



Enacted under the *Community Safety Law*

COMMUNITY SAFETY AND BANISHMENT REGULATION

Enacted on September 7, 2022

Hegus Signature

Chief John Hackett

Hegus John S. Hackett

DEPOSITED IN THE TLA'AMIN
REGISTRY

ON 07/09/22
(day/month/year)

[Signature] for:

Signature of Law Clerk

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WHEREAS:

- A. Under the *Tla'amin Final Agreement*, the Tla'amin Nation may make laws in respect of the regulation, control or prohibition of any actions, activities, access, or undertakings on Tla'amin Lands that may constitute a nuisance, a danger, or a threat to public order, peace or safety;
- B. The *Community Safety Law* provides the authority for the Tla'amin Nation to make regulations to protect and enhance the well-being of Tla'amin Citizens and other persons residing on Tla'amin Lands;
- C. Tla'amin has historical and traditional laws and teachings regarding protecting our community and Citizens and historically used banishment as one of a number of traditional remedies for dealing with individuals who posed a threat or were harmful to the community;
- D. Executive Council have been made aware of recent and ongoing issues with dangerous or harmful individuals on Tla'amin Lands; and
- E. Executive Council, based on recommendations from staff, has determined it is necessary to ensure that Citizens and other persons can live on our Lands and use Tla'amin facilities in relative safety and is committed to implementing measures to safeguard against acts or threats of acts that may cause harm or diminish safety including Sexual Offences, Violent Offences, harassment, threats, and Trafficking of narcotics and illicit substances on Tla'amin Lands;

THEREFORE the Tla'amin Nation Executive Council ENACTS AS FOLLOWS:

1. Citation and definitions

- 1.1 This regulation may be cited as the *Community Safety and Banishment Regulation*.

2. Purpose

- 2.1 The purpose of this regulation is to address potentially disruptive, destructive, dangerous or threatening behavior or conduct on Tla'amin Nation Lands and to promote community safety.

3. Definitions

- 3.1 In this regulation, unless the context otherwise requires:

“**Credible Information**” means information that has:

- (a) objective or visible evidence that is presented to Executive Council; or
- (b) has been confirmed by at least two individuals (the complainant and one other) and which may be presented to Executive Council confidentially and in-camera; and

is not based on rumour, hearsay or political or personal agendas;

“**Designated Individual**” means a person who has been determined to be a Designated Individual by Executive Council under subsection 6.1 or 6.2;

“**Enforcement Officer**” has the same meaning as prescribed in the *Enforcement and Ticketing Law*;

“**Sexual Offence**” means an offence under sections 151 to 173 and section 175 of the *Criminal Code* (Canada), including sexual interference, sexual exploitation, illegal recording or publication of sexual activities, and rape, or an equivalent offence contained in a federal or state statute of the United States of America or any other Commonwealth country;

“**Trafficking**” means trafficking a narcotic or controlled substance as set out in section 5 and Schedules I to V of the *Controlled Drug and Substance Act*, S.C. 1996, c. 19, as amended from time to time;

“**Tla’amin Official**” means a person appointed under subsections 5.1 and 5.2;

“**Tla’amin Restraining Order**” means an order made under subsection 6.4;

“**Violent Offence**” means an offence under sections 229 to 240, 244 to 248, 264 to 273, 279 to 286, and 433 of the *Criminal Code* (Canada), including murder, manslaughter, criminal harassment, assault, assault with a weapon, aggravated sexual assault, arson, illegal removal of a child from Canada, or an equivalent offence contained in a federal or state statute of the United States of America or any other country; and

3.2 Unless specifically defined herein, words and phrases used in this regulation shall be construed in accordance with the meanings assigned to them in the *Tla’amin Final Agreement*, as the context and circumstances require.

4. General Provisions

4.1 The headings of parts and sections in this regulation have been inserted as a matter of convenience and for reference only and in no way define or limit any of its provisions.

4.2 In the event that all or any part of any section or sections of this regulation are found by a court of competent jurisdiction to be invalid, such sections shall be severable, and the remaining portions or sections shall remain in full force and effect

5. Appointment of Tla’amin Official

5.1 Executive Council shall, by Resolution, appoint one or more Tla’amin Citizens or other Persons to carry out the duties of a Tla’amin Official as set out in this regulation.

