

2026 Liard First Nation Constitution
as presented to Liard First Nation General Assembly
by the Liard First Nation Constitution Committee
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1.0 PREAMBLE/STATEMENT OF OBJECTIVES

- 1.1 We are Kaska people. Our ancestors have used and occupied the lands within the Liard River basin from time immemorial. We have our own language, culture, beliefs and government based upon respect for our elders and the old ways, respect for the land and animals, and respect for all people.
- 1.2 For ourselves and our children, we hereby adopt this Constitution in order to:
- (a) preserve and promote our traditional Kaska culture, heritage, spiritual beliefs, and language;
 - (b) protect the lands and natural resources within the Liard First Nation Territory;
 - (c) promote the general welfare of Liard First Nation Citizens and the Kaska people;
 - (d) assist in re-establishing healthy communities and to achieve the full potential of Liard First Nation Citizens through healing, education and creation of meaningful employment opportunities;
 - (e) promote a system of governance which is accountable to Liard First Nation Citizens;
 - (f) protect the individual rights of Liard First Nation Citizens;
 - (g) better direct and control our own affairs; and
 - (h) enable the ongoing evolution and development of the Kaska Nation.

2.0 DEFINITIONS

- 2.1 In this Constitution:

"Chief" means the Citizen who is elected as Chief of Liard First Nation in accordance with this Constitution;

"Citizen" means a citizen of Liard First Nation as determined in accordance with this Constitution and the rules for citizenship in force as established by Liard First Nation;

"Constitution" means the Liard First Nation Constitution;

"Council" means the Chief and Councillors;

"Councillor" means a Citizen who is elected as a Councillor of the Liard First Nation in accordance with this Constitution;

"Eligible Voter" means a Citizen who is eighteen (18) years of age or older and who is eligible to vote at a General Assembly and in elections for Chief and Councillors in accordance with this Constitution;

"LFN Territory" means all Liard First Nation land, including reserve land and traditional territory;

"Ordinary Resolution" means a resolution approved by at least fifty percent plus one (50% + 1) of all Eligible Voters present at a duly convened Regular Meeting of the General Assembly;

"Regular Meeting" means a duly convened meeting of the General Assembly constituted by a quorum of not less than fifty (50) Eligible Voters;

"Special Meeting" means a duly convened meeting of the General Assembly constituted by a quorum of not less than twenty-five (25%) percent of all Eligible Voters;

"Special Resolution" means a resolution approved by at least fifty percent plus one (50% + 1) of all Eligible Voters present at a duly convened Special Meeting of the General Assembly.

2.2 This Constitution may be translated into the Kaska language and such translation shall be equally authoritative.

3.0 CITIZENSHIP

3.1 The citizenship of Liard First Nation shall consist of those persons eligible to become Citizens in accordance with the rules for citizenship in force as established by Liard First Nation.

4.0 LIARD FIRST NATION GOVERNMENT

4.1 The Liard First Nation Government shall consist of the following bodies:

- (a) General Assembly
- (b) Council
- (c) Elders Council
- (d) Youth Council
- (e) Judicial Council

5.0 LIARD FIRST NATION GENERAL ASSEMBLY

- 5.1 There shall be a General Assembly composed of all the Citizens of Liard First Nation.
- 5.2 Every Citizen of the Liard First Nation is eligible to attend and participate in every meeting of the General Assembly.
- 5.3 All Citizens who are eighteen (18) years of age or older may vote at meetings of the General Assembly.
- 5.4 There must be fifty (50) Eligible Voters present to constitute a quorum for a Regular Meeting of the General Assembly and to pass an Ordinary Resolution of the General Assembly. There must be twenty-five (25%) percent of all Eligible Voters present to constitute a quorum for a Special Meeting of the General Assembly. No decisions, approval of budgets or any other acts concluded at a meeting of the General Assembly where there is no quorum shall be valid.
- 5.5 In meetings of the General Assembly any Citizen may speak in the Kaska language and where feasible interpretation services shall be provided.
- 5.6 The General Assembly may by Ordinary Resolution:
 - (a) pass or amend any laws of Liard First Nation;
 - (b) approve the annual budget for Liard First Nation;
 - (c) review and approve the reports of Chief and Council; and
 - (d) provide advice and direction to Chief and Council.
- 5.7 The General Assembly may by Special Resolution:
 - (a) amend the Constitution; and
 - (b) delegate the law-making authority of Liard First Nation in accordance with section 5.13 of this Constitution.

