

TOQUAHT NATION GOVERNMENT

Enacted under the Administration of Justice Act section 13.1

ADMINISTRATION OF JUSTICE REGULATION

TNR 1/2025



This regulation enacted on February 20th, 2025

Signed *Anne Mack*
Anne Mack, taayii ḥawit of the Toquaht Nation

DEPOSITED IN THE
REGISTRY OF LAWS AND
OFFICIAL RECORDS

ON 2025/0228

Kristen Johnson

Signature of Law Clerk

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PART 1 - INTRODUCTORY PROVISIONS

Short title

1.1 This regulation may be cited as the Administration of Justice Regulation.

Application

1.2 This regulation prescribes

- (a) the form for a compliance notice and forms related to compliance notices, including:
 - (i) the form for an application for review,
 - (ii) the form for additional information,
 - (iii) the form for any schedules, and
 - (iv) the form for any affidavits,
- (b) the form for a violation ticket and forms related to violation tickets, including:
 - (i) the form for a certificate of service,
 - (ii) the form for a notice of dispute, and
 - (iii) the form for a statement and written reasons,
- (c) the manner in which administration of justice forms must be completed, and
- (d) the fee and process for applying for review of a compliance notice.

Definitions

1.3 In this regulation,

“Act” means the Administration of Justice Act, TNS 6/2024;

“administration of justice form” means a form established under this regulation and includes any attachments to the administration of justice form; and

“application for review” means an application for review of a compliance notice in accordance with Part 12 of the Act.

Repeal

1.4 The Compliance Notice and Ticket Regulation is repealed.

PART 2 - FORMS

Prescribed forms

- 2.1 (a) The administration of justice forms numbered AJA-1 to AJA-9 are prescribed for the purposes of the Act.
- (b) A compliance notice must be in Form AJA-1.
- (c) A violation ticket must be in Form AJA-2.
- (d) A certificate of service must be in Form AJA-3.
- (e) A notice of dispute must be in Form AJA-4.
- (f) A statement and written reasons must be in Form AJA-5.
- (g) An application for review must be in Form AJA-6.
- (h) Nothing may be attached to an application for review form except
- (i) one or more additional information pages in Form AJA-7,
- (ii) one or more schedules in Form AJA-8, or
- (iii) one or more affidavits in Form AJA-9.

Completion of forms

- 2.2 (a) Every administration of justice form must be completed and executed legibly and in accordance with
- (i) the Act,
- (ii) this regulation, and
- (iii) the instructions on the administration of justice form, as applicable.
- (b) An abbreviation of any word on an administration of justice form must not be used unless the abbreviation does not obscure the meaning, intent or legal effect of the administration of justice form.
- (c) Every administration of justice form must be completed in the English language.
- (d) An attachment to an application for review form that is an affidavit in Form AJA-9 must be sworn on oath or affirmation before a lawyer, notary public or other

person authorized by the Evidence Act (British Columbia) to take affidavits for use in British Columbia.

When failure to use prescribed form does not invalidate proceeding

- 2.3** If a violation ticket or compliance notice is not issued in the prescribed form, a proceeding or an action in relation to the violation ticket or compliance notice, as applicable, is not invalidated if the form used is substantially similar to the prescribed form and meets the other requirements of the Act.

PART 3 - REVIEW OF COMPLIANCE NOTICE

Application fee

- 3.1** (a) A person applying for review of a compliance notice must pay an application fee of \$25 to the Toquaht Nation.
- (b) The application fee payable under subsection (a)
- (i) must accompany the application for review form,
 - (ii) must be paid
 - (A) by certified cheque or money order payable to the Toquaht Nation Government, or
 - (B) by such other form of payment as may be approved by the director of finance, and
 - (iii) is non-refundable.

Filing an application for review form

- 3.2** A person may file an application for review by delivering the application for review by hand or mail to the Toquaht administrative office or by e-mail to the address set out in Form AJA-1.

