



REVIEW AND APPEAL PANEL FORMS REGULATION

Enacted under the *Review and Appeal Law*, section 37(1)

TNReg 11 /2016

Enacted on April 5, 2016.



Hegus [SIGNATURE]

Clint Williams

Hegus [NAME]

DEPOSITED IN THE TLA'AMIN
REGISTRY

ON 14, 04, 16
(day/month/year)



Signature of Law Clerk

TABLE OF CONTENTS

PART 1 - INTRODUCTORY PROVISIONS 1

 Short title..... 1

 Authority..... 1

 Application 1

 Definitions 1

PART 2 - PRESCRIBED MATTERS 1

 Prescribed forms..... 1

 Fees 2

PART 3 - FORM PREPARATION AND COMPLETION 2

 Completion of review or appeal request form 2

 Format 2

 Abbreviations 2

 English language 3

SCHEDULE A – FORMS 1

 Attachment A: Form RAP-1 – Review or Appeal Request..... 2

 Attachment B: Form RAP-2 – Additional Information 3

 Attachment C: Form RAP-3 – Schedule 5

 Attachment D: Form RAP-4 – Declaration..... 6

SCHEDULE B – FEES 7

PART 1 - INTRODUCTORY PROVISIONS

Short title

1. This Regulation may be cited as the *Review and Appeal Panel Forms Regulation*.

Authority

2. This Regulation is made pursuant to section 37(1) of the *Review and Appeal Law*.

Application

3. This Regulation prescribes
 - (a) the forms for filing a review or appeal request under section 7(2)(c) of the Law;
 - (b) the manner in which forms under the Law must be completed; and
 - (c) the setting of fees.

Definitions

4. (1) In this Regulation,

“attachment” means an attachment to a review or appeal request form allowed under, and in the form prescribed in, section 5(3);

“Law” means the Review and Appeal Law; and

“review or appeal request form” means the form prescribed under section 5(1).
- (2) Unless otherwise expressly provided in this Regulation, all terms used in this Regulation have the same meanings as in the Law or the *Interpretation Law*.

PART 2 - PRESCRIBED MATTERS

Prescribed forms

5. (1) Forms numbers RAP-1 to RAP-4 in Schedule A are prescribed for the purposes of section 7(2)(c) of the Law.
 - (2) A review or appeal request must be in Form RAP-1.
 - (3) Nothing may be attached to a review or appeal request form except
 - (a) one or more additional information pages in Form RAP-2;
 - (b) a schedule of relevant documents with attachments in Form RAP-3; and
 - (c) one or more declarations substantially in the form of RAP-4.

REVIEW AND APPEAL PANEL FORMS REGULATION

- (4) Every review or appeal request form and attachment must be executed and completed in compliance with the Law, this Regulation and the instructions.

Fees

6. (1) An applicant must pay the applicable application fee set out in Schedule B.
- (2) The fees set out in Schedule B are non-refundable.
- (3) For greater certainty, the Tla'amin Government or a Tla'amin Public Institution is not required to pay any fee contemplated in Schedule B

PART 3 - FORM PREPARATION AND COMPLETION

Completion of review or appeal request form

7. The name, address and professional capacity of the individual witnessing the signature of a person or other party on an attachment in Form RAP-4 must be typed or printed immediately below the signature of the individual.

Format

8. (1) The space provided for the completion of any item of the review or appeal request form or an attachment may be expanded or reduced as the circumstances require so long as
 - (a) in the case of a review request form in Form RAP-1, the expansion does not make the form longer than one page; or
 - (b) in the case of an attachment in the Form RAP-2, the expansion does not make the form longer than four pages or result in printing part of an item on one page with the balance of the item on another page.
- (2) Nothing in subsection (1) operates to limit the effect of section 5(3).
- (3) If an applicant submits a form that is not fully legible, the chair may request that the individual submit a new form that is fully legible.

Abbreviations

9. An abbreviation of any word on a review or appeal request form must not be used unless
 - (a) the word is set out alongside the abbreviation the first time the abbreviation is used; and
 - (b) the abbreviation does not obscure the meaning, intent or legal effect of the review or appeal request form.

REVIEW AND APPEAL PANEL FORMS REGULATION

English language

10. Every form and instrument to be filed, lodged, or deposited under the Law with the chair of the Review and Appeal Panel must, unless the nature of the form or instrument renders it impractical, be in the English language.