Jurisdiction

- 5.8 The General Assembly is the law-making body of the Liard First Nation and may, subject to this Constitution, make laws in any and all of the following areas:
 - 5.8.1 The administration of the affairs, operation and internal management of Liard First Nation.
 - 5.8.3 Matters relating to Citizens, including:

- (a) provision of programs and services for Citizens in relation to their spiritual and cultural beliefs and practices;
- (b) provision of programs and services for Citizens in relation to the Kaska language;
- (c) provision of social, health, welfare and children services;
- (d) adoption;
- (e) education;
- (f) marriages, wills and inheritance; and
- (g) provision of services to Citizens for the resolution of disputes.

5.8.4 The use, management, administration, control and protection of LFN Territory, including:

- (a) allocation or disposition of rights in and to LFN Territory;
- (b) use, management, administration, protection of natural resources under the control of the Liard First Nation;
- (c) gathering, hunting, trapping or fishing including the protection of fish, wildlife, flora and fauna, and habitat;
- (d) licensing and regulation of any activity on LFN Territory; and
- (e) controlling the behaviour of occupants of LFN Territory.

5.8.5 Any other matter within the jurisdiction and lawful authority of Liard First Nation.

5.9 A copy of any proposed law shall be mailed to all Eligible Voters sixty (60) days in advance of the meeting of the General Assembly where such law is to be considered.

5.10 All laws are passed if an Ordinary Resolution of the General Assembly is passed adopting the law.

5.11 Any law passed by the General Assembly may be challenged by a written petition clearly identifying the law in question and signed by at least fifty (50%) percent of all Eligible Voters of Liard First Nation.

5.12 Any petition challenging a law passed by the General Assembly shall be presented to the Council who shall deliver such petition to the Judicial Council. The Judicial Council shall within thirty (30) days of receipt of such written petition determine whether the written petition is valid and, if so, shall quash such law.

- 5.13 The General Assembly may by Special Resolution delegate its law-making authority to:
- (a) a public body established by a law of the Liard First Nation;
 - (b) Government, including a department, agency or official of Government;
 - (c) a public body performing a function of government in Canada, including another Yukon First Nation;
 - (d) a municipality, school board, local body, or legal entity established by Yukon Law; or
 - (e) any legal entity in Canada.

Other Duties and Responsibilities of the General Assembly

- 5.14 The General Assembly shall have the power to amend this Constitution in accordance with section 11.0 of this Constitution.
- 5.15 The General Assembly shall review the reports of the Chief and Council and the departments of the Liard First Nation government presented to the General Assembly.
- 5.16 The General Assembly shall consider and approve, with such amendments as the General Assembly considers appropriate, the Liard First Nation annual budget as prepared and presented by the Chief and Council at the meeting of the General Assembly to be held on or before March 31 of each year.

Requirements for Meeting

- 5.17 The Chief and Council shall be responsible for arranging and facilitating meetings of the General Assembly including identifying a person to act as Chair of any meetings of the General Assembly.
- 5.18 The General Assembly shall meet:
- (a) on or before March 31 of each year, to review and approve the budget of Liard First Nation for the upcoming fiscal year; and
 - (b) on or before October 31 of each year, to review and approve the audited financial statements of Liard First Nation and to review programs and policies of Liard First Nation.
- 5.19 In addition to the required meetings of the General Assembly, Chief and Council may call and arrange such other meetings of the General Assembly as they determine are necessary.

- 5.20 The Chief and Council shall call and arrange a meeting of the General Assembly if directed to by the General Assembly or if twenty-five (25%) percent or more of all Eligible Voters sign and deliver to Chief and Council a petition requesting a meeting of the General Assembly.
- 5.21 Notice of any meeting of the General Assembly must be sent 14 days before the meeting to all Eligible Voters and shall be published in a newspaper having circulation within the Yukon and broadcast upon radio, television or social media in the Yukon. The notice must set out the time, date and place of the meeting. The notice must also state what matters are going to be discussed at the meeting.

