

# **ABORIGINAL SPORT CIRCLE OF THE WESTERN ARCTIC**

## **BY-LAWS**

### ***By-Law 1 - DEFINITIONS***

- 1.1 In these By-laws and all other By-laws and Resolutions of “The Circle of the Western Arctic” unless otherwise requires:
- (a) “Aboriginal” refers to First Nations and Indigenous persons of Indian (including Non-status Indian), Métis or Inuit ancestry;
  - (b) “Annual General Assembly” means the annual General Assembly or “Special General Assembly of Members of the Circle of the Western Arctic held in each year;
  - (c) “A Member” means an individual or organization as described in By-Law 3;
  - (d) “An Individual Member” means those Members described in By Laws 3.1.2;
  - (e) “An Associate Member “means those Members described in By Law 3.1.3;
  - (f) “Board of Directors” means the board of directors of the Circle of the Western Arctic;
  - (g) "Chairperson" means the chairperson of the Circle of the Western Arctic selected by the Directors from amongst themselves;
  - (h) “A Delegate” means an individual elected or selected by a Regional Aboriginal Sports Organization to represent the Regional Aboriginal Sports Organization at General Assemblies of the Circle of the Western Arctic;
  - (i) "Director" means a member of the Board of Directors;
  - (j) "Officers" mean the Officers of the Circle of the Western Arctic described in By-Law 9.1;
  - (k) “A Regional Aboriginal Sport Organization” means the Regional sport organization which represents the largest percentage of all Aboriginal persons in that region, including, but not limited to the Inuvialuit, Gwich'in, Sahtu, North Slave (Treaty 11, Dogrib & Yellowknife), South Slave and Deh Cho region;
  - (l) “A Representative” means an individual elected or selected by an Associate Member to represent the Associate Member at General Assemblies of the Circle of the Western Arctic;
  - (m) “Vice Chairperson” means the Officer of the Circle of the Western Arctic described in By-Law 10.4;

(n) "Treasurer" means the Officer of the Circle of the Western Arctic appointed by the Board of Directors to carry out the duties described in By Law 10.5;

(o) "Secretary" means the Officer of the Circle of the Western Arctic appointed by the Board of Directors to carry out the duties described in By-Law 10.6;

(p) "Special General Assembly" means a Special General Assembly of Members, described in By-Law 5.2;

(q) "Proxy Vote" means an instrument giving authority or power to act for another. Appointing a proxy shall be in writing and signed by the appointee, and the person named in the proxy shall be a voting member for that meeting and he/she will be entitled to vote and take part in the said meeting and shall have the same right and duties as his/her appointee would have entitled to;

(r) "Extraordinary Resolution" means a resolution passed by a majority of not less than    of the membership of the Circle of the Western Arctic who are entitled to as present, at a general meeting of which notice specifying the intention to propose the resolution as an extraordinary resolution has been given in manner provided by the By-Laws:

## **By-Law 2 - CORPORATE SEAL**

2.1 The seal, an impression of which is stamped in the margin hereto shall be the seal of the Aboriginal Sport Circle of the Western Arctic.

## **By-Law 3 - MEMBERS**

3.1 Categories and Conditions of Membership. Membership in the Circle of the Western Arctic shall be limited to persons interested in furthering the objectives of the Circle of the Western Arctic and shall consist of the following categories of Membership:

3.1.1 Territorial Aboriginal Sport Organizations which shall, except as otherwise specifically provided herein, be Members commencing at the conclusion of the Annual General Meeting at which their application for Membership is approved. Regional Aboriginal Sport Organizations shall be represented by one (1) or two (2) Delegates as determined from time to time by the General Assembly. Each Delegate shall have one (1) vote at General Assemblies of the Circle of the Western Arctic.

3.1.2 Individual Members which shall consist of such persons as Aboriginal athletes, coaches, trainers, officials, Aboriginal sport and recreation leaders, appointed for such period as may be specified by the Board of Directors at the time of appointment of such Individual Members. Individual Members shall be entitled to speak and move motions at General Assemblies of the Circle of the Western Arctic but shall have no vote.

