



ORDER OF THE EXECUTIVE

Re: Appointment of Natural Resource Enforcement Officers

Enacted under the Enforcement Act section 3.1 and the Resources Harvesting Act section 5.5

TNO 01/2014

BACKGROUND:

- A. The Maa-nulth First Nations and British Columbia have entered into a Natural Resource Sector Enforcement Framework Agreement dated for reference March 21, 2013 (the “Framework Agreement”) to set out how provincial enforcement officers may enforce Maa-nulth First Nation laws;
- B. In accordance with the Framework Agreement, the Maa-nulth First Nations and the Conservation Officer Service of the British Columbia Ministry of Environment (“COS”) have signed a Letter of Expectations (the “COS Letter of Expectations”) in which COS agrees to enforce certain Toquaht Nation laws;
- C. In accordance with the Framework Agreement, the Maa-nulth First Nations and the Compliance and Enforcement Branch of the British Columbia Ministry of Forests, Lands and Natural Resource Operations (“FLNRO”) have signed a Letter of Expectations (the “FLNRO Letter of Expectations”) in which the that Branch agrees to enforce certain Toquaht Nation laws;
- D. Pursuant to the Framework Agreement, upon signing a Letter of Expectations with a provincial Ministry, the applicable Maa-nulth Nation must authorize enforcement officers from that Ministry to enforce the Maa-nulth First Nation laws specified in the Letter of Expectations;
- E. Section 3.1 of the Enforcement Act authorizes the Executive, by Order, to appoint enforcement officers to enforce one or more Toquaht Nation enactments;
- F. Section 5.5 of the Resource Harvesting Act authorizes the Executive, by Order, to designate individuals as resource management officers under that Act.

NOW THEREFORE THE EXECUTIVE ORDERS AS FOLLOWS:

- 1) In this Order,
 - a) “conservation officer” has the meaning given to that term in the Environmental Management Act (British Columbia);
 - b) “natural resource officer” has the meaning given to that term in the Natural Resource Compliance Act (British Columbia).

- 2) Effective as of and for so long as the Framework Agreement and COS Letter of Expectations and any renewals are in effect, each conservation officer is
 - a) appointed as an enforcement officer under section 3.1 of the Enforcement Act to enforce the Toquaht Nation enactments specified in the COS Letter of Expectations, and
 - b) designated as a resource management officer under section 5.5 of the Resource Harvesting Act.

- 3) Effective as of and for so long as the Framework Agreement and FLNRO Letter of Expectations and any renewals are in effect, each natural resource officer is
 - a) appointed as an enforcement officer under section 3.1 of the Enforcement Act to enforce the Toquaht Nation enactments specified in the FLNRO Letter of Expectations, and
 - b) designated as a resource management officer under section 5.5 of the Resource Harvesting Act to perform the duties and exercise the powers of a resource management officer under that Act.

This Order enacted on JANUARY 10th, 2014

Signed *Anne Mack*
Anne Mack, ḥaʔwił of the Toquaht Nation

DEPOSITED IN THE REGISTRY OF LAWS ON <u>2014 / 01 / 16</u> <u><i>Kristen J.L.</i></u> Signature of Law Clerk
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