Procedure at Meetings

- 5.22 All motions of the General Assembly must be represented by a duly passed Ordinary Resolution or Special Resolution.
- 5.23 All motions in support of an Ordinary Resolution or Special Resolution must be moved by an Eligible Voter and seconded by another Eligible Voter.
- 5.24 Consensus shall be encouraged in the making of any Ordinary Resolution or Special Resolution of the General Assembly.
- 5.25 Where consensus is not achieved in the passing of an Ordinary Resolution, an Ordinary Resolution shall require the approval of a majority (50% + 1) of Eligible Voters present at a duly convened Regular Meeting of the General Assembly.
- 5.26 Where consensus is not achieved in the passing of a Special Resolution, a Special Resolution shall require the approval of a majority (50%+1) of Eligible Voters present at a duly convened Special Meeting of the General Assembly.
- 5.27 Unless otherwise approved by the General Assembly, the Chair of the General Assembly shall not be a Citizen or member of another Kaska First Nation. The Chair shall administer the meeting and may make such rulings as may be required for properly administering the General Assembly.

6.0 COUNCIL

Membership and Term

- 6.1 The Council shall consist of:
- (a) seven (7) voting members consisting of one (1) Citizen who has been elected as Chief and six (6) Citizens who have been elected as Councillors in accordance with the provisions of this Constitution and any applicable laws respecting Liard First Nation elections;
 - (b) three (3) Elders appointed by the Elders Council; and
 - (c) one (1) Youth appointed by the Youth Council.
- 6.2 The Elders and Youth members appointed to Council shall be non-voting members of Council and shall not be liable or legally responsible for any decisions of Council.
- 6.3 The Council shall select one (1) Councillor as Deputy Chief who shall act as the Chief in the event of the absence or incapacity of the Chief. The Deputy Chief shall be the Councillor with the most votes.
- 6.4 The term of office for the Chief and Councillors shall be four (4) years.
- 6.5 Only Citizens who are eighteen (18) years of age or older shall be eligible to serve as Chief or as a Councillor.
- 6.6 In order to serve as Chief or as a Councillor, a Citizen shall:
- (a) have resided in the LFN Territory for at least three years prior to the nomination date (provided that a temporary absence from the LFN Territory, including an absence for the purpose of training or study does not constitute an interruption of residency);
 - (b) continue to reside in the LFN Territory; and
 - (c) not have been convicted of an indictable offence within the five (5) year period prior to the nomination date or during their term in office.

Elections

- 6.7 Citizens who are eighteen (18) years of age or older shall be eligible to vote in elections of Chief and Council.
- 6.8 Elections for Chief and Council shall be conducted in accordance with this Constitution and any applicable laws respecting Liard First Nation elections.

Powers

6.9 The duties and responsibilities of the Council include, but are not limited to:

- (a) implementing the directions of the General Assembly;
- (b) administering and implementing the laws of the Liard First Nation as passed by the General Assembly;
- (c) directing such committees, in accordance with the terms of reference and mandate of any such committees, as may be necessary for the proper management and administration of the Liard First Nation;
- (d) hiring, in consultation with the Elders Council such program directors or senior managers as are required for the proper administration of the Liard First Nation;
- (e) approving all agreements and contracts to be entered into by the Liard First Nation and delegating such signing authorities as is appropriate;
- (f) establishing procedures to ensure that the financial records of Liard First Nation are properly maintained in accordance with generally accepted accounting procedures; and
- (g) recommending the passage of laws by the General Assembly as are within the legal capacity of Liard First Nation.

6.10 Council shall:

- (a) prepare an annual budget for approval at the meeting of the General Assembly to be held on or before March 31 of each year;
- (b) prepare such supplementary budgets as may be required and present such supplementary budgets to the General Assembly for approval;
- (c) not spend funds of Liard First Nation except in accordance with a budget or supplementary budget approved by the General Assembly;
- (d) represent the Liard First Nation in negotiations with third parties;
- (e) not sell or surrender any interest in lands owned by the Liard First Nation except as provided by this Constitution;
- (f) prepare rules governing the conduct of meetings of Chief and Council; and
- (g) prepare reports concerning the management of lands and resources of the Liard First Nation for the annual meeting of the General Assembly.

Removal

6.11 The Chief or any Councillor may be removed from office by a written petition signed by at least fifty (50%) percent of all Eligible Voters.