5.2 A Tla’amin Official may be one or more of the following options:

- (a) an Enforcement Officer,
- (b) a Peace Officer or RCMP Officer,
- (c) a Tla’amin legislator,

- (d) a contractor, or
 - (e) any other Person designated under subsection 5.1.
- 5.3 Executive Council must ensure that any Tla'amin Official is sufficiently qualified to carry out activities and enforcement under this regulation, either generally, or specifically as set out in their appointment.

6. Determination of a Designated Individual

Conviction

- 6.1 If Executive Council, acting reasonably and in good faith, determines that a person
- (a) has been convicted of a Sexual Offence, a Violent Offence, or Trafficking; and
 - (b) poses a serious threat to the physical or psychological health, safety or wellbeing of a person residing on Tla'amin Lands or using Tla'amin facilities or to Tla'amin Lands or facilities,

Executive Council may make a determination that the person is a Designated Individual for a period of no longer than five (5) years.

Designation Without Conviction

- 6.2 In addition to Executive Council's authority under subsection 6.1, if Executive Council, acting reasonably and in good faith, receives Credible Information that a person:
- (a) has been charged with a Sexual Offence, Violent Offence, or Trafficking;
 - (b) has threatened to commit a Sexual Offence or Violent Offence; or
 - (c) has caused serious harm or poses a serious threat to the physical or psychological health, safety or wellbeing of one or more persons on Tla'amin Lands or to Tla'amin Lands or facilities,

Executive Council may, designate the person as a Designated Individual for a period of no longer than twelve (12) months at a time.

Balancing Best Interests

- 6.3 Executive Council must not pass an Executive Resolution under subsections 6.1 or 6.2 unless:
- (a) it determines, in good faith, that doing so is in the best interests of Tla'amin Nation, taking into account the interests of the person, and whether or not the person has acknowledged their issues and is working on rehabilitation or restoration; and

- (b) Executive Council seeks a legal review of the draft Executive Resolution.

Terms and Conditions

6.4 Subject to the limitations imposed by law, and subject to review by legal counsel, Executive Council may authorize such terms and conditions as Executive Council deems just and appropriate to restrict or prohibit the presence of a Designated Individual on Tla'amin Lands or an area of Tla'amin Lands, which may include the following:

- (a) posting the name of a Designated Individual at a Tla'amin facility or otherwise informing Citizens and residents of Tla'amin Lands of the presence of a Designated Individual on Tla'amin Lands;
- (b) taking into account the balance between community protection and the reasonable privacy of individuals, sending information to other Nations to consider posting in their communities if the Individual is designated under subsection 6.1;
- (c) once a Tla'amin Rehabilitation Policy or Resource Guide is developed, providing information or directions for accessing the information and any applicable programs to assist in rehabilitation;
- (d) issuing a Tla'amin Restraining Order to:
 - (i) prohibit or prevent a person from using or accessing Tla'amin computers, servers, e-mail addresses, copiers, notice boards, social media, equipment or facilities;
 - (ii) prohibit or restrict a Designated Individual from attending specified locations or events on Tla'amin Lands or being present within specified areas or facilities on Tla'amin Lands during specified dates or times;
 - (iii) prohibit a Designated Individual from being within a prescribed distance from
 - (A) specified locations or events, or
 - (B) a particular person,
 - (iv) for a Designated Individual determined under subsection 6.1,
 - (A) evict the Designated Individual from rental housing or housing leased on Tla'amin Lands, for a specified period of time, or
 - (B) banish the Designated Individual from using, occupying, or possessing Tla'amin Lands for a specified time period not exceeding one (1) year; or
 - (v) for a Designated Individual determined under subsection 6.2,

- (A) evict the Designated Individual from rental housing or housing leased on Tla'amin Lands, for a specified period of time, or
- (B) banish the Designated Individual from using, occupying, or possessing Tla'amin Lands for a specified time period not exceeding twelve (12) months.