SCHEDULE 1 – ADMINISTRATION OF JUSTICE FORMS

AJA-1 – Compliance Notice

AJA-2 – Violation Ticket

AJA-3 – Certificate of Service

AJA-4 – Notice of Dispute

AJA-5 – Statement and Written Reasons

AJA-6 – Application for Review of Compliance Notice

AJA-7 – Additional Information Pages

AJA-8 – Schedule

AJA-9 – Affidavit

<p>How to Apply for a Review of this Compliance Notice</p> <p>You may apply for a review of this Compliance Notice within 14 days. Applications for review must be in the form set out in the Administration of Justice Regulation, TNR 1/2025 and be accompanied by a \$25 application fee.</p> <p>Applications must be submitted in one of the following ways:</p> <p>(1) By hand Toquaht Nation Government administrative office PO Box 759, 1971 Peninsula Rd, Ucluelet, BC V0R 3A0</p> <p>(2) By mail Attn: Director of Operations PO Box 759, 1971 Peninsula Rd, Ucluelet, BC V0R 3A0</p> <p>(3) By e-mail general@toquaht.ca</p> <p>The application fee may be paid by certified cheque or money order payable to the Toquaht Nation Government.</p> <p>You may contact the Director of Operations for the application review form or additional information regarding an application for review.</p>
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<p>Failure to Comply</p> <p>If you fail to comply with this Compliance Notice by the Compliance Date you may be:</p> <p>A) issued a violation ticket for failing to comply with this Compliance Notice, B) issued a violation ticket for the above contravention(s), or C) subject to prosecution in BC Provincial Court for the contravention(s) listed above and liable, on summary conviction, to a fine in the amount determined by the Court or imprisonment for up to six months.</p> <p>In addition, if you fail to comply with this Compliance Notice by the Compliance Date, the Toquaht Nation Executive may, subject to the outcome of any application for review of this Compliance Notice, direct or authorize certain actions or measures to be taken to stop or rectify the above contravention(s) or to prevent a re-occurrence of those contravention(s). If the Executive authorizes or directs such actions or measures to be taken, you will be liable to the Toquaht Nation Government for any costs associated with carrying out those actions or measures.</p>
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FOR ENFORCEMENT OFFICER USE ONLY	
_____	_____
ENFORCEMENT OFFICER	Date

THIS COMPLIANCE NOTICE HAS TWO SIDES

AJA-2 – Violation Ticket

<p>TOQUAHT NATION GOVERNMENT</p> <p>Administration of Justice Act Form AJA-2 VIOLATION TICKET</p>		<p>Incident File Number:</p> <p>Violation Ticket Number:</p>
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ISSUED TO:

SURNAME OR CORPORATE NAME				
GIVEN NAMES (OR CORPORATE NAME CONTINUED)			YOUNG PERSON (12-17 YEARS OLD) (YES/NO/UNKNOWN)	
PROV / STATE	DRIVERS LICENCE #	PRODUCED (Y/N)	EXPIRY (YYYY)	BIRTHDATE (YYYY-MM-DD)
ADDRESS				DIFFERENT FROM DL ADDRESS (Y/N)
CITY		PROV / STATE	POSTAL / ZIP CODE	

THE ISSUING ENFORCEMENT OFFICER IDENTIFIED BELOW HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE, AND DOES BELIEVE, THAT THE ABOVE-NAMED IS A PERSON INVOLVED IN AN ACTIVITY REGULATED BY TOQUAHT LAW.

ON OR ABOUT	VIOLATION DATE (YYYY-MM-DD)	AT THE APPROXIMATE TIME	(24-HR CLOCK)	OF	:
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ON OR NEAR: ADDRESS / LOCATION

- ON TOQUAHT LANDS
- ON THE TOQUAHT FORESHORE

DID COMMIT THE OFFENCE(S) INDICATED, UNDER THE FOLLOWING ACT(S) OR REGULATION(S):

DESCRIPTION OF OFFENCE	ACT OR REGULATION (FULL NAME) AND SECTION CONTRAVENED	PENALTY	DISCOUNT PENALTY (IF PAID WITHIN 14 DAYS OF SERVICE)
C O U N T (1)	<input type="checkbox"/> ACT: <input type="checkbox"/> REG: SECTION:	\$ _____	\$ _____
C O U N T (2)	<input type="checkbox"/> ACT: <input type="checkbox"/> REG: SECTION:	\$ _____	\$ _____
C O U N T (3)	<input type="checkbox"/> ACT: <input type="checkbox"/> REG: SECTION:	\$ _____	\$ _____

IF OFFENCE INVOLVES A VEHICLE:

PROV / STATE	LICENCE PLATE NUMBER
REGISTERED OWNER(S) NAME(S)	VEHICLE MAKE / TYPE
	YEAR / COLOUR

TO DISPUTE THIS VIOLATION TICKET, YOU MAY COMPLETE AND DELIVER A NOTICE OF DISPUTE AND/OR STATEMENT AND WRITTEN REASONS IN ACCORDANCE WITH INSTRUCTIONS ON THE REVERSE OF THIS VIOLATION TICKET.

