

DÁANAA JÍLI (CACHE) ACT

Preamble

- (A) This Act is based on the traditional values and customs of the Carcross/Tagish First Nation set out in “Book One: Carcross/Tagish First Nation Traditional Beliefs and Practices” which sets out our traditions, practices, values and history. The primary reference and resource for interpreting all laws of the Carcross/Tagish First Nation is Book One.

Comment: The Carcross/Tagish First Nation has laws and policies which are based on the cultural values of the Tlingit and Tagish people. So that everyone understands the basic concepts that are fundamental to the interpretation of our laws, an overview of our traditional beliefs and practices and laws has been set out in “Book One: Carcross/Tagish First Nation Traditional Beliefs and Practices”. Book One will always be a guiding document to ensure that all other laws remain based on our values. Book One and our constitution are the primary resources to resolve any conflicts or disputes over the intent and meaning of any part of this Act.

- (B) The Carcross/Tagish First Nation wishes to establish a “cache” of the financial assets of the Carcross/Tagish First Nation so all generations will share the good times as well as the hard times. We want to ensure that no generation will suffer or benefit at the expense of another generation. We need to provide for the economic self-sufficiency of present and future generations and for the present and future needs of the community.

- (C) This Act seeks to provide for the creation and management of the Dáanaa Jíli (Cache) to achieve one of our fundamental constitutional objectives to “strengthen our economy and our government for our future generations.”

Comment: In order to achieve this goal, the Council has established a “cache” of the financial assets, which is referred as the Dáanaa Jíli (Cache) in this Act, of the Carcross/Tagish First Nation to ensure that every generation can benefit from our financial resources. Our customs and traditions have always taught us to harvest for our families and to preserve and protect our resources for our future. We must recognize that our population is growing and that inflation every year makes our money worth less, therefore, we need to build the size of the Dáanaa Jíli (Cache) so that future generations will have the same amount of financial resources for each person that our generation has today.

PART ONE: STORY

All our laws draw on our traditional stories to provide a context for understanding the purpose of the law. Many stories could be used. This following story was chosen to provide another insight into traditional wisdom relating to sharing resources and to acting as custodians in the best interests of future generations.

Comment: Traditional stories are used throughout all our laws to help us understand the intent of our laws and to lay the foundation for our laws and our traditions. Each clan may choose a different story that they believe is better suited to help their clan understand our laws. The version of any story set out in each law may be told by different clans in different ways. As we use our language

throughout our laws to preserve and protect our culture, we are including our stories to preserve another important part of our culture. Traditionally, stories were a way of teaching and sharing knowledge. The use of stories in this context is much the same as the old ways. We want to teach our citizens the values which are needed in order to provide a constant and sufficient resource base for all our current and future citizens. Our stories are a way of giving life to our traditional values and placing them in a contemporary context. We can still rely on our traditional values to bring future and current generations to a place of self-sufficiency without jeopardizing the resources within our Dáanaa Jíli (Cache).

Raven and Crow's Potlatch

Raven used to live high up in the upper Skagit River country. He was very lazy. In the summer when the other animals were busy gathering food for the winter he would be flying from rock to stump to rock making fun of them. Raven just laughed when Crow (his cousin) urged him to follow Squirrel's example-but Raven never prepared for the cold months, when the snow would drift over the ground and cover the remaining food.

But now Raven was in trouble. Winter had come and the snows were deep. He was hungry and Raven loved to eat. He had to find someone who would share their food with him.

Raven went to see Squirrel. He had a huge supply of pine nuts and seeds and other food hidden all over the place. Raven poked his head into Squirrel's nest in an old fir tree. Squirrel had lots to eat. Raven politely begged for some food. Squirrel scolded him – that was always Squirrel's way – "You refused to work and save for winter and you poked much fun at me. You deserve to starve!"

Raven went looking for Bear but he was sound asleep in his cave and could not be awakened. Raven looked around for some food but it was all in Bear's belly. He had already eaten it all and was sleeping till spring.

