



## **ORDER OF THE LAW CLERK**

Re: Public Works and Services Act, TNS 4/2018

Enacted under the Grammatical and Typographical Amendments Act, TNS 1/2015, section 2.1

TNO 5/2024

### **BACKGROUND:**

- A. On March 26, 2024, the Executive enacted the Public Works and Services Act Amendments Act, TNS 5/2024 (the “Amendment Act”);
- B. By email dated November 4, 2024, legal counsel for the Toquaht Nation Government advised the law clerk that, through inadvertence, the Amendment Act contains grammatical and typographical errors;
- C. Those grammatical and typographical errors in the Amendment Act were imported over to the Public Works and Services Act TNS 4/2018 (the “Act”) leading to incorrect amendments to the Act; and
- D. In accordance with section 2.1 of the Grammatical and Typographical Amendments Act, TNS 1/2015, the law clerk may, by Order and on the advice of legal counsel for the Toquaht Nation Government, make an amendment to an enactment to correct a grammatical or typographical error in that enactment, provided that amendment does not in any way alter the intent of, or a right, duty or power provided for in, that enactment.

### **NOW THEREFORE THE LAW CLERK ORDERS AS FOLLOWS:**

1. Section 4.5 is repealed;
2. Section 4.7 is amended by striking out:
  - (a) the words “despite subsection (c) and (e)” and substituting “For certainty”;
  - (b) the word “discontinuance” and substituting “suspension”;
  - (c) the words “under section 4.6” and substituting “under section 4.8.1”; and
3. Section 4.7(g) is repealed and substituted with the following:

“For certainty, the garbage and recycling fee must not be prorated and a refund must not be issued for any temporary suspension of the Toquaht garbage and recycling service.”

This Order enacted on November 4, 2024

Signed *Kirsten Johnsen*  
Kirsten Johnsen, Law Clerk of the Toquaht Nation

DEPOSITED IN THE  
REGISTRY OF LAWS AND  
OFFICIAL RECORDS  
  
ON 2024/11/04  
*Kirsten Johnsen*  
Signature of Law Clerk