PROVINCIAL COURT HEARING LOCATION IF VIOLATION TICKET IS DISPUTED: PORT ALBERTNI PROVINCIAL COURT	DATE OF SERVICE (YYYY-MM-DD)
ISSUING ENFORCEMENT OFFICER SIGNATURE	OFFICER ORGANIZATION / DETACHMENT (IF EXTERNAL)
ISSUING ENFORCEMENT OFFICER NAME	OFFICER NUMBER (IF EXTERNAL)
IF A WITNESSING OFFICER IS INVOLVED, OFFICER'S NAME	WITNESSING OFFICER NUMBER (IF EXTERNAL)

IF AN ALLEGED OFFENCE OR A FINE FOR AN ALLEGED OFFENCE IS NOT DISPUTED WITHIN 14 DAYS OF THE DATE OF SERVICE, THIS VIOLATION TICKET IN RESPECT OF THE ALLEGED OFFENCE WILL BE TREATED AS NOT DISPUTED. YOU WILL BE DEEMED TO HAVE PLEADED GUILTY TO THE OFFENCE AND THE TICKETED AMOUNT FOR THE OFFENCE WILL BE PAYABLE TO TOQUAHT NATION GOVERNMENT. YOUR SIGNATURE INDICATES YOU HAVE RECEIVED THIS VIOLATION TICKET AND IS NOT AN ADMISSION OF GUILT.

I HEREBY ACKNOWLEDGE RECEIPT OF A COPY OF THIS VIOLATION TICKET

ALLEGED OFFENDER'S SIGNATURE _____

THIS VIOLATION TICKET HAS TWO SIDES

**TOQUAHT NATION GOVERNMENT
ADMINISTRATION OF JUSTICE REGULATION TNR 1/2025**



**TOQUAHT
NATION**
ADMINISTRATION OF
JUSTICE ACT

**VIOLATION TICKET
PAYMENT AND DISPUTE INSTRUCTIONS**

**HOW TO PAY THE
VIOLATION TICKET**

REDUCE TICKETED AMOUNT(S) BY PAYING EARLY

You may pay the discounted penalty amount set out on the front of this violation ticket if you pay in full within 14 days after the date of service of the violation ticket.

PAY IN PERSON	PAY BY MAIL
<p>Present your violation ticket and payment at the Toquaht Nation Government administration office during regular business hours:</p> <p>PO Box 759, 1971 Peninsula Rd, Ucluelet, BC V0R 3A0</p>	<p>Mail your payment by certified cheque or money order in Canadian funds payable to the Toquaht Nation at the following address: PO Box 759, 1971 Peninsula Rd, Ucluelet, BC V0R 3A0. Do not send cash. A receipt will not be mailed. Your payment must be accompanied by a copy of the violation ticket or a note that contains the following as shown on the violation ticket:</p> <ul style="list-style-type: none"> • The violation ticket number • Your name, address, date of birth and driver's licence number • The violation date and the name of the Act or regulation and section contravened for each alleged offence to which the payment relates <p>If you do not provide these details or a copy of your violation ticket, it may not be possible to process your payment. If this occurs, the ticketed amount for each alleged offence to which the payment relates will be unpaid.</p>

WHAT HAPPENS IF YOU PAY A TICKETED AMOUNT IN FULL?

If you pay the ticketed amount in full, you are deemed to have pleaded guilty to the alleged offence and the offence will be added as a conviction to the records kept by Toquaht Nation Government.

WHAT HAPPENS IF YOU PAY A PORTION OF A TICKETED AMOUNT OR DO NOT PAY AT ALL?

If, within 30 days of the date of service of the violation ticket, you pay a portion of the ticketed amount for an alleged offence, or do not pay the ticketed amount for the alleged offence and do not dispute the alleged offence, you are deemed to have pleaded guilty to the offence. This will have the following consequences: you will be subject to collection activity; the offence will be added as a conviction to the records kept by Toquaht Nation Government; in the case of certain offences, you may be refused a licence or a permit under the Act that you have contravened or whose regulations you have contravened or under another enactment.