- 6.12 Any petition requesting the removal from office of the Chief or any Councillor(s) shall clearly identify:
- (a) the elected official or officials to be removed from office;
 - (b) the reason for such removal;
 - (c) the name and address of the Citizen signing the petition.
- 6.13 Any petition requesting the removal from office of a Chief or any Councillor(s) shall be delivered to the Council who shall deliver such petition to the Judicial Council. The Judicial Council shall within thirty (30) days of receipt of such written petition determine whether the petition satisfies the requirements of 6.11 and 6.12 and, if so, shall declare that such Chief or Councillor(s) is removed from office.
- 6.14 The Chief or any Councillor shall automatically cease to hold office if:
- (a) they fail to attend any 3 consecutive meetings of Council and the Council determines by resolution that such failure to attend is without good reason; or
 - (b) are convicted of an indictable offence.
- 6.15 A Chief or any Councillor removed from Council under 6.14(a) may, within fourteen (14) days of a decision by Council, appeal such decision to the Judicial Council who shall make a final determination as to whether the Chief or Councillor's absence was or was not without good cause and the Judicial Council may reinstate the removed Chief or Councillor to office.

Vacancy

- 6.16 Any vacancy where the unexpired term of the person leaving office is less than one year shall remain vacant.
- 6.17 Any vacancy where the unexpired term of the person leaving office is one year or greater shall be filled by a Citizen duly elected in a by-election.

Chief and Council Operating Procedures

- 6.18 The quorum for all meetings of the Council shall be four (4) members who shall include three (3) elected Councillors and the Chief or Deputy Chief.
- 6.19 Consensus decision making shall be encouraged in the making of any decision of the Council and in the approval of any resolution of the Council. When consensus is not obtained, a resolution shall require the approval of a majority present at a duly convened meeting of the Council.

- 6.20 The Chief shall chair meetings of the Council and shall only vote on a resolution in the event of a tie amongst Councillors.
- 6.21 The Council shall make all their meetings open to Citizens, provided that *in camera* meetings may be held when dealing with confidential and/or personnel matters.
- 6.22 There shall be at least one (1) regularly scheduled meeting of Council every two weeks and as many other meetings as are necessary to properly conduct the business and affairs of Liard First Nation.
- 6.23 Minutes of all meetings of Council shall be recorded and shall be posted in the main administrative building of Liard First Nation and shall be made available to Citizens upon request.

Conflict of Interest

- 6.24 A Council member shall disclose to the Council any financial or other personal interest that such member or a member of his or her immediate family has in any matter before Council and shall leave the meeting room and not take part in the decision-making process of Council or vote on any such matter.
- 6.25 Where a disagreement arises as to whether a Council member has a financial or other personal interest in a matter before Council, the Council shall determine whether the Council member has such an interest and, if such a matter is put to a vote, the Council member in question shall leave the meeting room and not participate in any such vote.
- 6.26 All members of Council shall treat as confidential all confidential information received by them in their capacity as a member of Council.

7.0 ELDERS COUNCIL

- 7.1 All Citizens of the Liard First Nation who are aged sixty-five (65) or over are members of the Elders Council and entitled to attend all meetings of the Elders Council.
- 7.2 Membership on the Elders Council shall not automatically entitle any Citizen to any Elders' benefits or programs.
- 7.3 The Elders Council shall appoint three (3) members of the Elders Council to the Liard First Nation Council. The Elders Council may provide advice to the government bodies of the Liard First Nation.

- 7.4 The Elders Council may make rules governing the conduct of the meetings of the Elders Council.
- 7.5 The Elders Council shall be consulted by Chief and Council on any law that Chief and Council is proposing to the General Assembly. The Elders Council may make a report at the General Assembly where the law is to be discussed.

8.0 YOUTH COUNCIL

- 8.1 All Citizens of Liard First Nation between the ages of sixteen (16) years and twenty-nine (29) years, inclusive, are members of the Youth Council and shall be entitled to attend meetings of the Youth Council.
- 8.2 The Youth Council shall appoint one (1) member of the Youth Council to the Liard First Nation Council who shall be entitled to attend all meetings of the Liard First Nation Council.
- 8.3 The Youth Council may make rules on the conduct of the meetings of the Youth Council.

9.0 JUDICIAL COUNCIL

- 9.1 There shall be a Judicial Council comprised of six (6) Citizens.
- 9.2 The Citizens resident in each of the following areas within the LFN Territory shall nominate one (1) Citizen and one (1) alternate to the Judicial Council:
1. Upper Liard;
 2. Alberta Creek;
 3. Two Mile;
 4. Two and ½ Mile;
 5. Town of Watson Lake;
 6. Lower Post.
- 9.3 In order to serve as a member of the Judicial Council a Citizen shall:
- (a) be an Eligible Voter;
 - (b) have resided in the LFN Territory for at least three (3) years prior to their nomination date;
 - (c) continue to reside in the LFN Territory;
 - (d) not have been convicted of an indictable offence within the five (5) year period prior to their nomination date or during their term of office.

