

Regulation Respecting the Registrar of The Kahnawà:ke Residency Law K.R.L. c. R-1, r.9

This Regulation was enacted pursuant to section 21.1b of the *Kahnawà:ke Residency Law* (the "Law") and approved by the Mohawk Council of Kahnawà:ke on XXXX XX, 2022.

1) ADMINISTRATIVE FEES

- a) Kahnawà:ke Residency Law Section 9.;

Applicants who are Residing on the Territory when the Law is enacted, will have one (1) year from the date of this section coming into force to apply for this authorization; during this year the application fee will be waived.

This one-year timeframe will be exclusive of the time in which the Registrar position was vacant.

- b) Any application for Permit renewal which is filed within ten (10) days before the expiration date is subject to additional administration fees. The additional administration fee is set at an amount determined by the Council of Chiefs.

2) COMMUNITY REVIEW BOARD

The Registrar will respond to requests and participate in any reviews by the Community Review Board, as required.

3) COURT OF KAHNAWAKE

The Registrar will respond to court requests and participate in any Court hearings, as required.

4) EXTENDED ABSENCE

- a) The General Manager of the Office of the Kahnawà:ke Kanien'kehá:ka Registry will provide for the temporary function of the Registrar's responsibilities in the event the Registrar is:
- i. out of the office for an extended absence, or
 - ii. the position is vacant.
- b) Due to the time constraints contained in the Kahnawà:ke Residency Law process, an extended absence is constituted by an absence from the office for longer than 10 business days.
- c) The responsibilities of the Registrar will be assumed in the interim by;
- i. the General Manager of the Office of the Kahnawà:ke Registry, or
 - ii. in the event the General Manager is unable to attend to the file the Director of Client Based Services will take on the responsibility.

5) CONFLICT OF INTEREST

- a) If the Registrar finds themselves in a conflict of interest with an Applicant, the following will occur;

- i. the General Manager of the Office of the Kahnawà:ke Registry will take on the responsibility of the Registrar, or
 - ii. in the event the General Manager is unable to attend to the file the Director of Client Based Services will take on the responsibility.
- b) A conflict of interest is constituted by the following;

Personal Interest – The following constitutes a personal interest for the purposes of this regulation:

- i. A financial interest that the Registrar, or acting replacement, has in a business that provides services to, or contracts with the applicant or complainant, for remuneration;
- iii. Any gift, gratuity, favor or compensation of any nature whatsoever the Registrar, or acting replacement, may receive in the performance of their duties under this Law with the applicant, the complainant, or their partner that is not for remuneration in accordance with their employment contract;
- iv. Any external commitment, including, but not limited to, employment, contract, or volunteer work which, by its nature places the Registrar, or acting replacement, in a position where the applicant or complainant's personal information may be used without the written consent of the individual; or
- v. The advancement of personal/ political agendas through a decision.

Related Individual – The following constitutes a related individual for the purposes of this regulation:

- i. Related by blood or adoption, including: parent, child, sibling, aunt, uncle, first cousin, nephew or niece;
- ii. Related by marriage, including: a current or former spouse, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, step-parent, step-child; or
- iii. Related through another relationship, including: a close friendship, a current or former relationship, occurring outside the work setting that would make it difficult for the individual with the responsibility to make a decision or a recommendation to be objective, or that would create the appearance that such individual could not be objective. Examples include, but are not limited to, amorous or intimate personal relationships and significant business relationships and affiliates with other organizations.

6) COMING INTO FORCE

- 6.1 This Regulation comes into force on the date fixed by Mohawk Council Executive Directive.