**HOW TO DISPUTE THE
VIOLATION TICKET**

You can dispute an alleged offence set out in the violation ticket or a fine or both by providing a notice of dispute in accordance with the instructions below. Your notice of dispute must be received within 30 days of the date of service of the violation ticket. If you dispute an alleged offence, you or your agent will have to appear at a Provincial Court hearing. If you do not wish to dispute an alleged offence but wish to request a reduction in a fine or additional time to pay, you can complete and submit a Violation Ticket Statement and Written Reasons form with your notice of dispute or you or your agent can appear at a Provincial Court hearing to make the request.

DISPUTE BY E-MAIL	DISPUTE IN PERSON
<p>You may e-mail your notice of dispute to general@toquaht.ca</p>	<p>You may deliver your notice of dispute in person to the Toquaht administration office at the address set out on the back of this violation ticket. You will need to bring the violation ticket and you may be required to fill out a Notice of Dispute form as provided at that location.</p>

DISPUTE BY MAIL

You may mail a letter to the Toquaht administration office at the address set out on the back of this violation ticket saying that you want to dispute the violation ticket. The letter must identify any alleged offence or fine for any alleged offence that you are disputing and set out the address to which the Provincial Court will send your notice of hearing. You must include a copy of the violation ticket with your letter, or your letter must contain the following as shown on the violation ticket:

- The violation ticket number
- Your name, address, date of birth and driver's licence number
- The violation date and the name of the Act or regulation and section contravened for each alleged offence that you are disputing

If you do not provide these details in the letter or a copy of the violation ticket, it may not be possible to process your dispute. If this occurs, you will be deemed to have pleaded guilty to the offence(s).

WHAT HAPPENS AFTER YOUR NOTICE OF DISPUTE HAS BEEN RECEIVED?

If you dispute an alleged offence or submit a request for a reduction in a fine for an alleged offence or additional time to pay without including a completed Violation Ticket Statement and Written Reasons form, a Notice of Hearing will be sent to you in the mail or electronically. The notice will tell you the date, time and location for your Provincial Court hearing.

If you or your agent do not appear at the Provincial Court hearing at the indicated date and time, the alleged offence is deemed not to be disputed and you are deemed to have pleaded guilty to the offence. This will have the following consequences: the ticketed amount is immediately payable; the offence will be added as a conviction to the records kept by Toquaht Nation Government; in the case of certain offences, you may be refused a licence or a permit under the Act that you have contravened or whose regulations you have contravened or under another enactment.

If you submit a request for a reduction in a fine or additional time to pay and a completed Violation Ticket Statement and Written Reasons form, an order of a justice setting out the Court's decision will be sent to you in the mail or electronically.

THIS VIOLATION TICKET HAS TWO SIDES

AJA-3 – Certificate of Service

<p>TOQUAHT NATION GOVERNMENT Administration of Justice Act Form AJA-3 CERTIFICATE OF SERVICE</p>		<p>Incident File Number: Violation Ticket Number:</p>
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CERTIFICATE OF SERVICE

I, _____
(name) (occupation)

certify that on the date

YYYY	MM	DD
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I served _____ (the "Named Person")

with a copy of the Violation Ticket attached to this form in accordance with the Administration of Justice Act, TNS 6/2024 in the manner indicated below:

- by delivering the violation ticket by hand to the Named Person
- by mailing the violation ticket to the Named Person or, in the case of a corporation, to the registered office of the corporation shown in the records of the applicable government
- by faxing the violation ticket to the last known facsimile number of the Named Person
- by affixing the violation ticket in a conspicuous place to the vehicle identified in the Violation Ticket (*parking-related offences only*)
- by serving a physical copy of the violation ticket to the person having care and control of the vehicle identified in the Violation Ticket (*parking-related offences only*)

Dated:

YYYY	MM	DD
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ENFORCEMENT OFFICER SIGNATURE

AJA-5 – Statement and Written Reasons

<p>TOQUAHT NATION GOVERNMENT</p> <p>Administration of Justice Act Form AJA-5</p> <p>VIOLATION TICKET STATEMENT AND WRITTEN REASONS</p>		<p>Incident File Number:</p> <p>Violation Ticket Number:</p> <p>Court Hearing Location:</p> <p>Date:</p>
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This form must be used if a disputant wants to request a reduction in the ticketed amount and/or request more time to pay, and the disputant does NOT want to appear in person for hearing of the dispute. **This form MUST be accompanied by a Notice of Dispute.**

PART A
 Complete this section.