Raven was now very hungry. He thought, "Who can give me something to eat? Everyone is either stingy like Squirrel or sleeping like Bear and Marmot, or they have gone south for the winter like the snowbirds." Then he thought of Crow. He would be easy to fool.

Raven ignored his response. "Crow, everyone is talking about your potlatch. Will you sing at it?" "Sing?" Crow had not known that anybody cared for his singing voice, even though in those days his song was much more like that of Wood Thrush than it is today.

Raven continued to talk of Crow's potlatch. "You are very talented and possess a beautiful voice. Everyone will be so disappointed if you don't sing at your potlatch."

"What potlatch?" Crow inquired. "Do you really like my singing?"

"We love your singing, Crow," Raven answered. "The winter's cold has chilled the forest and we're cold and hungry and singing will help us forget our cold feet and empty stomachs.

"Now you get started fixing the food – looks like you have plenty there – and I will go invite the guest to your potlatch. You can practice your songs as you cook!"

Crow's hesitation now overcome, he began to prepare all the food he had collected for winter and

as he prepared it, he practiced his songs. The more he thought about the feast and how everyone wanted to hear him sing, the more excited he became.

Meanwhile, Raven was offering invitations to all the animals of the forest. (Of course Marmot and Bear and Beaver were sleeping, and Robin and Goose had gone south). To each he said the same thing, "Come to MY potlatch! I have worked hard to prepare it. There will be much food at Raven's potlatch and Crow is helping and will sing for us. There will be fern roots and wild potatoes, dried berries, fish and meat. Come to MY potlatch! It will be a great occasion." Raven did not invite Squirrel however, since he had refused to share his food with him, but all of the other animals were invited to Raven's Potlatch.

When he returned to Crow, he was still busy cooking and singing. Raven told him, "Everyone is coming – be sure and fix all your food – they will be hungry after their journey. Your songs are sounding good. Crow's potlatch will be a great feast!"

As the guests arrived, Raven welcomed each on to his potlatch. There was Deer, Mountain Goat, Mouse, Rabbit, Grouse, and Jay. The guests were seated and the food was brought out. Crow started to sit and eat but Raven asked him for a song first. "It's not good to sing on a full stomach, Crow," he encouraged.

Crow began to sing. Every time he would stop to eat Raven would insist that he sing another song. "You can't sing with your mouth full, Crow!" Encouraged again and again by the guests who were busy stuffing themselves with his food, Crow sang song after song after song – all day until night – and Crow's voice became hoarser and hoarser until all he could do was "Caw – Caw".

As was the custom, the leftover food was collected by the guests and taken by them for their homeward journey. Even Raven had taken his share and left as Crow was cleaning up. Crow had nothing left to eat. "At least", Crow thought, "I won't be hungry. I will be invited to their feasts". For it was the custom that having been entertained, each guest was now obliged to return the favour and invite the host for a return potlatch.

But the invitations never came. Since all the guests thought it was Raven who hosted the feast, Raven was invited to enough dinners to keep his belly full for several winters and he never went hungry.

PART TWO: CORE VALUES

The administration of the Dáanaa Jíli Act relies on the fundamental virtues of our culture and traditions. When fulfilling our duties within this Act we are called upon to act in ways that are based on our values and virtues to serve the best interests of our community. The lessons drawn from being stewards of our lands and resources for our community, for our children and for all of our children's children for many generations to come call upon us to honour our values in this work. When our time comes to be seen as the ancestors may we be seen with the same respect and gratitude for how we have passed on the blessings of the creator as we respect and thank our ancestors who have cared for and passed these blessings unto us.

Integrity:

Integrity keeps us on a path carved out by our values as we work through many challenges and temptations. In this way we maintain our integrity and in this way we answer to all our moral

obligations. On this path we will share the right intentions to make the best decisions for our future.

