson (a) shall perform the duties and may exercise the powers of the chairperson when the chairperson is absent or unable to act; and (b) shall perform such other duties and may exercise such other powers, subject to the authority of the chairperson, as the council may determine.	30
	Senior Administrative Officer	35
Senior administrative officer	44.(1) Every council shall, by resolution, appoint a senior administrative officer.	
Status	(2) The senior administrative officer is an employee.	40

Change in title	(3) A council may call the senior administrative officer by another name, for the purposes of the settlement corporation.	
Acting senior administrative officer	45. The council may appoint an employee to act on behalf of the senior administrative officer where the senior administrative officer is absent or unable to act.	5
Prohibited senior administrative officer	46.(1) No council shall appoint as a senior administrative officer any person who has a direct or indirect interest in a contract with the settlement corporation.	10
Conflict of interest	(2) No senior administrative officer shall have any direct or indirect interest in a contract with the settlement corporation.	
Dismissal for conflict of interest	(3) A senior administrative officer who acquires an interest in a contract with the settlement corporation may be dismissed without notice and without compensation.	15
Exceptions	(4) This section does not apply to contracts	
	(a) for the purchase of a residence or land upon which to build a residence to be occupied by the senior administrative officer or the officer's dependants;	20
	(b) for the supply of a utility or other service generally available at common rates to members of the public; or	25
	(c) of employment or for benefits related to employment.	
Bonding	47.(1) The following persons must be bonded in such amount, for such risks and with such surety as the council directs:	30
	(a) the senior administrative officer; and	
	(b) such other employees as the council may require.	
Costs of bonding	(2) The costs of the bonding required by subsection (1) must be paid by the settlement corporation.	35
Delegation by council	48.(1) The senior administrative officer shall perform such duties and exercise such powers of the council as the council may delegate other than the power to make resolutions.	40

Other duties

- (2) The senior administrative officer, subject to the direction of the chairperson, shall
- (a) supervise and direct the affairs of the settlement corporation and its other employees; 5
 - (b) implement the policies of the council;
 - (c) provide advice to the council;
 - (d) inspect and report on works of the settlement corporation as required by the council; 10
 - (e) ensure that estimates of revenues and expenditures are prepared in accordance with this Act;
 - (f) ensure that the financial statements of the settlement corporation are prepared in accordance with this Act; 15
 - (g) ensure that all contracts of the settlement corporation are prepared and executed as required by the council;
 - (h) have custody of the seal of the settlement corporation and cause it to be affixed to documents when required; 20
 - (i) attend all meetings of the council and record accurately all its resolutions, decisions and proceedings; 25
 - (j) prepare and have custody of the minutes and other records of the council and its committees;
 - (k) provide copies of minutes and other public documents of the settlement corporation in accordance with this Act; 30
 - (l) ensure the safekeeping of all funds and securities of the settlement corporation;
 - (m) collect and receive all moneys belonging to or owing to the settlement corporation; 35
 - (n) ensure that all disbursements of the funds of the settlement corporation comply with this Act and any applicable resolution;
 - (o) ensure that complete and accurate accounts are kept of all moneys received and disbursed on behalf of the settlement corporation; 40
 - (p) ensure that complete and accurate accounts are kept of all assets and liabilities of the settlement corporation and all transactions affecting the financial position of the settlement corporation; 45
 - (q) ensure that the financial statements of the settlement corporation are prepared annually in accordance with this Act and at such further times as the council may direct; and 50
 - (r) provide such financial information respecting the settlement corporation as the Minister may require. 55

Powers related to financial control (3) The senior administrative officer may
 (a) inspect any financial record of the settlement corporation; and
 (b) give directions to any employee of the settlement corporation in order to perform his duties. 5

Employees

Employees 49.(1) A council may employ such persons as the council deems necessary to carry out the business of the settlement corporation. 10

Holding multiple offices or positions (2) A council may allow one person to hold two or more offices or positions.

