

TOQUAHT NATION GOVERNMENT

MISCELLANEOUS AMENDMENTS ACT  
NO. 3

TNS 1/2026



This law enacted on March 2<sup>nd</sup>, 2026

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

DEPOSITED IN THE  
REGISTRY OF LAWS

ON 2026/03/10

*Kristen Johnson*

Signature of Law Clerk

TOQUAHT NATION GOVERNMENT  
MISCELLANEOUS AMENDMENTS ACT NO. 3 TNS 1/2026

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## TABLE OF CONTENTS

<b>PART 1 - INTRODUCTORY PROVISIONS.....</b>	<b>5</b>
Short title.....	5
Executive oversight.....	5
Authority and application.....	5
<b>PART 2 - ADMINISTRATION OF JUSTICE ACT.....</b>	<b>7</b>
Administration of Justice Act amendments.....	7
<b>PART 3 - APPLICATION OF LAWS TO FORESHORE ACT.....</b>	<b>9</b>
Application of Laws to Foreshore Act amendments .....	9
<b>PART 4 - BUILDING AND DEVELOPMENT AUTHORIZATION ACT.....</b>	<b>11</b>
Building and Development Authorization Act amendments.....	11
<b>PART 5 - CITIZENSHIP ACT .....</b>	<b>13</b>
Citizenship Act amendments.....	13
<b>PART 6 - COUNCIL RULES OF ORDER AND PROCEDURE ACT.....</b>	<b>15</b>
Council Rules of Order and Procedure Act amendments.....	15
<b>PART 7 - EMERGENCY PREPAREDNESS ACT .....</b>	<b>17</b>
Emergency Preparedness Act amendments.....	17
<b>PART 8 - ENVIRONMENTAL PROTECTION ACT .....</b>	<b>19</b>
Environmental Protection Act amendments.....	19
<b>PART 9 - LAND ACT.....</b>	<b>21</b>
Land Act amendments.....	21
<b>PART 10 - PLANNING AND LAND USE MANAGEMENT ACT .....</b>	<b>23</b>
Planning and Land Use Management Act amendments.....	23
<b>PART 11 - REFERENDUM ACT.....</b>	<b>25</b>
Referendum Act amendments .....	25
<b>PART 12 - TRESPASS AND COMMUNITY SAFETY ACT.....</b>	<b>27</b>
Trespass and Community Safety Act amendments .....	27
<b>PART 13 - GENERAL PROVISIONS .....</b>	<b>29</b>
Commencement.....	29

TOQUAHT NATION GOVERNMENT  
MISCELLANEOUS AMENDMENTS ACT NO. 3 TNS 1/2026

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## **PART 1 - INTRODUCTORY PROVISIONS**

### **Short title**

**1.1** This Act may be cited as the Miscellaneous Amendments Act No. 3 (Toquaht Nation).

### **Executive oversight**

**1.2** The chairperson of Council is responsible for the executive oversight of this Act.

### **Authority and application**

- 1.3**
- (a) This Act is enacted under
    - (i) 13.11.1 of Chapter 13 of the Maa-nulth Treaty, and
    - (ii) sections 2.7 and 3.3(b) of the Constitution.
  - (b) This Act applies to miscellaneous Toquaht Nation legislation.

TOQUAHT NATION GOVERNMENT  
MISCELLANEOUS AMENDMENTS ACT NO. 3 TNS 1/2026

---

## PART 2 - ADMINISTRATION OF JUSTICE ACT

### Administration of Justice Act amendments

2.1 The Administration of Justice Act (Toquaht Nation) is amended as follows:

- (a) section 1.4 is amended by adding the following definitions in alphabetical order:
  - ““debt certificate” has the meaning given to it in the Interpretation Act;”;
  - ““enforcement officer” has the meaning given to it in the Interpretation Act;”;
  - ““external enforcement officer” has the meaning given to it in the Interpretation Act;”;
  - and
  - ““fine portion” means the ticketed amount, excluding any fees, surcharges, levies or costs;”;
- (b) section 2.3 is amended by adding a heading to this section with the words “Offence by an employee or agent”;
- (c) by repealing section 10.3(b);
- (d) by repealing section 10.3(c);
- (e) section 10.3(d) is amended by adding the words “unless evidence to the contrary is shown” after the words “age of the person”;
- (f) section 10.5(a)(vi) is amended by striking out the word “information” and substituting “violation ticket”;
- (g) section 10.9(a) is amended by striking out the words “must be immediately delivered to the director of operations” and substituting “must be delivered to the director of operations as soon as practicable”;
- (h) section 11.5(a) is amended by striking out the word “shall” and substituting “will”; and
- (i) by repealing section 11.6 and replacing it with the following:

#### **“Young persons**

**11.6** An information may not be laid in respect of an individual alleged to have committed an offence when the individual was less than 12 years of age.”.

TOQUAHT NATION GOVERNMENT  
MISCELLANEOUS AMENDMENTS ACT NO. 3 TNS 1/2026

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### **PART 3 - APPLICATION OF LAWS TO FORESHORE ACT**

#### **Application of Laws to Foreshore Act amendments**

- 3.1** The Application of Laws to Foreshore Act (Toquaht Nation) is amended as follows:
- (a) section 3.2(a)(ii) is amended by striking out the words “resident in the” and substituting “resident on”.