Selflessness:

We have survived in our traditional territory by sharing, by ensuring the needs of others were answered. And so it is today that we serve others before we serve our own needs. To grow as a First Nation, as a community no one can be left behind, no one left in need. We own nothing but our integrity. We owe all to the creator. We humbly receive our gifts and give selflessly. We are not measured by what we have but by what we give. Selflessness is our traditional way of being valuable in life. Our culture and traditions have always looked at how our actions determine the fate of others and of those who will follow us.

Honour:

We honour our families and families by honouring our values in the ways we take care of others, in the ways we look after our land, resources and all the blessings we have. In our tradition we seek first to honour not ourselves but our place with our ancestors and others.

Respect:

To use our cache in ways that improve our connections to each, and to our community as well as meet the needs of our future generations we must hear with respect all voices within our community. Respecting the opinion of others and striving to work together puts into practice the traditional value of respect.

tùwú (Courage):

Courage is fundamental in meeting and making difficult decisions. Fear makes space for evil to grow. We need courage to take risks to grow, courage to have faith in ourselves, courage to stand up for what we believe and most important courage to work and stay together as a people, as a community, as a First Nation. We will need courage to accept that unity stands above our personal needs and desires.

at wuskú (Knowledge):

Both traditional experience and current *at wuskú* (knowledge) are needed to determine how our cache must be cared for and used. The wisdom of our Elders must be combined with the *at wuskú* knowledge of our youth and new leaders. All the *at wuskú* (knowledge) and wisdom within our community is important in making difficult choices and in learning new ways to survive and prosper.

PART THREE: DEFINITIONS

Definitions

1. In this Act,

“Cache Property” has the meaning assigned by the Deed of Settlement;

“Deed of Settlement” means the deed of settlement that establishes the Dáanaa Jíli (Cache) which is a trust established for the benefit of the Carcross/Tagish First Nation;

Comment: The Deed of Settlement spells out the details of the administration of the Dáanaa Jíli (Cache) in order to conform to financial requirements and tax laws. Nothing in the Deed of Settlement can be contrary to this Dáanaa Jíli (Cache) Act. Therefore, all the principles and

requirements set out in this Act establish limits on the Deed of Settlement and retain key principles for all activities based on traditional values and practices.

“Elders Council” means the body established under the constitution of the Carcross/Tagish First Nation;

“Council” means the body established under the constitution of the Carcross/Tagish First Nation;

“Assembly” means the body established under the constitution of the Carcross/Tagish First Nation;

“Jíli at káxh adéli (Cache Watchman)” means the person appointed as Jíli at káxh adéli (Cache Watchman) pursuant to the Deed of Settlement;

“Justice Council” means the body established under the constitution of the Carcross/Tagish First Nation;

“Qualified Person” means a person who:

- (a) has satisfactorily completed all training required to be appointed as a Trustee or undertakes to complete such training within four months of his or her appointment as a Trustee;

Comment: Like a hunter or hide tanner who must have the knowledge to do the best possible job, all Trustees will need to have both experience and training to take on the demanding work of a Trustee.

- (b) is of good character and reputation and, for greater certainty, has not committed any indictable offence within the previous five years or any other offence involving theft, fraud or an offence set out in the regulations of this Act;

Comment: It is essential not just to address the concerns of insurance companies, but especially important to secure the comfort and confidence of the community that the people given the crucial responsibility for looking after our Dáanaa Jíli (Cache) have demonstrated the personal integrity needed to promote confidence from all parts of our community in the reliability of each Trustee.

- (c) has not been bankrupt or insolvent within the past five years within the meaning of the *Bankruptcy and Insolvency Act* (Canada); or

Comment: Public confidence in a Trustee also stems from prudent personal financial decisions. For insurance and banking purposes, a Trustee cannot have been in recent serious financial debt. On many levels, personal financial pressures create both tensions and conflicts that will interfere with their ability to act competently and to be seen to act competently as a Trustee.

- (d) satisfies any other condition established by the Council or the Jíli at káxh adéli (Cache Watchman).