SCHEDULE A – FORMS

Attachment A: RAP-1 – Review or Appeal Request

Attachment B: RAP-2 – Additional Information

Attachment C: RAP-3 – Schedule

Attachment D: RAP-4 – Declaration

REVIEW AND APPEAL PANEL FORMS REGULATION

Attachment A: Form RAP-1 – Review or Appeal Request

TLA'AMIN NATION Review and Appeal Law Form RAP-1 REVIEW OR APPEAL REQUEST		Date received: _____ File number: _____ (for office use only)
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I, _____ (Name of Applicant), hereby request a review or an appeal of the following:

APPLICANT'S CONTACT INFORMATION:

Full legal name:	
Citizenship No.:	
Phone No.:	
Address for delivery:	
Email address:	

The basis for the request is:


[Attachments must be in Forms: RAP-2 Additional Information, RAP-3 Schedule(s), RAP-4 Declaration(s)]

I acknowledge that this review or appeal request is subject to the requirements of the *Review and Appeal Law* and regulations, and that receipt for filing is not an indication that the requirements have been met.

Signature: _____ Date: _____

REVIEW AND APPEAL PANEL FORMS REGULATION

Attachment B: Form RAP-2 – Additional Information

TLA'AMIN NATION Review and Appeal Law Form RAP-2 BACKGROUND INFORMATION		Date received: _____ File number: _____ (for office use only)
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I, _____ (*Name of Applicant*), submit the following background information to my Review or Appeal Request dated _____.

[This RAP-2 form must be a maximum of four pages long.]

Signature: _____ Date: _____

REVIEW AND APPEAL PANEL FORMS REGULATION

Form RAP-2

Additional pages

Signature: _____

Date: _____

Page ____ of ____

REVIEW AND APPEAL PANEL FORMS REGULATION

Attachment C: Form RAP-3 – Schedule

<p>TLA'AMIN NATION</p> <p>Review and Appeal Law Form RAP-3</p> <p>SCHEDULE OF RELEVANT DOCUMENTS</p>		<p>Date received: _____</p> <p>File number: _____</p> <p>(for office use only)</p>
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I, _____ (*Name of Applicant*), submit the following relevant documents in connection with my Review or Appeal Request dated _____.

(List names and dates of relevant documents that are attached.)


1. _____
2. _____
3. _____
4. _____

Signature: _____

Date: _____

REVIEW AND APPEAL PANEL FORMS REGULATION

Attachment D: Form RAP-4 – Declaration

<p>TLA'AMIN NATION</p> <p>Review and Appeal Law Form RAP-4</p> <p>DECLARATION</p>		<p>Date received: _____</p> <p>File number: _____</p> <p>(for office use only)</p>
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Sworn the ____ day of ____ [year]

DECLARATION OF [FULL NAME]

I, [full name], of [address], MAKE OATH AND SAY OR AFFIRM THAT:

1. I am [role in proceedings] and as such have personal knowledge of the facts and matters hereinafter deposed to save and except where stated to be based on information and belief, and where so stated, I verify believe to be true.
2. [additional paragraphs]
3. [additional paragraphs]

AFFIRMED BEFORE ME at)
 [city/town] in the Province of British Columbia,)
 this [day] day of [year].)

 [FULL NAME]

 A commissioner for taking Affidavits
 for British Columbia

REVIEW AND APPEAL PANEL FORMS REGULATION

SCHEDULE B – FEES

Fee Category	Fee Amount	Comment
Review or Appeal Request	\$50.00	Certified Cheque, money order or cash



ORDER OF THE EXECUTIVE COUNCIL OF THE TLA'AMIN NATION

Executive Council Order No.: TNO-EC 19/2016

Approved and Ordered: April 5, 2016

Order

The Executive Council hereby enacts the following regulations under the authority of the *Review and Appeal Law* to take effect on the Effective Date:

- Review and Appeal Panel Rules of Procedure Regulation
- Review and Appeal Panel Forms Regulation

Authority

This Executive Council Order is made under the authority of the *Review and Appeal Law*, and in accordance with the *Order of the Legislative Assembly of the Tla'amin Nation* TNO-LA 01/2016 (respecting the Tla'amin Nation Effective Date Period Procedures).

*Signed by the Hegus on behalf of the
Executive Council of the Tla'amin Nation*

(Note: This portion is for administrative purposes only and is not part of the Order)

Authority under which the Order is made:

Law: *Review and Appeal Law*

Other (please specify): Final Agreement and the *Order of the Legislative Assembly of the Tla'amin Nation* TNO-LA 01/2016 (respecting the Tla'amin Nation Effective Date Period Procedures).

DEPOSITED IN THE TLA'AMIN REGISTRY
ON <u>14 / 04 / 16</u> (day/month/year)
<u>Judith King</u> Signature of Law Clerk