- 3.1.3 Associate Members which shall consist of such organizations which may be appointed for such period as may be specified by the Board of Directors at the time of appointment of such Associate Members. Representatives of Associate Members shall be entitled to speak and move motions at General Assemblies of the Circle of the Western Arctic but shall have no vote.
- 3.2 Membership Fees. There shall be no membership fees or dues unless otherwise determined by resolution of the Board of Directors.
- 3.3 Resignation. Members may withdraw from the Circle of the Western Arctic by delivering a letter to the Executive Director stating that the Member intends to withdraw from the Circle of the Western Arctic. The withdrawal becomes effective fifteen (15) days after receipt of the letter or such later date as is specified in the letter.
- 3.4 Removal. Any Member may be removed as a Member by a vote of at least sixty-seven percent (67%) of the Voting Members at a Meeting, provided that such Member and their respective Regional Sport Organization shall be given an opportunity to be heard at or prior to such meeting.
- 3.5 Membership Not Transferable. The interest of a Member in the Circle of the Western Arctic is not, directly or indirectly, transferable.

**By Law 4 - BOARD OF DIRECTORS**

**4.1 Number and Qualification**

- 4.1.1 The property and business of the Circle of the Western Arctic shall be managed by the Board of Directors composed of a maximum of Twelve (12) and a minimum of six (6) Directors.
- 4.1.2 The number of Directors shall be fixed by the Delegates from time to time and shall reflect the Aboriginal population that exist in the territory, including but not limited to the Inuvialuit, Gwich'in, Shatu, North Slave, South Slave and Deh Cho regions, subject to a maximum of two (2) per region.
- 4.1.3 Directors shall be individuals who are at least eighteen (18) years of age with with power to contract. A Director must be a Delegate.
- 4.1.4 A Director shall represent and be accountable to the respective Regional Aboriginal Sports Organization that mandated that Director;

**4.2 Selection and Term**

- 4.2.1 Directors shall be selected and shall retire in rotation with fifty percent (50%) of the Directors appointed in even years and the balance of Directors appointed in odd years. Directors shall be selected to hold office for a two year term or until

their successors are selected, provided that no Director may hold office for more than three (3) consecutive terms.

- 4.3 Office Automatically Vacated. The office of a Director shall be automatically vacated:
- 4.3.1 If he or she resigns his or her office by delivering a written resignation to the Executive Director of the Circle of the Western Arctic;
  - 4.3.2 if he or she is found by a court to be of unsound mind;
  - 4.3.3 on death.
- 4.4 If a vacancy occurs for any reason, the original appointing body, or if it fails to do so, the Board of Directors may fill the vacancy. If a General Assembly of Members fails to elect the number of Directors required under these By-laws of the Circle of the Western Arctic, or if a vacancy occurs as a result of any of the foregoing reasons which is not filled by the Board of Directors, the remaining Directors in office may exercise all the powers of the Board of Directors, provided that such remaining Directors constitute a quorum of Directors.
- 4.5 Resignation. A retiring Director whose resignation stipulates that it is not to be effective until a certain meeting of the Board of Directors or General Assembly of Members shall remain in office until the dissolution or adjournment of the meeting or General Assembly at which the resignation is to be effective.

#### **By-Law 5 - GENERAL ASSEMBLIES OF THE MEMBERS**

- 5.1 General Assemblies. General Assemblies shall be either an Annual General Assembly or Special General Assembly. All General Assemblies shall be held at the head office of the Circle of the Western Arctic or at any place in the Northwest Territories and on such date as the Board of Directors may determine. The Delegates may resolve that a particular General Assembly of Members be held outside of the Northwest Territories.
- 5.2 Calling Meetings. The Board of Directors or the Chairperson shall have the power to call, at any time, a Special General Assembly on written requisition of Delegates carrying not less than 25% of the voting rights.
- 5.3 Business at Annual General Assemblies. At every Annual General Assembly of the Members, in addition to any other business that may be transacted, the written report of the Board of Directors, the financial statements and the report of the Auditors shall be presented and appointed Auditors for the following year.
- 5.4 Notice. Fourteen (14) days written notice shall be given, to the Members of any General Assembly. Notice of any General Assembly shall contain sufficient information to permit the Members to form a reasoned judgement on any matter to be considered at such general assembly.