Comment: This provision allows the Assembly to add other conditions that may emerge as important to ensure the Trustees are properly qualified to take the responsibilities for the management and administration of the Dáanaa Jíli (Cache).

“Settlement Land” means settlement land held by the Carcross/Tagish First Nation pursuant to the Carcross/Tagish First Nation Final Agreement and the *Yukon First Nations Land Claims Settlement Act* (Canada) and includes any natural resource therein;

“Trustee” means a trustee from time to time serving under the Deed of Settlement;

PART FOUR: THE DÁANAA JÍLI (CACHE)

Purpose

2. This Act authorizes the Carcross/Tagish First Nation to establish a trust and establishes rules and guidelines respecting the administration of the trust to ensure that the management of the trust is fully accountable to the Carcross/Tagish First Nation, realizes the goals of serving current and future generations and is effective and transparent.

Comment: This law sets out the essential framework, procedures and principles that govern the care, use and supervision of the Dáanaa Jíli (Cache).

Dáanaa Jíli (Cache)

Comment: The Carcross/Tagish will contribute certain monies to the Dáanaa Jíli (Cache), including the compensation monies provided to the Carcross/Tagish First Nation under its Final Agreement and the monies paid to the Carcross/Tagish First Nation with respect to the construction of the South Klondike Highway across Carcross/Tagish Indian Reserve #4. The Trustees will then assume full legal responsibility for the management and administration of the Cache Property of the Dáanaa Jíli (Cache) on behalf of the Carcross/Tagish First Nation.

3. The Carcross/Tagish First Nation shall contribute the following monies to the Dáanaa Jíli (Cache):
 - 3.1 the payments made to the Carcross/Tagish First Nation under “Chapter 19 – Financial Compensation” of the Carcross/Tagish First Nation Final Agreement;
 - 3.2 the payments made to the Carcross/Tagish First Nation in accordance with “Part I – Financial Arrangements In Relation to Indexation” of “Appendix C – Memorandum Regarding Certain Financial and Other Arrangements” of the Carcross/Tagish First Nation Final Agreement;
 - 3.3 the payments made to the Carcross/Tagish First Nation under “Part II – Financial Arrangements In Relation to Certain Payments Contemplated by Chapter 20 – Taxation of the Final Agreement” of “Appendix C – Memorandum Regarding Certain Financial and Other Arrangements” of the Carcross/Tagish First Nation Final Agreement; and
 - 3.4 any remaining monies paid previously to the Carcross/Tagish First Nation in relation to the construction of the Skagway Road.

Investments of the Dáanaa Jíli (Cache)

Comment: The Trustees must develop a policy that sets out guidelines for the investment of the Cache Property of the Dáanaa Jíli (Cache). These investment guidelines must be approved by the Carcross/Tagish First Nation.

4. The Trustees shall establish an investment policy approved by the Carcross/Tagish First Nation that will guide the Trustees and the investment advisors on how the property of the Dáanaa Jíli (Cache) must be invested.
5. All investments of the Dáanaa Jíli (Cache) shall be made to realize the following objectives:
 - 5.1 ensure long-term growth and remain within acceptable levels of risk;
 - 5.2 provide for the needs of both current and future generations; and
 - 5.3 produce stable and consistent income for the current generation.

PART FIVE: TRUSTEES

Trustees

Comment: The Trustees have the responsibility to manage and administer the Cache Property of the Dáanaa Jíli (Cache) so that the objectives set out in this Act are met. The Trustees are representing the interests of all citizens of the Carcross/Tagish First Nation as well as both present and future generations. The Trustees do not represent the interests or views of any specific clan since all citizens share the common interest: to meet the objectives set out in section 5 of this Act. This structure is intended to separate the management of the Dáanaa Jíli (Cache) from political debate.

