

Tobacco Store Quota Compliance Policy

Purpose

The purpose of this policy is to outline how the Shubenacadie Band will administer Tobacco Quota's with respect to Tobacco distribution, Tobacco sales, and Tobacco Quota Compliance. This policy will be implemented January 5th, 2014

TOBACCO STORE COMPLIANCE

Shubenacadie Band members who currently own a Store and/or plan on applying for a Tobacco Quota with intentions of selling tobacco must meet the following requirements before being granted a Tobacco Quota:

- € Must own a store located in a stand-alone building equipped with its own power meter and source of electricity.
- € Must have a valid Certificate of Registration from, Nova Scotia Registry of Joint Stocks.
- € Must have a valid Province of Nova Scotia Designated Tobacco Vendor permit. Store owners will be required to follow all requirements under the Revenue Act and Regulations for the province of Nova Scotia.
- € The Store Name, Store Owner, and Store Address must be registered with the Province of Nova Scotia and the Shubenacadie Band.
- € The Store must have the hours of operation posted and/or advertised. Stores with Shubenacadie Band Tobacco Quota are required to be open at least 30 hours per week.
- € Tobacco Quota holders must have at least \$100.00 of inventory consisting of items other than tobacco at all times.
- € Shubenacadie Band Tobacco Quotas are non-transferable. All tobacco quotas must be sold at the quota holder's registered business location. Quota tobacco must be safely secured and stored only at the location as stated on the Province of Nova Scotia Designated Tobacco Permit. Quota for individual band members must not be sold from this location.
- € Only Shubenacadie Band members will be granted a Tobacco Quota from the Shubenacadie Band and recorded on the Band Council Resolution.
- € Store Owners must have an original copy of a Band Council Resolution demonstrating that the Shubenacadie Band has approved their Tobacco Quota.

Please note the items listed above must be in place at all times for those business owners who have an active Tobacco Quota.

NON-COMPLIANCE

Should any Tobacco Quota holder be found non-compliant the Shubenacadie Band Tobacco Store Manager may grant that band member/business owner up to seven days to resolve any non-compliant issues identified. The Shubenacadie Band Tobacco Store Manager will outline non-compliant issues in writing and provide a deadline for the quota holder to reach compliance. Should any Tobacco Quota holder not reach compliance within that seven days their Tobacco Quota maybe suspended should that be recommended by the Tobacco Store Manager.

In severe cases of non-compliance the Shubenacadie Band Tobacco Store Manager has the right to suspend any and all Tobacco Quota's. Only the Shubenacadie Band Chief and Council can lift a Tobacco Quota suspension through a motion during a duly convened Shubenacadie Band Chief and Council meeting.

The Shubenacadie Band and its agents reserve the right to randomly inspect any stores that have band tobacco quota for non-compliance

BAND DEBT

The Shubenacadie Band reserves the right to refuse Tobacco Quota to those Quota holders that have unsettled debt with the Shubenacadie Band. Should a Quota holder cheque payment end up with Non-Sufficient Funds (NSF) status that quota holder will be expected to rectify this situation within one week. Until this situation is rectified that quota will be suspended until all fee's and money owed are paid in full. The Shubenacadie Band reserves the right to prosecute those Quota holders who fail to pay all fee's and money owed respecting a Non-Sufficient Funds payment. The Shubenacadie Band reserves the right not to engage in discussions regarding other business opportunities with Quota's holders that have unpaid debts with the Shubenacadie Band.

CASH TRANSACTIONS

The Shubenacadie Band Tobacco Store will not engage in cash transactions over \$350.00. Quota holders are expected to pay for their quota with a cheque, certified cheque, or money order should their transaction be over \$350 dollars.

QUOTA AMOUNTS

The amount of quota granted with respect to the quantity of tobacco quota may change depending on availability. Be advised that quota quantities may change from time to time as required. Quota amount will be outlined in the Band Council Resolution provided to approved Tobacco Quota holders.

TOBACCO QUOTA TRANSPORTATION

Only approved Store Owners/Quota holders and/or an approved Agent of a Store with an approved active Tobacco Quota are permitted to purchase Tobacco from the Shubenacadie Band's Tobacco Store. Be advised that a Quota Holder/Store Owner agent must be a Shubenacadie Band member. Non-band members will be refused all goods and services from the Shubenacadie Band's Tobacco Store. Quota Holder/Store Owner agent must be in possession of the receipt/ bill of lading from the Shubenacadie Band's Tobacco Store while transporting the tobacco products. Tobacco products being transported must be taken directly from the Shubenacadie Band's Tobacco Store to the location noted on the Province of Nova Scotia Designated Tobacco Vendor permit.

POLICY DISCLAIMER

This policy will supersede any previous rules, regulations, and Shubenacadie Band Council Motions regarding Tobacco Store Quota and Tobacco Store Quota compliance. This policy maybe amended from time to time by the Chief and Council during a duly convened Band Council meeting. Quota holders will be notified in writing when amendments are made to this policy.

QUOTA HOLDER/STORE OWNERS AGREEMENT

I _____ of the Shubenacadie band _____
(FIRST NAME/LAST NAME) (Band number)

Hereby do declare that I do understand the Tobacco Store Compliance Policy. I acknowledge these rules and regulations and agree to honour this policy as long as I have a valid Shubenacadie Band Tobacco Quota. I understand the rules and regulations for compliance and hereby grant permission for the Shubenacadie Band to conduct random inspections on my store and its location for compliance as long as I hold a Shubenacadie Band Tobacco Store Quota.

QUOTA HOLDER/APPLICANT

DATE

WITNESS

DATE

Approved Nov 26th, 2013

CHIEF'S INITIALS _____

Approved on November 26th, 2013

MOTION NUMBER _____