Expiry of Tla'amin Restraining Order

- 6.5 Subject to the time limit of twelve (12 months) imposed on the designation of a Designated Individual under subsection 6.2 who has not been convicted of a serious offence, and the time limit of one (1) year imposed on certain types of banishment under subsections 6.4(d)(iv) and 6.4(d)(v), a Tla'amin Restraining Order must expire within five (5) years from the date the Tla'amin Restraining Order becomes effective.
- 6.6 When a Tla'amin Restraining Order expires or is terminated, if a notice has been posted under subsection 8.4, Executive Council will direct staff to remove the posting and, if necessary, post a new notice to say that the order has expired or has been terminated.
- 6.7 Unless otherwise explicitly stated in the Restraining Order, a Tla'amin Restraining Order that includes a term evicting a Designated Individual residing on Tla'amin Lands under subsections 6.4(d)(iv) or 6.4(d)(v) takes effect 24 hours after service of the Tla'amin Restraining Order in accordance with section 8.
- 6.8 A Tla'amin Restraining Order that includes a term banishing a Designated Individual under subsections 6.4(d)(iv)6.4(d)(iv)(B) and 6.4(d)(v)(B)
 - (a) takes effect immediately after service of the Resolution in accordance with section 8; and
 - (b) may be renewed by Executive Council on a yearly basis but only after Executive Council has carried out a detailed review and re-assessment.
- 6.9 Despite subsections 6.8 and 6.8, a person who has been evicted or banished under section 6.4 may return to Tla'amin Land to collect personal possessions provided that the person:
 - (a) provides at least three (3) days written notice to the Hegus or the Hegus' designate and receives written confirmation from the Hegus or their designate, with a copy of the communication sent to Executive Council setting out a date and time,
 - (b) agrees to be escorted by the RCMP, an Enforcement Officer, or a Tla'amin Official,
 - (c) does not engage in or threaten to engage in a Sexual Offence, Violent Offence, or Trafficking, or other potentially dangerous or harmful behaviours,

- (d) goes directly to their former residence, leaves directly from their former residence, takes only those possessions that are demonstrably owned by the person, and stays for no longer than four (4) hours.
- 6.10 The access granted by the Hegus under section 6.9 may be revoked by the Hegus if the person fails to comply with the conditions set out in that section.

Seizure

- 6.11 Executive Council may instruct and authorize a Tla'amin Official to enter a residence or former residence or property of a Designated Individual and seize, on behalf of Tla'amin Nation, any goods or other materials left by a Designated Individual on Tla'amin Lands.
- 6.12 Any goods or other materials seized under subsection 6.11 become the property of Tla'amin Nation.
- 6.13 Subject to any requirements to preserve evidence for criminal investigations, Executive Council may authorize the goods or other materials to be sold, rented, removed or destroyed by a Tla'amin Official.

Resolution

- 6.14 All decisions, determinations or orders made under this Part must be made pursuant to an Executive Council Resolution.

7. Content and Delivery of Tla'amin Restraining Order

Contents of Tla'amin Restraining Order

- 7.1 A Tla'amin Restraining Order must contain:
- (a) the name of the Designated Individual and sufficient identifying information;
 - (b) the offence for which the Designated Individual was convicted, if applicable;
 - (c) the date upon which the Designated Individual was convicted for the offence, if applicable;
 - (d) the date upon which the Tla'amin Restraining Order was authorized by Resolution;
 - (e) the date upon which the Tla'amin Restraining Order was issued;
 - (f) the date upon which the Tla'amin Restraining Order becomes effective, after it has been served in accordance with this Regulation;
 - (g) the date upon which the Tla'amin Restraining Order expires;
 - (h) any terms or conditions imposed or required by the Resolution;

- (i) if applicable, a list of buildings or areas or a map of Tla'amin Lands clearly showing the specific locations for which a Designated Individual's access is prohibited or restricted; and
- (j) information stating that the individual may request a review or appeal of the Tla'amin Restraining Order or designation as a Designated Individual and the fact that the person has a right under the *Judicial Review Procedure Act* (British Columbia) to apply to the Supreme Court of British Columbia for a judicial review of the Tla'amin Restraining Order or designation as a Designated Individual.

8. Notice

Notice to Designated Individual

8.1 A Tla'amin Official shall, within fourteen (14) days of the date upon which the applicable Resolution was made, personally serve a person for whom or against whom Executive Council

- (a) has determined to be a Designated Individual under subsection 6.1 or 6.2; and
- (b) has issued a Tla'amin Restraining Order,

with a copy of the Resolution including the Tla'amin Restraining Order, as applicable, and a summary of Executive Council's reasons.

8.2 If it is not possible to serve a Designated Individual personally as required by subsection 8.1, after at least two (2) documented attempts to service the Designated Individual, alternative service of the Resolution may be provided by:

- (a) leaving a copy of the Resolution with a person who can provide identification proving that they are at least 18 years of age at the actual or last known address of the addressee;
- (b) posting a copy of the Resolution prominently on a door of a building at the actual or last known address of the addressee; or
- (c) by mailing a copy of the Resolution to the actual or last known address of the addressee;

provided that the actions in paragraphs (a) to (c) are supported by an affidavit to confirm they have been carried out.