6. There shall be at least three Trustees for the Dáanaa Jíli (Cache). *As amended by the General Council on October 29, 2011.*
7. Each clan of the Carcross/Tagish First Nation shall be provided a reasonable opportunity to submit the names of two Qualified Persons to the Jíli at káxh adéli (Cache Watchman) to be considered for appointment as Trustees. Taking into account the names submitted by the clans, the Jíli at káxh adéli (Cache Watchman) shall appoint at least three Qualified Persons as Trustees and shall:
 - 7.1 ensure that a majority of the Trustees are citizens of the Carcross/Tagish First Nation within the meaning of the Carcross/Tagish First Nation constitution;
 - 7.2 strive to ensure that a majority of the Trustees reside on Settlement Land while they hold the office of a Trustee; and
 - 7.3 exclude any person who is presently a member of the Council, Assembly or Judicial Council or becomes a director or officer of the economic development corporation of the Carcross/Tagish First Nation.

As amended by the General Council on October 29, 2011.

8. For only the initial appointment of Trustees, one Trustee shall be appointed for a term of three years, two Trustees shall be appointed for a term of four years and two Trustees shall be appointed for a term of five years. Following the initial appointments, the Trustees shall be appointed for terms of five years.

Comment: These staggered appointments will ensure that there will always be continuity of experience on the Dáanaa Jíli (Cache). It is important when Trustees complete their term as Trustees, someone with experience remains to help new Trustees understand how the Dáanaa Jíli (Cache) works and learns from the experience of other Trustees in responding to all of the challenges confronted on a daily basis as a Trustee.

9. A former Trustee may be appointed as a Trustee. *As amended by the General Council on October 29, 2011.*

Powers of Trustees

Comment: The Trustees have broad powers so that they have authority and flexibility to take action swiftly to manage the Cache Property of the Dáanaa Jíli (Cache), if necessary. They must manage the Cache Property as if they personally owned the Cache Property.

10. The Trustees shall be authorized to do any act or thing in the management and investment of the Dáanaa Jíli (Cache) that is in accordance with this Act and that in their judgment is wise and proper and in the best interests of the Dáanaa Jíli (Cache) and to the same extent as though they personally owned the property of the Dáanaa Jíli (Cache).
11. The Trustees may act either by resolution passed by a majority of the Trustees at a meeting or by an instrument in writing signed by all of the Trustees.

Fees paid to Trustees

Comment: The Cache must compensate the Trustees fairly for their time and efforts required to fulfill their responsibilities in order to attract and retain qualified and experienced persons. Any fees or charges paid to the Trustees must be approved by the Jíli at káxh adéli (Cache Watchman).

12. The Trustees shall be paid reasonable fees or other charges from the Cache Property of the Dáanaa Jíli (Cache), as approved by the Jíli at káxh adéli (Cache Watchman), for their work and time expended in connection with the administration of the Dáanaa Jíli (Cache).

Meetings of the Trustees

Comment: The Trustees must meet periodically in order to review the investment manager's report with respect to the investment of the Cache Property of the Dáanaa Jíli (Cache). Other meetings may be held as required.

13. The Trustees shall meet at least once each calendar quarter and all Trustees shall meet in person at least twice every calendar year.
14. Notice of a meeting of Trustees may be given by any two Trustees. Ten days written notice of the time and place of a meeting shall be given to all Trustees and such notice shall include a statement of the general nature of the matters to be discussed. Such notice is not required if all of the Trustees are present at a particular meeting and notice is waived in writing by all of the Trustees with respect to that meeting.

15. A quorum for any business at any meeting of the Trustees shall be three of the Trustees.
16. If there is less than three Trustees in office, a decision requiring the approval of the Trustees shall be held in abeyance until any vacancy is filled by the Jíli at káxh adéli (Cache Watchman) in accordance with this Act. In the interim, the remaining Trustees shall take steps as are reasonably necessary to preserve and protect the Dáanaa Jíli (Cache). *As amended by the General Council on October 29, 2011.*
17. Subject to the Deed of Settlement,
 - 17.1 all matters requiring action or a decision by the Trustees shall be decided by a majority of the Trustees; and
 - 17.2 the Trustees may adopt any rules or procedures which they see as necessary to govern their proceedings, including rules addressing conflicts of interests of Trustees.