- 5.4.1 No error or omission in giving notice of any General Assembly or any adjourned General Assembly shall invalidate such General Assembly or make void any proceedings thereat, and the Delegates may at any time waive notice of any such meeting and may ratify, approve, confirm any or all proceedings taken or had thereat.
- 5.4.2 The statutory declaration of the Chairperson or Secretary that notice has been given shall be sufficient and conclusive evidence of the giving of such notice. Notice of any meeting shall remind the Delegate of his/her right to vote by proxy.
- 5.5 Quorum. A majority (50% plus 1) of Delegates fixed from time to time by the Board of Directors shall constitute a quorum at any General Assembly.
- 5.6 Procedures Governing Voting. Each Delegate shall be entitled to exercise one (1) vote at each General Assembly. Except as expressly provided herein, at all General Assemblies, every question shall be determined by a majority of votes cast at the meeting. A declaration by the Chairperson of the meeting that a resolution has been carried and an entry to that effect in the minutes shall be proof of the fact without proof of the number of votes recorded in favour or against such resolution.
- 5.7 Resolution in Writing. A resolution in writing, signed by all of the Delegates entitled to vote on that resolution at a General Assembly is as valid as if it had been passed at a General Assembly. Each such resolution may be signed by the Delegates in separate counterparts each of which when so signed shall be an original, but all such counterparts shall constitute one and the same resolution.
- 5.8 Motions by Delegates
- 5.8.1 Notwithstanding any rules of procedure for General Assemblies which may have been adopted, no motion of any Delegates shall be considered at any General Assembly, unless:
- (a) notice of the motion signed by a Member shall have been delivered by the Member to the Executive Director not later than twenty-one (21) days prior to the Assembly; and
  - (b) such notice shall be delivered to the Members together with the notice described in By Law 5.4;
- provided that, motions may be proposed by the Members at such General Assembly without compliance with By Laws 5.8.1 (a) and (b) if at least seventy-five

percent (75%) of the Delegates present at the Meeting consent to the consideration of the motion at the General Assembly.

5.8.2 Notwithstanding the foregoing, all motions with respect to proposed amendments to the By-laws of Circle of the Western Arctic shall be considered only with the unanimous vote of the Delegates present at the General Assembly of members that the delivery of notice of motion sixty days (60) prior to a meeting be waived.

### **By Law 6 - MEETINGS OF THE BOARD OF DIRECTORS**

- 6.1 Meetings, Number and Notice. Meetings of the Board of Directors may be held at any time and place to be determined by the Board of Directors, provided that seven (7) days written notice of such meeting shall be given, other than by mail, to each Director. Provided further that, if notice is given by mail such notice shall be post marked at least fourteen (14) days prior to the meeting.
- 6.2 No notice of a meeting of the Board of Directors shall be required if all Directors are present and waive notice, or if those absent have signified their consent to the meeting being held in their absence.
- 6.3 No error or omission in giving notice of any meeting of the Board of Directors or any adjourned meeting of the Board of Directors shall invalidate such meeting or make void any proceedings thereat, and any Director may at any time waive notice of any meeting and may ratify, approve, confirm any or all proceedings taken or had thereat.
- 6.4 The statutory declaration of the Chairperson or Secretary that notice has been given shall be sufficient and conclusive evidence of the giving of notice. The Chairperson may, and the Secretary shall, upon written requisition of not less than seven (7) Directors, call a meeting of the Board of Directors. There shall be at least one (1) meeting per year of the Board of Directors.
- 6.5 Quorum. A majority (50% plus 1) of the number of Directors fixed from time to time shall constitute a quorum at any meeting of the Board of Directors.
- 6.6 Procedures Governing Voting. Each Director shall be entitled to exercise one (1) vote at each meeting of the Board of Directors. Except as expressly provided herein, at all meetings of the Board of Directors, every question shall be determined by a majority of votes cast at the meeting. A declaration by the Chairperson of the meeting that a resolution has been carried and an entry to that effect in the minutes shall be prima facia proof of the fact without proof of the number of votes recorded in favour or against such resolution.
- 6.7 Teleconference Calls. If all Members of the Board of Directors consent thereto generally or in respect of a particular meeting, a Director may participate in a meeting of the Board or of a committee of the Board by means of conference telephone or other

communication facilities as permits all persons participating in a meeting to hear each other, and a Director or committee member participating in such a meeting by such means is deemed to be present at the meeting.

- 6.8 Resolution in Writing. A resolution in writing, signed by all of the members of the Board of Directors entitled to vote on that resolution at a meeting of the Board of Directors, is as valid as if it had been passed at the meeting of the Board of Directors. Each such resolution may be signed by the Directors in separate counterparts each of which when so signed shall be an original, but all such counterparts shall constitute one and the same resolution.
- 6.9 Attendance. All members shall be entitled to attend meetings of the Board of Directors in a non-voting, observer capacity. Members may be recognized to speak at the will of the Chairperson. A Board of Director's meeting may move in camera by resolution of the Board of Directors.