8.3 A copy of a Resolution, Tla'amin Restraining Order, notice, and/or written reasons delivered under subsection 8.2 is presumed to have been received by the addressee on the fifth (5th) day following the last action taken under that subsection.

General Notice of Tla'amin Restraining Order

8.4 If Executive Council authorizes a Tla'amin Restraining Order, subject to any written directions from Executive Council, the Tla'amin Official shall, within fourteen (14) days from the date of the Resolution authorizing the Tla'amin Restraining Order,

- (a) deliver a copy of the Tla'amin Restraining Order to:
 - (i) each employer of the Designated Individual that is located on Tla'amin Lands;
 - (ii) each employer of the Designated Individual that is not located on Tla'amin Lands if, in the opinion of the Tla'amin Official with advice from legal counsel, the Designated Individual's employment with that employer could require the Designated Individual to enter onto the prohibited areas described in the Tla'amin Restraining Order;
 - (iii) the local police force or RCMP detachment;
 - (iv) any Tla'amin staff or house posts which Executive Council directs in writing; and
 - (v) each Tla'amin facility or office identified as a prohibited area in the Tla'amin Restraining Order, with instructions that it be posted in a place visible to all employees and volunteers of the facility or office; and
 - (vi) post a summary of the Tla'amin Restraining Order in the appropriate location, if Executive Council determines that it is necessary, taking into account the rights and interests of the community and the rights and interests of the individual.

8.5 When a Tla'amin Restraining Order expires or is terminated, if notices or copies have been delivered or posted under subsection 8.4, Executive Council will direct staff to remove the posting and, if necessary, deliver a note or letter or post a new notice to say that the order has expired or has been terminated.

9. Alternatives for Participation

Meeting Materials

9.1 If a Designated Individual who is the subject of a Tla'amin Restraining Order and who is also a Citizen is prevented from attending a Tla'amin General Assembly for Citizens or other similar meeting on Tla'amin Lands, Council shall:

- (a) provide the Designated Individual with a copy of the agenda and any proposed Resolutions in advance of the meeting; and
- (b) invite written comments from the Designated Individual on the documents provided under subsection (a).

Accessing Programs and Services

- 9.2 If a Designated Individual who is the subject of a Tla'amin Restraining Order and who is also a Citizen is prevented from accessing information, programs or services that are available to other Citizens, excluding Tla'amin community benefit payments, Executive Council shall ensure that other alternatives are in place for the Designated Individual to access the information, programs or services, as appropriate that are not located on Tla'amin Lands.
- (a) Executive Council may make a determination as to whether a Designated Individual should be considered not in Good Standing and excluded from community benefits payments or other payments taking into account the specific situation of that individual, including their state of health and their degree of commitment to pursuing rehabilitation or wellness.

Attending an Election or Ratification Vote

- 9.3 For the purpose of participating in a Tla'amin election for Tla'amin Executive Council, or a Tla'amin Ratification Vote, the Designated Individual must notify the Electoral Officer or Ratification Officer of the new address so that the voting package can be mailed to the Designated Individual at the appropriate time.

10. If the Designated Individual Has an ownership Interest in Tla'amin Lands

- 10.1 Unless a Designated Individual has been banished under subsection 6.4 or is the subject of a Tla'amin Restraining Order that prohibits the individual from accessing lands or structures in which they have an interests, if a Designated Individual who is the subject of a Tla'amin Restraining Order has an ownership right or interest in Tla'amin Lands outside of the area prohibited under the order, the Tla'amin Restraining Order must:
- (a) provide for the Designated Individual to have access to those lands associated with the right or interest; and
- (b) include a map of Tla'amin Lands clearly showing the means by which the Designated Individual is permitted to access those lands and the Designated Individual may access those lands in accordance with the Tla'amin Restraining Order.

11. Designated Individual May Not Acquire Right or Interest in Tla'amin Lands

Non-Citizen

- 11.1 A Designated Individual who is subject to a Tla'amin Restraining Order and is not a Citizen may not acquire an ownership, lease or rental right or interest in Tla'amin Lands that is within an area prohibited under the Tla'amin Restraining Order.

Designated Citizen with Ownership Interest from Will or Estate

- 11.2 A Designated Individual who is subject to a Tla'amin Restraining Order and is also a Citizen may acquire an ownership right or interest in Tla'amin Lands that is within an area prohibited under the Tla'amin Restraining Order, but only by way of an estate administered under the *Wills, Estates and Succession Act* or by testamentary disposition in a valid will and remains subject to the terms and conditions set out in the Tla'amin Restraining Order.