Resignation, removal and replacement of Trustees

18. A Trustee may resign at any time on thirty days notice in writing to all of the other Trustees and the Jíli at káxh adéli (Cache Watchman).
19. A Trustee shall be deemed to have resigned and cease to be a Trustee if he or she:
 - 19.1 commits any indictable offence or any other offence involving theft, fraud or an offence set out in the regulations of this Act;
 - 19.2 if he or she becomes bankrupt or insolvent within the meaning of the *Bankruptcy and Insolvency Act* (Canada)
 - 19.3 fails to satisfy any other condition established by the Council or the Jíli at káxh adéli (Cache Watchman);
 - 19.4 becomes a member of the Council, Assembly or Justice Council;
 - 19.5 becomes a director or officer of the economic development corporation of the Carcross/Tagish First Nation; or
 - 19.6 becomes incapable of carrying out his or her duties and responsibilities as a Trustee.

Liability of Trustees

20. A Trustee shall not be liable for any error of judgment or mistake of law or other mistake or for anything except willful neglect, willful misconduct or willful breach of the terms of this Act or the Deed of Settlement.
21. The Dáanaa Jíli (Cache) shall obtain and maintain in good standing errors and omissions insurance for each Trustee.

PART SIX: JÍLI AT KÁXH ADÉLI (CACHE WATCHMAN)

Jíli at káxh adéli (Cache Watchman)

Comment: The Jíli at káxh adéli (Cache Watchman) oversees the Dáanaa Jíli (Cache) in an effort to monitor whether the Dáanaa Jíli (Cache) is being administered and managed in accordance with this Act and the Deed of Settlement. He or she must oversee the Trustees to determine whether they are completing their duties in a competent and professional manner. He or she reports to the Assembly.

22. The Assembly shall appoint a person to be the Jíli at káxh adéli (Cache Watchman) of the Dáanaa Jíli (Cache) for a specific term.
23. The Jíli at káxh adéli (Cache Watchman) may be removed with a 75 percent vote of the members of the Assembly after the tenth anniversary of the establishment of the Daanaa Jili (Cache) and designate a replacement.
24. The Jíli at káxh adéli (Cache Watchman) may resign at any time on thirty days notice in writing to the Council and all of the Trustees.
25. The Jíli at káxh adéli (Cache Watchman) shall be deemed to have resigned and cease to be the Jíli at káxh adéli (Cache Watchman) if he or she:
 - 25.1 commits any indictable offence or any other offence involving theft, fraud or an offence set out in the regulations of this Act;
 - 25.2 if he or she becomes bankrupt or insolvent within the meaning of the *Bankruptcy and Insolvency Act* (Canada)
 - 25.3 becomes a member of the Council, Assembly or Justice Council;
 - 25.4 becomes a director or officer of the economic development corporation of the Carcross/Tagish First Nation; or
 - 25.5 becomes incapable of carrying out his or her duties and responsibilities as the Jíli at káxh adéli (Cache Watchman).
26. The Jíli at káxh adéli (Cache Watchman) may declare in writing that any act by the Trustees requires the approval of the Jíli at káxh adéli (Cache Watchman).
27. The Jíli at káxh adéli (Cache Watchman) may remove any person as a Trustee and may appoint a Qualified Person as a Trustee to fill a vacancy but if the Jíli at káxh adéli (Cache Watchman) removes more than one Trustee in any four-year period, the second and any subsequent removal within any four-year period shall be approved by a majority of the members of the Assembly.
28. The Jíli at káxh adéli (Cache Watchman) is not a Trustee.

Liability of Jíli at káxh adéli (Cache Watchman)

29. The Jíli at káxh adéli (Cache Watchman) shall not be liable for any error of judgment or

mistake of law or other mistake or for anything except willful neglect, willful misconduct or willful breach of the terms of this Act or the Deed of Settlement.

30. The Dáanaa Jíli (Cache) shall obtain and maintain in good standing errors and omissions insurance for the Jíli at káxh adéli (Cache Watchman).