Prohibited employees 50. No council shall appoint a council member to any salaried office or employment in the settlement corporation. 15

Terms of employment 51. A council may
 (a) establish the remuneration and benefits of employees;
 (b) establish hours of work and terms of employment; 20
 (c) provide for the manner of appointment, promotion, discipline and dismissal of employees;
 (d) provide retirement, death or disability benefits to employees, either independently or pursuant to the Municipal Employees Benefits Act; and 25
 (e) on behalf of the settlement corporation, enter into collective or other agreements with employees. 30

Indemnification of employees 52. A council may
 (a) provide for the indemnification of employees who are sued in connection with the performance of the employee's duties or the conduct of the settlement corporation's business; 35
 (b) establish the terms and conditions of the indemnity;
 (c) establish the risks and positions that will be covered. 40

Prohibition on paying employees' fines 53. No settlement corporation shall pay any fine imposed on an employee found guilty of an offence under the law of Canada or the Northwest Territories. 45

PART IV
FINANCIAL AFFAIRS

Budgets

Fiscal year	54. The fiscal year for a settlement corporation is the period commencing on the first day of April and ending on the thirty-first day of March in the following year.	5
Adoption of budget	55.(1) Every council shall prior to each fiscal year, adopt a budget for the fiscal year.	
Contents of budget	(2) The budget must include estimates of	10
	(a) all expenditures to be incurred by the settlement corporation, including	
	(i) payments in respect of debts,	
	(ii) operating expenditures, and	15
(iii) capital expenditures;		
(b) all revenues to be received by the settlement corporation, including		
(i) charges for services, and		
(ii) grants and contributions; and	20	
(c) any sum required to meet a deficit of the settlement corporation, if any, in the preceding fiscal year.		
Forwarding copy of budget	56. Every council shall ensure that a copy of the budget is forwarded to the Minister or his designate.	25
Surplus	57.(1) A settlement corporation may save any surplus at the end of a fiscal year for use in future fiscal years.	
Deficit	(2) Every settlement corporation shall eliminate any deficit at the end of a fiscal year by the end of the next fiscal year.	30

Expenditures and Disbursements

Expenditure control	58.(1) No person shall incur an expenditure on behalf of the settlement corporation that is not included in or is inconsistent with the budget for the fiscal year.	35
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Exception	(2) Notwithstanding subsection (1), where (a) a council has not yet adopted a budget, or (b) an expenditure is not included or is inconsistent with the budget, a person may incur an expenditure on behalf of the settlement corporation, if the expenditure (c) is one that the settlement corporation is legally obligated to incur, or (d) is authorized by the council.	5
Deposit of moneys	59. The senior administrative officer shall ensure that all moneys received by or on behalf of the settlement corporation are deposited in accounts in banks designated by the council.	10
Disbursements	60.(1) Every disbursement of money belonging to the settlement corporation must be made by a cheque or other negotiable instrument that is (a) drawn on or made from a bank account referred to in section 59; and (b) signed or authorized by (i) the chairperson or such other council member as the council designates, and (ii) the senior administrative officer.	15 20
Petty cash funds and imprest bank accounts	(2) Notwithstanding subsection (1), the council may authorize the establishment and use of petty cash funds and imprest bank accounts.	25
General settlement fund	61. Every settlement corporation shall have a fund, to be known as the general settlement fund, composed of all moneys belonging to the settlement corporation, whether received or receivable.	30

Financial Statements

Preparation of financial statements	62.(1) The senior administrative officer shall ensure that financial statements of the settlement corporation are prepared for each financial year.	35
Contents of financial statements	(2) The financial statements must include (a) a statement of assets and liabilities of the settlement corporation presenting fairly the financial position of the settlement corporation as at the end of the fiscal year; (b) a statement of expenditures and revenues of the settlement corporation showing the results of operations for the fiscal year;	40

	(c) a statement of changes in financial position of the settlement corporation for the fiscal year;	
	(d) a list of all capital assets disposed of by the settlement corporation during the fiscal year;	5
	(e) any statement, report, schedule, account, note, explanation or information relating to the financial statements that the council considers necessary or advisable; and	10
	(f) the report of the auditor on his examination of the accounts and financial transactions of the settlement corporation.	
Requirements of financial statements	(3) The financial statements must be prepared	15
	(a) in accordance with generally accepted accounting principles;	
	(b) on a basis consistent with that of the preceding fiscal year or another disclosed basis; and	20
	(c) in accordance with guidelines issued by the Minister.	
Time of submission	(4) The financial statements must be submitted to the Minister no later than one hundred and twenty days after the end of the fiscal year.	25
Auditor	63.(1) Every council shall appoint an auditor for the settlement corporation.	
Prohibited auditors	(2) No person or firm shall be appointed as an auditor who, at the time of appointment or during the current or preceding fiscal year,	30
	(a) is or was a council member;	
	(b) is or was an officer of the settlement corporation; or	
	(c) has or had, directly or indirectly, any interest in a contract or employment with the settlement corporation, other than as an auditor.	35
Notice of appointment	(3) Every council shall give written notice to the Minister of the appointment or revocation of an auditor, within thirty days of the appointment or revocation.	40
Compulsory revocation of appointment	64. The Minister may, by written notice, require a council to revoke the appointment of an auditor where, in the opinion of the Minister, the auditor	
	(a) is incapable of satisfactorily performing the duties of auditor; or	45