Notice Required

- 11.3 If a Designated Individual who is subject to a Tla'amin Restraining Order acquires an ownership right or interest under subsection 11.2, the Designated Individual must notify the Tla'amin Official of the existence of the right or interest within thirty (30) days from the date of the registration in the Land Titles Office of that right or interest.

Modify Tla'amin Restraining Order

- 11.4 Upon receipt of the notification in subsection 11.3, the Tla'amin Official shall:
- (a) modify the Tla'amin Restraining Order to provide for access to the lands that are the subject to the right or interest in accordance with subsection 11.1; and
 - (b) deliver and, if appropriate, post, a copy of the modified Tla'amin Restraining Order in accordance with section 8.

12. Modification, Cancellation or Removal of Designation or Tla'amin Restraining Order

- 12.1 Executive Council may modify, cancel or remove:

- (a) a Designated Individual determination under subsection 6.1 or 6.2; or
- (b) a Tla'amin Restraining Order

at any time if Executive Council is satisfied that the circumstances described in subsection 6.1 or 6.2, as applicable, no longer exist or if new evidence has been discovered, and that the safety of the community or any person on Tla'amin Lands would not be compromised by modifying, cancelling or removing the Designated Individual determination or the Tla'amin Restraining Order.

- 12.2 Executive Council will provide notice of the modification, cancellation or removal as outlined in section 8.

Application to Executive Council

- 12.3 A Designated Individual may apply in writing to Executive Council to modify, cancel or remove:

- (a) the Designated Individual determination under subsections 6.1 or 6.2; or

- (b) a Tla'amin Restraining Order, if applicable.
- 12.4 Any application from a Designated Individual must:
- (a) contain a specific request setting out what the Designated Individual wishes Executive Council to review and any specific proposals to modify, cancel or remove the designation or Tla'amin Restraining Order;
 - (b) contain details and information to support the application; and
 - (c) be submitted to the Hegus and Executive Council no more frequently than once per year, or once new information or evidence arises.
- 12.5 Within sixty (60) days of receiving an application under subsection 12.3, Executive Council, with the assistance of legal counsel, shall review and consider the application; and either:
- (a) approve the application, or
 - (b) reject the application with valid reasons provided in writing.
- 12.6 The portion of the Executive Council meeting held under subsections 12.4 and 12.5 must be held *in camera*.

Renewal or Expiry of a Designation

- 12.7 When a designation is about to expire, Executive Council may renew the designation as per the process outlined in this regulation, or allow for the designation to expire.
- 12.8 Executive Council will provide notice of an expiry or a renewal of a designation as outlined in section 8.

Resolution

- 12.9 All decisions, determinations or orders made under this section must be made pursuant to a Resolution and must be served or delivered in accordance with section 8.

13. Review of Council Decisions

Final and Binding

- 13.1 A decision of Executive Council under subsections 6.1 or 6.2, 6.4(c), 12.1, 12.5 or 12.7 is final and binding.

Court Review

- 13.2 Notwithstanding subsection 13.1, a Designated Individual may apply to the court, solely at their own expense, for a review of an Executive Council decision under subsections 6.1 or 6.2, 6.4(c), 12.1, 12.5 or 12.7.

Standard of Review

- 13.3 The standard of review of an application under subsection 13.2 is reasonableness.

Time Limit

- 13.4 An application under subsection 13.2 must be brought within thirty (30) days after service of Executive Council's decision in accordance with section 8.

No Stay

- 13.5 An application for court review under subsection 13.2 does not operate as a suspension, cancellation or stay of a Tla'amin Restraining Order.
- 13.6 A Tla'amin Restraining Order remains in place until it expires, unless and until a court orders it to be varied or removed.

14. No Liability for Decisions Made in Good Faith

- 14.1 Tla'amin Nation, including a Tla'amin legislator, a Tla'amin Official, or any person acting on authority of, or under the direction of, Executive Council, is not liable for any damage arising from
- (a) making a determination that a person is a Designated Individual;
 - (b) making a Tla'amin Restraining Order; or
 - (c) enforcing any aspect of this regulation,

provided that the determination under subsection (a) and the Tla'amin Restraining Order under subsection (b) were made in good faith.

15. Duty to Report

- 15.1 A person who has reasonable grounds to believe that a Designated Individual has breached any requirement, term or condition of a Tla'amin Restraining Order shall immediately report these grounds to a Tla'amin Official or Enforcement Officer.