PART SEVEN: DISBURSEMENTS FROM THE DÁANAA JÍLI (CACHE)

Disbursements of income and capital

Comment: The Trustees must consult with advisors, including tax counsel and accountants, before releasing any Cache Property from the Dáanaa Jíli (Cache) to the Carcross/Tagish First Nation and act in accordance with the Deed of Settlement in order protect the Cache Property from tax. Upon written agreement from the Jíli at káxh adéli (Cache Watchman) and Assembly, the Trustees may release up to 2.5 percent of the capital of the Cache to the Carcross/Tagish First Nation.

31. The Deed of Settlement shall include provisions which deal with income and capital of the Dáanaa Jíli (Cache) in a manner which takes into account the advice and direction of the accountants and tax counsel to the Dáanaa Jíli (Cache).
32. Prior to distributing any cash or other property from the Dáanaa Jíli (Cache), the Trustees must consider whether or not such a distribution would jeopardize the objectives of the Dáanaa Jíli (Cache) set out under this Act.
33. Subject to the Deed of Settlement, the Trustees may not distribute more than 2.5 percent of the capital of the Dáanaa Jíli (Cache) in any five-year year period, unless the Jíli at káxh adéli (Cache Watchman) and the Assembly agree otherwise in writing.
34. The Carcross/Tagish First Nation shall distribute, as it sees appropriate, any cash or other property distributed to it from the Dáanaa Jíli (Cache) by the Trustees.

PART EIGHT: FINANCIAL ACCOUNTABILITY

Audits

Comment: The Trustees will ensure that the Dáanaa Jíli (Cache) is audited each year and audited financial statements are provided to the Carcross/Tagish First Nation. This will provide for accountability and protection of the Cache Property of the Dáanaa Jíli (Cache).

35. The Trustees shall appoint a person to audit annually the financial records of the Dáanaa Jíli (Cache). The Trustees may remove and replace the auditors at any time by a unanimous resolution.
36. The Trustees shall provide copies of the audited financial statements to the Carcross/Tagish First Nation no later than six months following each taxation year of the Dáanaa Jíli (Cache), publish publicly the statements and present the statements to the Assembly.

PART NINE: MISCELLANEOUS

Conflict with this Act

Comment: This section confirms that this Act will prevail over all other laws established by the Carcross/Tagish First Nation or any rule established by the Trustees. It also confirms that this Act will prevail over the Deed of Settlement.

37. Where there is any conflict between this Act and the provisions of the Deed of Settlement or any rule and procedure established by the Trustees, Jíli at káxh adéli (Cache Watchman) or Carcross/Tagish First Nation related to the Dáanaa Jíli (Cache), the Act shall prevail to the extent of the conflict.

Schedule

Comment: This schedule provides a picture of how all the pieces of the process work to provide for checks and balances to ensure that the Cache Property of the Dáanaa Jíli (Cache) is safe and used to the best interest of all citizens of both current and future generations.

38. Schedule I of this Act sets out the structure of the Dáanaa Jíli (Cache) and its relationship to the Carcross/Tagish First Nation and its institutions for explanatory purposes.

Regulations

Comment: Some of the details of this Act will be set out in regulations passed in accordance with our constitution. The regulations must be consistent with this Act.

39. The Council may enact regulations in relation to matters within the purview of this Act as it considers necessary to carry out the provisions and purposes of this Act and, in particular, may enact regulations governing:
 - 39.1 the offences which shall preclude a person from being appointed as a Trustee or deem a Trustee to have resigned and cease to be a Trustee and Jíli at káxh adéli (Cache Watchman); and
 - 39.2 such other conditions that constitute qualifications for becoming a Trustee.

Headings and comments

40. Headings and comments are inserted in this Act for explanation purposes only and are not intended to be used in the interpretation of any section of this Act.

The meeting of the General Council on January 28-29, 2006, passed this Dáanaa Jíli (Cache) Act by consensus.