### **By-Law 7 - POWERS OF DIRECTORS**

- 7.1 Management. The Board of Directors of the Circle of the Western Arctic shall administer the affairs of the Circle of the Western Arctic in all things and make or cause to be made for the Circle of the Western Arctic, in its name, any kind of contract which the Circle of the Western Arctic may lawfully enter into and, except as otherwise specifically provided herein, and shall exercise all such other powers and do all such other acts and things as the Circle of the Western Arctic is required by its By-laws or otherwise authorized to exercise and do. Without restricting the generality of the foregoing, the Board of Directors shall have power to authorize expenditures on behalf of the Circle of the Western Arctic from time to time.
- 7.2 Finances. The Board of Directors shall take such steps as it may deem requisite to enable the Circle of the Western Arctic to acquire, accept, solicit or receive legacies, gifts, grants, settlements, bequests, endowments, payments and donations of any kind whatsoever for the purpose of furthering the objectives of the Circle of the Western Arctic. The Board of Directors shall have the power to enter into a trust arrangement with a trust company for the purpose of creating a trust fund in which the capital and interest may be available for the benefit of promoting the interest of the Circle of the Western Arctic in accordance with such terms as the Board of Directors may determine.
- 7.3 Employees. The Board of Directors may appoint such agents and hire employees as it shall deem necessary from time to time; provided there are no patronage appointments, and such persons shall have the authority and shall perform the duties as determined by the Board of Directors. The Board of Directors may delegate by resolution to an Officer or Officers the right to hire and pay salaries to employees and to appoint and pay reasonable remuneration to agents.
- 7.4 Remuneration. Directors shall serve as such without remuneration and no Director shall directly or indirectly receive any profit from his/her position as such, provided that a

Director may be paid reasonable expenses incurred by him/her in the performance of his/her duties.

- 7.5 Borrowing. The Board of Directors may from time to time upon an extraordinary resolution of the Membership:
- (a) borrow money upon the credit of the Circle of the Western Arctic;
  - (b) issue debentures or other securities of the Circle of the Western Arctic;
  - (c) pledge or sell such debentures or other securities for such sums and at prices as may be deemed expedient;
  - (d) secure any such debentures or other securities, or any other present or future borrowing or liability of the Circle of the Western Arctic, by mortgage, hypothecate charge, or pledge of all or any currently owned or subsequently acquired real and personal, movable or immovable, property of the Circle of the Western Arctic, and the undertaking and rights of the Circle of the Western Arctic.
- 7.6 The Board of Directors may delegate powers to Officers or Directors to the extent and in such manner as the Board of Directors may, by resolution, determine.
- 7.7 Nothing herein limits or restricts the borrowing by the Circle of the Western Arctic on bills of exchange or promissory notes made, drawn, accepted or endorsed by or on behalf of the Circle of the Western Arctic.

### ***By-Law 8 - COMMITTEES***

- 8.1 Establishment of Committees. The Board of Directors may establish, by resolution, committees on such terms and conditions as the Board of Directors deems appropriate or as otherwise determined by the Board of Directors.

### ***By-Law 9: OFFICERS***

- 9.1 Officers. The Officers of the Circle of the Western Arctic shall be a Chairperson, a Vice Chairperson, a Secretary, a Treasurer and an Executive Director and any other officers as the Board of Directors may by resolution appoint from time to time. No two offices may be held by the same person. Officers other than the Chairperson, Vice Chairperson, Secretary and Treasurer need not be a Director or a Member of the Circle of the Western Arctic.
- 9.2 Appointment and Term. The Chairperson, Vice Chairperson, Treasurer and Secretary shall be selected by the Directors from amongst themselves and hold office for a term of two (2) years from the date of appointment or until their successors are appointed provided that no more than two such Officers from the same geographic region may hold office concurrently.

- 9.3 Other Officers, other than the Executive Director shall be appointed by resolution of the Board of Directors for such term as specified by the Board of Directors.
- 9.4 The Executive Director shall be retained as an employee of the Circle of the Western Arctic by the Board of Directors on such terms as the Board of Directors deem appropriate. Such terms and conditions of employment of the Executive Director shall be set out in a written employment agreement entered into between the Executive Director and the Circle of the Western Arctic.
- 9.5 Removal. Officers may be removed as an officer by resolution of the Board of Directors.