TOQUAHT NATION GOVERNMENT  
MISCELLANEOUS AMENDMENTS ACT NO. 3 TNS 1/2026

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**PART 4 - BUILDING AND DEVELOPMENT AUTHORIZATION ACT****Building and Development Authorization Act amendments**

**4.1** The Building and Development Authorization Act (Toquaht Nation) is amended as follows:

- (a) section 4.4(a) is amended by striking out the words “all gates equipped” and substituting “all gates must be equipped”.

TOQUAHT NATION GOVERNMENT  
MISCELLANEOUS AMENDMENTS ACT NO. 3 TNS 1/2026

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## PART 5 - CITIZENSHIP ACT

### Citizenship Act amendments

**5.1** The Citizenship Act (Toquaht Nation) is amended as follows:

- (a) section 8.3(b)(iii) is amended by striking out the words “notice of renunciation” and substituting “renunciation notice”;
- (b) section 8.5(b)(i) is amended by striking out the words “Enrolment Committee” and substituting “Citizenship and Enrolment Committee”; and
- (c) section 8.6(b)(iii) is amended by striking out the words “notice of renunciation” and substituting “renunciation notice”.

TOQUAHT NATION GOVERNMENT  
MISCELLANEOUS AMENDMENTS ACT NO. 3 TNS 1/2026

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**PART 6 - COUNCIL RULES OF ORDER AND PROCEDURE ACT****Council Rules of Order and Procedure Act amendments**

- 6.1** The Council Rules of Order and Procedure Act (Toquaht Nation) is amended as follows:
- (a) section 7.3 is amended by striking out the words “otherwise permitted” and substituting “otherwise not permitted”; and
  - (b) section 16.2(a) is amended by striking out the words “the Legislature” and substituting “Council”.

TOQUAHT NATION GOVERNMENT  
MISCELLANEOUS AMENDMENTS ACT NO. 3 TNS 1/2026

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**PART 7 - EMERGENCY PREPAREDNESS ACT****Emergency Preparedness Act amendments**

**7.1** The Emergency Preparedness Act (Toquaht Nation) is amended as follows:

- (a) section 3.2(c)(i) is amended by striking out the words “[Alberni-Clayoquot/Strathcona Regional District] and the [District of Ucluelet/City of Port Alberni]” and substituting “Alberni-Clayoquot Regional District and the District of Ucluelet”;
- (b) section 3.4(a)(xii) is amended by striking out the words “state of emergency” and substituting “Toquaht emergency declaration”; and
- (c) by repealing section 3.7(a)(ii) and replacing it with the following:  
“that person must pay to the Toquaht Nation, the amount specified in the demand, within the time period specified in the demand.”.

TOQUAHT NATION GOVERNMENT  
MISCELLANEOUS AMENDMENTS ACT NO. 3 TNS 1/2026

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## **PART 8 - ENVIRONMENTAL PROTECTION ACT**

### **Environmental Protection Act amendments**

- 8.1** The Environmental Protection Act (Toquaht Nation) is amended as follows:
- (a) section 7.2(a) is amended by striking out the words “sections 7.8, 7.8 and 11.1” and substituting “sections 7.8 and 11.1”.

TOQUAHT NATION GOVERNMENT  
MISCELLANEOUS AMENDMENTS ACT NO. 3 TNS 1/2026

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## PART 9 - LAND ACT

### Land Act amendments

**9.1** The Land Act (Toquaht Nation) is amended as follows:

- (a) by repealing section 7.13(l) and replacing it with the following:

“If a covenantee or assignee is a corporation that has been dissolved and subsequently restored into existence, the covenant continues to be enforceable by the restored corporation from the date of its restoration.”.

TOQUAHT NATION GOVERNMENT  
MISCELLANEOUS AMENDMENTS ACT NO. 3 TNS 1/2026

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**PART 10 - PLANNING AND LAND USE MANAGEMENT ACT**

**Planning and Land Use Management Act amendments**

**10.1** The Planning and Land Use Management Act (Toquaht Nation) is amended as follows:

- (a) section 1.4 is amended by repealing the definition of “panel”.

TOQUAHT NATION GOVERNMENT  
MISCELLANEOUS AMENDMENTS ACT NO. 3 TNS 1/2026

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**PART 11 - REFERENDUM ACT****Referendum Act amendments**

**11.1** The Referendum Act (Toquaht Nation) is amended as follows:

- (a) section 6.1(a)(i) is amended by striking out the word “must” and substituting “may”.

TOQUAHT NATION GOVERNMENT  
MISCELLANEOUS AMENDMENTS ACT NO. 3 TNS 1/2026

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## **PART 12 - TRESPASS AND COMMUNITY SAFETY ACT**

### **Trespass and Community Safety Act amendments**

**12.1** The Trespass and Community Safety Act (Toquaht Nation) is amended as follows:

- (a) section 6.4(b) is amended by striking out the words “peace officer” and substituting “enforcement officer”.

TOQUAHT NATION GOVERNMENT  
MISCELLANEOUS AMENDMENTS ACT NO. 3 TNS 1/2026

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## **PART 13 - GENERAL PROVISIONS**

### **Commencement**

**13.1** This Act comes into force on the date it is enacted.