16. Enforcement of Tla'amin Restraining Order

- 16.1 If a Designated Individual fails or refuses to comply with any requirement, term or condition of a Tla'amin Restraining Order made in accordance with this regulation and delivered in accordance

with section 8, without limiting an Enforcement Officer's powers at law, including pursuant to a Tla'amin Law that addresses enforcement powers of Enforcement Officers, an Enforcement Officer may take such reasonable measures as are necessary to enforce that order, and without limiting the generality of the foregoing, may:

- (a) issue a warning, order, ticket, Compliance Notice, information or summons in a form and, if applicable, subject to the fines or penalties authorized by Resolution, this regulation, or any other applicable law pursuant to the *Tla'amin Final Agreement*, to a Designated Individual who is in breach of any requirement, term or condition of a Tla'amin Restraining Order; or
 - (b) remove the Designated Individual from the area prohibited in the Tla'amin Restraining Order, or may detain the Designated Individual pending the arrival of the RCMP.
- 16.2 If a person fails to pay a fine or penalty under this regulation, the Director of Community Services is authorized, thirty (30) days after having sent a warning letter to the person, to:
- (a) send any unpaid fine or penalty to a collection agency if the fine or penalty is owed by a person who is not a Tla'amin Citizen; or
 - (b) for fines or penalties owed by Tla'amin Citizens, to send a request to the Executive Council that moneys be withheld from annual citizenship distributions or other community grants or benefits or take similar actions as set out in the *Enforcement and Ticketing Law*.

All Remedies Retained

- 16.3 Nothing in this regulation precludes Tla'amin Nation from pursuing any other enforcement action or remedy to address a Designated Individual's failure or refusal to comply with a Tla'amin Restraining Order provided for in any other relevant law.

May File Order in Court but Not Necessary

- 16.4 All Tla'amin Orders validly issued under this regulation have the force of law and are fully enforceable whether or not they are registered in a court.
- 16.5 Despite subsection 16.4, Tla'amin Executive Council may, in its sole discretion, file a certified copy of a Tla'amin Restraining Order made under this regulation with a court of competent jurisdiction.
- 16.6 A Tla'amin Restraining Order filed under subsection 16.5 has the same force and effect, and all proceedings may be taken on it, as if it were a judgment of the court.

17. Penalties and Offences

- 17.1 It is an offence to:

- (a) fail or refuse to comply with any warning, order, Ticket, Compliance Notice, information or summons made or issued under this regulation, including, for certainty, the requirements, terms or conditions of a Tla'amin Restraining Order;
 - (b) fail or refuse to comply with the requirement under section 11.3 to report a right or interest in Tla'amin Land by testamentary disposition;
 - (c) knowingly and willingly allow a Designated Individual to remain on one's property in contravention of a Tla'amin Restraining Order made in accordance with this regulation and published in accordance with subsection 8.4; or
 - (d) obstruct, interfere with, or deny access to an Enforcement Officer.
- 17.2 An Enforcement Officer may commence a proceeding for an offence against this regulation by
- (a) a Compliance Notice,
 - (b) a Ticket, or
 - (c) a prosecution in Provincial Court,
- in accordance with Tla'amin Nation policy.
- 17.3 Any person who contravenes this regulation, or any requirement, term or condition of a Resolution or an order made and delivered in accordance with this regulation, or an order made by a court pursuant to this regulation, commits an offence and shall, in addition to any other provisions of this regulation,
- (a) be liable for a fine enforced by a Ticket or Compliance Notice of not more than \$2,000 or set out in the *Enforcement and Ticketing Law* for each offence; or
 - (b) be liable on summary conviction to a fine of not more than \$10,000 or set out in the *Enforcement and Ticketing Law* for each offence, or to a term of imprisonment not exceeding (30) days, or both;
- and
- (c) a person who also causes damage to property or infrastructure within Tla'amin Lands, is liable to repair the damage or reimburse Tla'amin Nation or affected entities or individuals for the damage and any such reimbursement costs are a debt owing to the Tla'amin Nation which can be collected under this regulation, the *Enforcement and Ticketing Law*, or Tla'amin laws relating to collections.
- 17.4 Where a person commits an offence for more than one day, it constitutes a separate offence for each day on which the person commits or continues the offence.

17.5 Offences against this regulation are designated for enforcement under the *Enforcement and Ticketing Law*.

17.6 A fine payable under subsection 17.3 shall be remitted to Tla'amin Nation by the court, after reasonable court costs have been deducted.

18. Commencement

18.1 This regulation comes into force on the date it is passed by Executive Council.