	(b) has failed to satisfactorily carry out his duties under this Act.	
Auditor's report	65.(1) An auditor shall report annually to the council on the results of his examination of the accounts and financial statements of the settlement corporation and shall	5
	(a) state whether, in his opinion,	
	(i) the financial statements present fairly the financial position as at the end of the fiscal year and the results of the operations and the changes in financial positions for that fiscal year in accordance with an appropriate disclosed basis of accounting consistently applied,	10
	(ii) proper books of account have been kept and the financial statements are in agreement with the books of account, and	15
	(iii) the transactions that have come under his notice are in accordance with	20
	(A) this Act and the regulations,	
	(B) the resolutions of the settlement corporation; and	25
	(b) report on any other matter falling within the scope of his examination that, in his opinion, should be commented on.	
Powers of auditor	(2) An auditor may require any council member or any employee of the settlement corporation	30
	(a) to produce all records kept in respect of the administration of the settlement corporation; and	
	(b) to provide such information and explanations as the auditor deems necessary.	35
Place of audit	66. An auditor must conduct the audit in the settlement, unless the auditor obtains the permission of the council or a judge to conduct it elsewhere.	
	Revenue	40
Charges for services	67. A council may provide for the establishment, levy and collection of charges for services provided by the settlement corporation.	

PART V
ENFORCEMENT

Offence

Obstructing municipal inspector or settlement administrator 68. Every person who wilfully obstructs or interferes with (a) a municipal inspector, or (b) a settlement administrator, in the performance of that person's duties under this Act or a resolution, is guilty of an offence. 5

Municipal Inspectors 10

Appointment 69. Municipal inspectors appointed pursuant to the Cities, Towns and Villages Act are municipal inspectors for the purposes of this Act.

Mandatory inspections 70. Every settlement corporation, at least once a year and at such other times as the Minister may require, must have its 15

(a) records, books and accounts examined,
(b) management and administration reviewed, and
(c) financial affairs examined, by a municipal inspector. 20

Report 71.(1) Every municipal inspector shall prepare a report on the examinations and reviews made pursuant to section 70 and submit it to the Minister. 25

Contents of report (2) The report of a municipal inspector may include (a) a statement describing any violation of this Act or the resolutions of the settlement corporation that, in the opinion of the municipal inspector, has occurred; and (b) recommendations on action to be taken by the settlement corporation or the Minister. 30 35

Forwarding copy of report (3) Every municipal inspector shall forward a copy of the report to the chairperson, unless the Minister otherwise directs.

Powers of municipal inspector 72. A municipal inspector may, for the purpose of section 70, (a) inspect or require the production of any record, book, account or document of the settlement corporation and make copies of it; 40

- (b) require any council member or employee of the settlement corporation or any person managing or administering money belonging to the settlement corporation to provide such information and explanations as are necessary; 5
- (c) examine any council member or employee of the settlement corporation or any person managing or administering money belonging to the settlement corporation under oath or require such person to provide a statement under oath; 10
- (d) enter settlement premises at any reasonable time; 15
- (e) obtain from a bank or other financial institution any financial information it may have respecting the settlement corporation; or 15
- (f) exercise the powers of a commissioner for oaths. 20

Settlement Administrator

Order placing settlement corporation under control of settlement administrator	73.(1) The Minister may, by order, declare a settlement corporation to be under the control of a settlement administrator, where <ul style="list-style-type: none"> (a) the settlement corporation is incapable of meeting its financial obligations; 25 (b) the council has failed to perform a duty required of it by this Act or any other Act; or (c) the Minister is of the opinion that for other reasons it is in the best interests of the settlement corporation that it be under the control of a settlement administrator. 30 	
Contents of order	(2) The order under subsection (1) must <ul style="list-style-type: none"> (a) appoint the settlement administrator; and (b) state the term of the settlement administrator, if any. 35 	
Effect of order	74. Where an order has been made under section 73, the council members shall be deemed to have retired from office and the council shall remain vacant until after a new election is held pursuant to section 84. 40	
Powers and duties of settlement administrator	75. Subject to this Act, a settlement administrator may exercise the powers and shall perform the duties of a council under this Act. 45	