## **By-Law 10 - DUTIES OF OFFICERS**

- 10.1 Executive Director. The Executive Director shall perform all such duties as are customary for a Chief Executive Officer of the Circle of the Western Arctic similar in size and operation to the Circle of the Western Arctic. The Executive Director shall have the general and active management of the affairs of the Circle of the Western Arctic and shall act as custodian of the Corporate Seal. He or she shall see that all orders and resolutions of the Board of Directors are carried into effect and shall perform such other duties as may be specified under these By-laws from time to time. The Executive Director shall be an ex-officio, non-voting member of all committees of the Circle of the Western Arctic, unless expressly otherwise determined by the Board of Directors.
- 10.2 Chairperson. The Chairperson shall preside at all General Assemblies of the Members and at meetings of the Board of Directors, and shall perform such other duties as may be determined by the Board of Directors from time to time. In the event of a tie vote the Chairperson shall have a second casting vote at General Assemblies and meetings of the Board of Directors.
- 10.3 The Chairperson shall, in the absence or disability of the Executive Director perform the duties and exercise the powers of the Executive Director. The Chairperson shall be an ex-officio, voting member of all committees of the Circle of the Western Arctic, unless expressly otherwise determined by the Board of Directors.
- 10.4 Vice-Chairperson. The Vice-Chairperson shall, in the absence or disability of the Chairperson perform the duties and exercise the powers of the Chairperson and shall perform other duties as may be determined by the Board of Directors.
- 10.5 Treasurer. The Treasurer shall have custody of the funds and securities of the Circle of the Western Arctic and shall keep or cause to be kept full and accurate accounts of all assets, liabilities, receipts, and disbursements of the Circle of the Western Arctic in the books belonging to the Circle of the Western Arctic and shall deposit or cause to be deposited all monies, securities and other valuable effects in the name and to the credit of the Circle of the Western Arctic in a chartered bank or trust company, or, in the case of securities, in such registered dealer in securities, as may be determined by the Board of Directors from time to time. The Treasurer shall disburse the funds of the Circle of the Western Arctic as may be directed by the proper authority taking proper vouchers from disbursements, and shall render to the Chair and the Board of Directors at regular meetings of the Board of Directors, or whenever they may require it, an accounting of all transactions and a statement of the financial position of the Circle of the Western Arctic.
- 10.6 Secretary. The Secretary shall act as clerk of all General Assemblies and meetings of the Board of Directors and shall record or cause to be recorded all votes and minutes of all proceedings in the books to be kept for that purpose. The Secretary shall give or cause to be given notice of all General Assemblies and meetings of the Board of Directors and shall perform other duties as may be specified by the Board of Directors.

10.6.1 Minutes. Minutes of meetings of the Officers, Board of Directors and committees shall be confidential until received by and approved for release, following which the minutes shall be available, upon request, to the Members.

10.7 Other Officers. The duties of all other Officers shall be such as the terms of their appointment require or as may be determined by the Board of Directors from time to time.

### ***By-Law 11 - NOTICE***

11.1 Address for Notice. For the purpose of sending notice to a Member, a Director, an Officer or a committee member for any meeting or otherwise, the address of the Member, Director, Officer or committee member shall be his or her last address recorded on the books of the Circle of the Western Arctic.

### ***By-Law 12 - INDEMNITY AND INSURANCE***

12.1 Indemnity. The Circle of the Western Arctic shall indemnify and save harmless the Directors and Officers of the Circle of the Western Arctic and their heirs, executors and administrators from and against all cost, charges and expenses including any amount paid to settle an action to satisfy a judgement, reasonably incurred by Directors or Officers in respect of:

12.1.1 any civil, criminal or administrative action or proceeding to which the Director or Officer is made a party by reason of being or having been a Director or Officer of the Circle of the Western Arctic ;

12.1.2 any action by or on behalf of the Circle of the Western Arctic to procure a judgement in its favour to which the Director or Officer is made a party by reason of being or having been a Director or Officer of the Circle of the Western Arctic, if the Circle of the Western Arctic obtains any approval required under the N.W.T. Societies Act in respect of such indemnification; and

12.1.3 the defence of any civil, criminal or administrative action or proceeding to which the Director or Officer is made a party by reason of being or having been a Director or Officer of the Circle of the Western Arctic if the Director or Officer was substantially successful on the merits in his or her defence of the action or proceeding,

