



Gitga'at First Nation

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GITGA'AT FIRST NATION CHRISTMAS BONUS POLICY

This Policy is dated for reference December 1, 2022.

BACKGROUND

- A. Gitga'at First Nation Council has, from time to time, and in its sole discretion, approved provision of Christmas Bonus Payments for the benefit of members.
- B. The Christmas Bonus Payment is intended to recognize and encourage long term commitment and contribution to the Gitga'at First Nation membership and community, and to its social, cultural, spiritual and economic wellbeing.
- C. Gitga'at First Nation wishes to implement a policy clarifying eligibility for, and conditions associated with, the Christmas Bonus Payment.
- D. Council has, by Band Council Resolution, adopted this Christmas Bonus Policy.

1. Definitions

1.1 For the purposes of this policy,

- (a) "Council" means the governing council of the Gitga'at First Nation elected pursuant to the Gitga'at First Nation Custom Election Code;
- (b) "Christmas Bonus Payment" means a discretionary gift approved by Council to eligible Members of Gitga'at First Nation in December of a given year, in an amount determined by Council in its sole discretion;
- (c) "Debt" means money owed by a Gitga'at Member to the Gitga'at First Nation;
- (d) "in good standing" means, in relation to a Gitga'at Member, that the Member does not owe any money, including fees, taxes and penalties, to the Gitga'at First Nation or any of its entities;
- (e) "Member" and "Gitga'at Member" each mean a person whose name appears on the Band List of the Gitga'at First Nation or who is entitled to have his or her name appear on the Band List of the Gitga'at First Nation; and
- (f) "own-source revenue" means income that the Gitga'at First Nation raises by collecting taxes and resource revenues or by generating business and other income, but does not include funds received by the Gitga'at First Nation from other governments, organizations or individuals containing restrictions on distribution or use that are incompatible with this policy.

2. Christmas Bonus Payment

- 2.1 Council may, in its absolute discretion, approve the provision of a Christmas Bonus Payment, from Gitga'at First Nation own-source revenue, to a Member, in accordance with this policy.
- 2.2 A central purpose of the Christmas Bonus Payment, and associated eligibility requirements as set out in this policy, is to recognize and encourage long term commitment and contribution to the Gitga'at First Nation membership and community, and to its social, cultural, spiritual and economic wellbeing.

3. Eligibility for Christmas Bonus Payment

- 3.1 Subject to section 3.2, in order to be eligible to receive the Christmas Bonus Payment under section 2.1, a Member must on the date of payment:
- (a) *have been a registered Member in good standing of the Gitga'at First Nation for all of the five consecutive years that precede the date of the Christmas Bonus Payment (or, in the case of a Member aged 5 years or younger, have been a registered Member in good standing from the time of initial registration as a Member); and*
 - (b) *if requested by the Council or the Chief Executive Officer of the Gitga'at First Nation, establish the length of the Member's membership in the Gitga'at First Nation to the satisfaction of the Council or the Chief Executive Officer.*
- 3.2 Council may, in its sole and absolute discretion, approve a Christmas Bonus Payment to a Member who is ineligible to receive a Christmas Bonus Payment under section 3.1 (a) if Council is satisfied that the payment is in keeping with the purpose described in section 2.2.
- 3.3 A decision of the Council made under section 2 or 3 of this policy is final, binding and may not be appealed.

4. Notice of Eligibility Requirement

- 4.1 Council may direct the Gitga'at First Nation membership registry clerk to notify persons applying to be registered as Members of the eligibility requirements for the Christmas Bonus Payment set out in section 3 of this policy.

5. Set-Off and Hold-Backs

- 5.1 Where a Member who is eligible to receive a Christmas Bonus Payment under section 3.1 (a) or has been approved to receive a Christmas Bonus Payment under section 3.2 owes a Debt and payments on that Debt are not in good standing to the satisfaction of the Council or the Chief Executive Officer, then the Council or the Chief Executive Officer may withhold all or a portion of the Christmas Bonus Payment, not exceeding the amount of the Debt, from that Member and apply the withheld amount to the Debt as a set-off.

6. Application of this Policy

- 6.1 (a) This Christmas Bonus Payments Policy is a policy only and does not have the force of law or bylaw.
- (b) *This policy must be interpreted and implemented in accordance with applicable by-laws and laws of the Gitga'at First Nation, British Columbia and Canada.*
- (c) *No action lies against the Gitga'at First Nation, Council, or any individual for anything that is done or not done pursuant to or in respect of this policy.*


As per motion December 1, 2022, voting in favor of the bylaw are the following volunteers of Council:



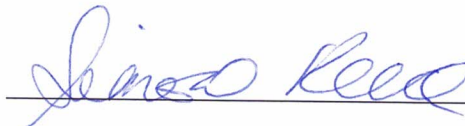
Arnold Clifton, Chief Councilor



Bruce Reece, Councilor



Cameron Hill, Councilor



Simone Reece, Councilor



Marven Robinson, Councilor