<small>Name of Disputant - Surname</small>	<small>Given Names</small>	
<hr/>	<hr/>	
<small>Driver's licence number</small>	<small>Province or State of driver's license</small>	
<hr/>	<hr/>	
<small>Mailing Address</small>		
<hr/>		
<small>City</small>	<small>Prov.</small>	<small>Postal Code</small>
<hr/>	<hr/>	<hr/>
<small>Birthdate YYMMDD</small>	<small>Email Address</small>	
<hr/>	<hr/>	

Note: If you do not notify Toquaht Nation Government and the Provincial Court of a change of address, you will not be notified of the order of the Justice.

PART B
 Complete and sign this written statement.

I agree that I committed this offence and I do NOT want to appear in person for a hearing. I want to request a reduction in the fine portion of the Ticketed Amount(s) and/or more time to pay the Ticketed Amount(s).

	or	
<small>Signature of Disputant</small>		<small>Signature of Agent</small>
		<small>Print Agent's Name</small>
<small>Agent's Address</small>	<small>City</small>	<small>Province</small>
<hr/>	<hr/>	<small>Postal Code</small>
<hr/>	<hr/>	<hr/>

PART C
 Complete your reasons in request of a reduced Ticketed Amount(s).

Written Reasons for a Reduction in the Ticketed Amount(s) (*Must not contain a defence of the allegation*):

Continue on Form AJA-7 if more room is required

PART D
 Complete your reasons for Time to Pay the Ticketed Amount(s).

Written Reasons for More Time to Pay the Ticketed Amount(s) (*Must not contain a defence of the allegation*):

Continue on Form AJA-7 if more room is required

Important Notice
 Certain offences may have a minimum fine and cannot be reduced.

TOQUAHT NATION GOVERNMENT CONTACT

Phone: 1-250-726-4230
 Administration office: PO Box 759, 1971 Peninsula Rd, Ucluelet, BC V0R 3A0
 Forms are available at: <https://toquaht.ca/>

AJA-6 – Application for Review of Compliance Notice

<p>TOQUAHT NATION GOVERNMENT</p> <p>Administration of Justice Act Form AJA-6</p> <p>APPLICATION FOR REVIEW OF COMPLIANCE NOTICE</p>		<p>Date received:</p> <p>Incident File Number:</p> <p><input type="checkbox"/> Application fee of \$25 received</p> <p><i>(for Director of Operations use only)</i></p>
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I, _____ (*Name of Applicant*) hereby apply for a review by the Director of Operations of the following Compliance Notice:

Compliance Notice number:	
Date Compliance Notice was issued:	
What was the Compliance Notice issued for?	

APPLICANT'S CONTACT INFORMATION:

Full legal name:	
Phone #(s):	
Address for delivery:	
Email Address (optional):	

The basis for my application for review is:


If you run out of space or would like to attach additional information or supporting evidence, note that such attachments must be in Form AJA-7 in the case of Additional Information, AJA-8 where you would like to attach one or more documents as a Schedule and AJA-9 in the case of sworn Affidavit(s).

Also note that a copy of this application will be delivered by the Director of Operations to any other person that the Compliance Notice was issued to and that the Director of Operations may gather the information required for the review of the Compliance Notice. Upon completion of the review, the Director of Operations will either reverse or modify the Compliance Notice, with or without conditions, or confirm the Compliance Notice.

I acknowledge that this review request is subject to the requirements of the Administration of Justice Act, and that acceptance for filing is not an indication that the requirements have been met.

Signature: _____ Date: _____

AJA-8 – Schedule

<p>TOQUAHT NATION GOVERNMENT</p> <p>Administration of Justice Act Form AJA-8</p> <p>SCHEDULE</p>		<p>Date received:</p> <p>Incident File Number:</p> <p><i>(for Director of Operations use only)</i></p>
<p>Document Information</p>		
<p>NAME OF ATTACHED DOCUMENT _____</p> <p>DATE OF ATTACHED DOCUMENT _____</p>		