12.2 if the Director or Officer has acted honestly and in good faith with a view to the best interests of the Circle of the Western Arctic and in the case of a criminal or administrative

action or proceeding that is enforced by a monetary penalty, the Director or Officer had reasonable grounds for believing that his or her conduct was lawful

### ***By-Law 13 - EXECUTION OF DOCUMENTS***

- 13.1 Execution of Documents. Contracts, documents or any other instrument in writing requiring the signature of the Circle of the Western Arctic, shall be signed as specified in the Financial Policies of the Circle of the Western Arctic as approved by resolution of the Board of Directors, and all contracts, documents and instruments in writing so signed shall be binding upon the Circle of the Western Arctic without any further authorisation or formality.
- 13.2 The Board of Directors shall have power from time to time by resolution to appoint any individual who shall be empowered on behalf of the Circle of the Western Arctic to sign specific contracts, documents and instruments in writing.
- 13.3 The Board of Directors may give the Circle of the Western Arctic's power of attorney to any registered dealer in securities for the purposes of the transferring of and dealing with any securities owned by the Circle of the Western Arctic. The seal of the Circle of the Western Arctic, when required, may be affixed to contracts, documents and instruments in writing signed as aforesaid or by any Officer or Officers appointed by resolution of the Board of Directors.

### ***By-Law 14 – FINANCIAL YEAR***

- 14.1 Financial Year. Unless otherwise determined by the Membership, the fiscal year end of the Circle of the Western Arctic shall be March 31st.

### ***By-Law 15 - AMENDMENT OF BY-LAWS***

- 15.1 Amendment of By-laws. The By-laws of the Circle of the Western may be repealed or amended by a subsequent By-law embodied in a resolution which has been approved:
  - 15.1.1 first, by a majority of the Board of Directors at a meeting of the Board of Directors convened to consider such By-law; and
  - 15.1.2 approved by 75% of the votes cast at a meeting of Members convened for the purpose of considering such By-law,
    - 15.1.2.1 provided that sixty (60) days written notice shall be given to Members of any General Assembly convened for the purpose of considering such By-law; and
    - 15.1.2.2 provided that the repeal or amendment of such By-laws shall not be enforced or acted upon until registered under the N.W.T Societies Act.

***By-Law 16 - BOOKS AND RECORDS***

16.1 Books and Records. The Executive Director shall ensure that all necessary books and records of the Circle of the Western Arctic required by the By-laws of the Circle of the Western Arctic or by applicable law are regularly and properly kept. The books and records shall be set ready for the auditors.

16.1.1 Auditors. The Delegates shall, at each Annual General Assembly, appoint an Auditor to audit the accounts of the Circle of the Western Arctic for report to the Members at the next Annual Meeting. The auditor shall hold office until the next Annual General Assembly provided that the Board of Directors may fill any vacancy in the office of Auditor. The remuneration of the Auditor shall be fixed by the Board of Directors.

***By-Law 17 - RULES AND REGULATIONS***

17.1 Rules and Regulations. The Board of Directors may prescribe such rules and regulations not inconsistent with these By-laws relating to the management and operation of the Circle of the Western Arctic as they deem appropriate, provided that such rules and regulations shall have force and effect only until the next General Assembly when they shall be confirmed, and failing such confirmation at such General Assembly, shall cease to have any force and effect.

## **By-Law 18 - INTERPRETATION**

- 18.1 Interpretation. In these By-laws and in all other By-laws of the Circle of the Western Arctic hereafter passed unless the context otherwise requires, words importing the singular number shall include the plural number as the case may be, and vice versa, and references to persons shall include firms and corporations.
- 18.2 Non-derogation. Nothing in the foregoing shall be interpreted in any way so as to abrogate, derogate or negatively impact on any Aboriginal right, Indian Treaty, aboriginal legislation or future Aboriginal agreement with the Crown in the right of Canada or in the right of any province or territory. Should any inconsistencies arise between the Treaties and this By-law, the Treaties shall take precedence over this By-law in all instances in accordance with sections 35 and 52 of the Constitution Act, 1982.
- 18.3 Taxation. Based on the authority and the understanding of Treaties with the Crown, the Principles of Indian government, section 35 of the Constitution Act, 1982 and sections 89 and 90 of the Indian Act, the Circle of the Western Arctic and its sport, culture and recreation system and programs and services shall not be liable to federal, provincial or municipal taxation in respect of real or personal property.