Limit on powers of settlement administrator	76. No settlement administrator shall incur any expenditure or liability on behalf of the settlement corporation without the approval of the Minister.	
Bonding	77.(1) Every settlement administrator must be bonded in such amount as the Minister determines.	5
Costs of bonding	(2) The settlement corporation shall pay the costs of bonding a settlement administrator.	
Directions of Minister	78. The Minister may, by order or otherwise, direct a settlement administrator in the exercise of his powers or the performance of his duties.	10
Settlement advisory committee	79.(1) The Minister may, by order, establish a settlement advisory committee composed of at least two members.	
Members	(2) The members of the settlement advisory committee must be appointed by the Minister from among the residents of the settlement.	15
Duty of settlement advisory committee	(3) A settlement advisory committee shall advise a settlement administrator in the exercise of his powers and the performance of his duties.	20
Disposal of property	80. Subject to direction from the Minister, a settlement administrator may dispose of any property belonging to the settlement corporation as may be necessary to satisfy any of its outstanding debts.	25
Books of account	81.(1) A settlement administrator shall ensure that accurate books of account are kept, relating to the financial affairs of the settlement corporation.	30
Inspection of books of account	(2) The books of account referred to in subsection (1) must be open to inspection by the Minister or any person designated by the Minister.	
Financial statements	82.(1) Every settlement administrator shall provide to the Minister	35
	(a) a balance sheet that presents fairly the financial position of the settlement corporation; and	
	(b) a statement of income that presents fairly the operating results of the settlement corporation.	40

Time of submission	(2) The statements referred to in subsection (1) must be submitted at the end of each calendar month or at the end of such shorter period of time as the Minister may require.	
Costs of settlement administrator	83. The costs of a settlement administrator, including (a) remuneration at a rate to be prescribed by regulation, and (b) all reasonable living and travelling expenses, must be paid out of the funds of the settlement corporation.	5 10
Return of control to council	84. Where the Minister is of the opinion that a settlement corporation under the control of an administrator should be returned to the control of a council, the Minister may (a) revoke the order issued pursuant to section 73; and (b) by order, establish an election date for new council members and provide for their election in the same manner as the first election of a council.	15 20

PART VI

DISSOLUTION

Order of dissolution	85. The Minister may, by order, dissolve a settlement corporation where he is satisfied that (a) the settlement corporation is unable to continue in operation for financial or other reasons; and (b) due provision has been made for winding up the affairs of the settlement corporation, the payment of all its debts and the satisfaction of all its obligations.	25 30
Liquidator	86. The Minister may appoint a liquidator to (a) wind up the affairs, (b) pay all the debts, (c) satisfy all the obligations, and (d) transfer all the assets of a settlement corporation that is to be dissolved.	35 40
Transfer of assets	87. All the assets of a dissolved settlement corporation must be transferred to the Government of the Northwest Territories, upon such terms and conditions as the Minister may require.	

Ownership
of receivables

88. All revenues of a dissolved settlement corporation not yet received by it belong to the Government of the Northwest Territories and may be collected accordingly.

PART VII

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GENERAL

Order varying
time

89. The Minister may, by order, vary the time required by this Act for the doing of any thing, whether the time has passed or not, where the thing cannot or has not been done.

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Public notice

90. When public notice is required under this Act, the notice must be given to the general public in any one or more of the following ways:

(a) by inserting the notice at least once in a newspaper circulating in the settlement;

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(b) by mailing or delivering a copy of the notice to each voter in the settlement;

(c) by causing announcements to be made on a radio or television station received in the settlement on at least three separate days; or

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(d) by posting a notice in at least five widely separated and conspicuous places in the settlement.

Regulations

91. The Commissioner may, upon the recommendation of the Minister, make regulations

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(a) prescribing such forms as are necessary or advisable in carrying out the provisions of this Act; and

(b) prescribing any matter or thing that by this Act may or is to be prescribed by regulation.

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Coming into
force

92. This Act shall come into force on a day or days to be fixed by order of the Commissioner.