- 9.4 Nominations to the Judicial Council shall be approved by an Ordinary Resolution of the General Assembly.
- 9.5 The Judicial Council shall have the jurisdiction and authority to:
- (a) review and determine the validity of any petition challenging a Liard First Nation Law;
 - (b) review and determine the validity of any petition removing an elected Chief or Councillor from office;
 - (c) resolve any appeals of any decision regarding Liard First Nation citizenship;
 - (d) adjudicate all cases of the alleged violation of Liard First Nation Laws and to impose such penalties as are provided by Liard First Nation Laws; and
 - (e) decide any other matter within its jurisdiction as established by this Constitution.
- 9.6 Unless a decision of the Judicial Council is stated in this Constitution to be final, any decision of the Judicial Council may be appealed to the Yukon Supreme Court on the grounds that the Judicial Council acted without jurisdiction, acted beyond its jurisdiction, refused to exercise its jurisdiction, failed to observe procedural fairness, erred in law, or based its decision on an erroneous finding of fact or without due regard for the material before it.

10.0 CITIZEN'S RIGHTS

- 10.1 The Liard First Nation shall not pass laws or act in a manner that will:

Religious and Cultural Rights

- (a) limit the ability of a Citizen to freely exercise his or her religion, beliefs or cultural identity;
- (b) limit the right of any Citizen to participate in the culture of the Liard First Nation;

Expression and Assembly

- (c) limit the right of a Citizen to freely express himself or herself;
- (d) limit the ability of the Citizens of the Liard First Nation to peacefully gather for a lawful purpose including protesting any act of the Liard First Nation Government;

Property

- (e) limit the ability of a Citizen to own or possess property both personal and real;
- (f) deprive a Citizen of property that he or she is entitled to except in accordance with the due process of law and with compensation;

Mobility and Employment

- (g) limit the ability of a Citizen to move within the LFN Territory;
- (h) limit the ability of any Citizen to pursue any type of employment;

Access to Government Records

- (i) limit the ability of any Citizen to access the public records of the Liard First Nation;

Right of Participation

- (j) limit the ability of any Citizen to freely participate in the Liard First Nation Government;

Legal Rights

- (k) limit or deny the right of any Citizen to the right to counsel;
- (l) limit or deny the right of any Citizen to a trial by a fair and impartial tribunal;
- (m) cause a Citizen to be tried and punished twice for the same offence;
- (n) limit or deny the right of any Citizen not to be subject to any cruel or unusual punishment;
- (o) limit or deny the right of any Citizen to incriminate himself or herself;
- (p) limit or deny the right of any Citizen to challenge any laws or actions of the Liard First Nation Government; and
- (q) limit or deny a Citizen the right from an unreasonable search or seizure.

10.2 The rights affirmed under this section are subject to such reasonable limits prescribed by law, regulation, or policy as can be demonstrably justified in the Liard First Nation society.

10.3 Any Citizen whose rights have been infringed upon by any law or act of the Liard First Nation Government may apply to Judicial Council for relief. The Judicial Council may grant whatever remedies or relief as it may deem to be appropriate.

11.0 TRANSITIONAL AND AMENDMENTS OF THE CONSTITUTION

11.1 The General Assembly shall have the power to amend this Constitution.

11.2 The Constitution may be amended by a Special Resolution vote at a duly convened Special Meeting of the General Assembly.

11.3 Notice of any meeting of the General Assembly and a copy of any proposed amendment to the Constitution shall be mailed to all Eligible Voters sixty (60) days in advance of such meeting of the General Assembly.

Transition

11.4 This Constitution once approved by a vote of Liard First Nation Citizens shall repeal and supersede any constitution(s) previously adopted by Liard First Nation. Laws and policies of Liard First Nation, including laws with respect to citizenship and elections, shall be interpreted and be updated at the earliest opportunity to be consistent with this Constitution.

11.5 Within three (3) months after ratification of this Constitution, a general election shall be held to elect the Chief and Council of Liard First Nation in accordance with the terms of this Constitution.

11.6 This Constitution shall be presented and ratified if:

(a) at least twenty-five percent (25%) of all Eligible Voters of Liard First Nation cast a ballot in the ratification vote; and

(b) at least fifty percent plus one (50%+1) of the Eligible Voters who cast a ballot vote to approve the Constitution.