




CHAMPAGNE AND AISHIHIK FIRST NATIONS

Schedule A

Land Lottery Process

Approved by the First Nations Council: February 23, 2017
Effective Date: February 23, 2017



Kaaxnox, Dän nätthe ada
Chief Steve Smith

Certified True Copy


Registrar of Laws
Champagne and Aishihik First Nations



1.0 General Provisions

1.1 Vision of Champagne and Aishihik First Nations

Champagne and Aishihik First Nations

Vision Statement

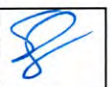
*Dákwän Shadhäla yè Äshèyi Kwädän dá government yè,
dän shäw ghüle du n-däsäduye shí.*

Dän dèts'än shäw näkutth'et du n-läts'än näkune ní.

Kwädqy dän k'è, dákeyi shü dákeyi ye dákwänje shü ghàts'ukhí nū.



*We, the Champagne and Aishihik First Nations people and government
Shall promote a healthy, unified and self-reliant people,
While conserving and enhancing our environment and culture.*





1.2 Scope and Purpose

Scope

The Land Lottery Process applies to Citizens and non-Citizens applying for a disposition in a lottery, CAFN Lands and Resources, the Lands Committee, its members, and the First Nations Council.

Purpose

The purpose is to provide a process for making a disposition of CAFN Land through a lottery.

1.3 Land Lottery Process

The First Nations Council may, by resolution in writing, direct that one or more parcels of CAFN Land be made available for disposition by lottery.

As provided by s. 64(a) of the *Constitution*, a proposed disposition of CAFN Land by lottery requires unanimous consent of the First Nations Council.

As provided by s. 64(b) of the *Constitution*, the First Nations Council shall provide at least fourteen (14) days' notice prior to giving final approval to make a disposition of CAFN Land by lottery.

Where the First Nations Council directs the disposition of CAFN Land by lottery, the resolution shall specify:

- Location of the land and the size of the parcels.
- Type of disposition.
- Any conditions to which the disposition is subject and any additional conditions applicable to the lands or any individual parcel.
- Eligibility criteria, consistent with the *Lands Act*, for participation in the lottery.
- Limitations, if any, on the number of successful applications per couple or household.
- Application fees, if any, for participation in the lottery.
- Cost of the disposition, if any.
- Closing time for submitting applications and the date, time and place of the lottery draw.
- Other matters as considered appropriate by the First Nations Council for conducting a fair, effective and efficient lottery.

Public Notice

Where the First Nations Council directs a disposition of CAFN Land by lottery, CAFN Lands and Resources shall issue a public notice of the lottery, including closing time for submitting applications and the date, time and place of the lottery draw. Unless otherwise directed by resolution of the First Nations Council, the public notice will provide eligible applicants at least thirty (30) days to submit an application.

Application Process

Applications in a land lottery shall be in a form provided by CAFN Lands and Resources.

Only one application per eligible applicant will be accepted.

Applications in a land lottery must be delivered in person or mailed to CAFN Lands and Resources at the CAFN Administration offices in Haines Junction and Whitehorse.

Applications must be received by CAFN Lands and Resources by the closing time specified by the First Nations Council. Applications received after the closing time will not be considered.





It is the applicant's responsibility to ensure that an application that is mailed is received by CAFN Lands and Resources prior to the closing time for the land lottery.

Upon receipt of an application, CAFN Lands and Resources shall review the application to confirm that the applicant is eligible and the application is complete.

Where an application is not accepted, CAFN Lands and Resources shall make reasonable efforts to notify the applicant in a timely manner.

Where an application is not accepted because the applicant is ineligible, the applicant shall be advised accordingly.

Where an application is not accepted because it is incomplete, CAFN Lands and Resources shall specify to the applicant what information is missing. It is the applicant's responsibility to provide the additional information required to complete the application prior to the closing time for submitting applications.

CAFN Lands and Resources shall, within the period specified by the First Nations Council in the resolution:

- Review the applications to confirm all applicants are eligible and the applications are complete.
- Assign a unique identifying number to each application determined by the committee to be eligible and complete.
- Post a list of applicants and the identifying number assigned to their application.

Conducting a Land Lottery

The First Nations Council shall conduct the lottery on the date and at the time and place specified in the notice of lottery by randomly drawing the numbers assigned to the applications.

The First Nations Council may, in exceptional circumstances, revise the date for the lottery draw. If the date of the lottery draw is revised, CAFN Lands and Resources shall issue a public notice of the revised date and the draw shall proceed on the revised date.

CAFN Settlement Land Disposition Process

Dispositions will be made based on the order applications are drawn and the priority of parcel selection specified in the applications drawn. Applications drawn after all parcels available for disposition have been selected will be placed on an eligibility list in priority based on the order drawn.

If within twenty one (21) days following a lottery a successful applicant declines a disposition drawn by them, the parcel shall be offered in order of priority to persons on the eligibility list. CAFN Lands and Resources shall be responsible for administering the eligibility list.

Once all dispositions in the lottery process have been made and the twenty one (21) day post lottery period has expired, the lottery will be considered concluded and the eligibility list will be discarded.

If there are parcels remaining after the eligibility list is exhausted, those parcels will be available on a first come basis through the process set out in the CAFN Lands Policy for applying for a disposition without a land lottery (except where the First Nations Council directs, at any time, that the parcels be included in a future lottery).

