



## ORDER OF THE ȤA?WIL

Re: State of Emergency on Toquaht Lands

Enacted under the Emergency Preparedness Act  
section 2.4(a) and (b)

TNO 1/2020

### BACKGROUND:

- A. A communicable and infectious disease known as novel coronavirus (“COVID-19”) has emerged in British Columbia and is rapidly spreading and causing serious illness and death in infected persons;
- B. A person infected with COVID-19 can infect other people with whom the infected person is in close contact;
- C. The risk of an outbreak of COVID-19 among the public constitutes a health hazard under the Emergency Preparedness Act;
- D. For precautionary reasons related to COVID-19, including to protect Toquaht citizens and all British Columbians from contracting COVID-19, maintain essential goods and services for Toquaht citizens and to support the Toquaht Nation’s ongoing response to COVID-19, the Ȥa?wil wishes to declare a state of local emergency on all Toquaht lands.

### NOW THEREFORE THE ȤA?WIL ORDERS AS FOLLOWS:

- 1) Effective as of the date of this Order, the Ȥa?wil declares that a state of local emergency exists on all Toquaht lands pursuant to section 2.4 of the Emergency Preparedness Act;
- 2) The Executive’s authority under section 3.4 of the Emergency Preparedness Act to implement response measures, including any approved emergency plan, is hereby enabled;
- 3) The director of operations and the director of community services are hereby ordered to perform their duties and exercise their powers under sections 2.5 and 2.6 of the Emergency Preparedness Act, respectively;
- 4) Effective as of the date of this Order and in accordance with section 2.4(b)(i) of the Emergency Preparedness Act, the following response measures are ordered:
  - a. **ONLY RESIDENTS OF MACOAH UNDER ESSENTIAL TRAVEL** (screened and approved by the Executive) will be allowed to enter Macoah. Citizens not ordinarily resident in Macoah should not return to Macoah but should instead remain where they normally reside and follow the Province of British Columbia’s COVID-19 safety guidelines;

- b. **DELIVERIES OF GOODS AND SERVICES** (screened and approved by the Executive) will be allowed onto Toquaht lands as directed by the Province of British Columbia's COVID-19 safety guidelines and with minimal contact with Macoah residents;
  - c. **NON-ESSENTIAL TRAVELLERS AND NON-RESIDENTS** will be asked to **TURN AROUND** and not enter Macoah; and
  - d. **ALL PERSONS** on Toquaht lands must adhere to and abide by the most current orders, directives, protocols and guidelines issued by the Province of British Columbia or British Columbia's Centre for Disease Control with respect to COVID 19 response measures.
- 5) Without limiting the directives issued in this Order, the Executive may at any time during the local state of emergency enable additional response measures in accordance with the Emergency Preparedness Act;
- 6) Failure to comply with this Order is an offence under section 4.2 of the Emergency Preparedness Act and any person committing an offence is liable, on summary conviction, to a fine not exceeding \$10,000 or imprisonment for a term not exceeding six months.
- 7) This Order expires on April 10, 2020 and is subject to revision, cancellation or extension by the *ḥaʔwił* in accordance with section 2.4(a) of the Emergency Preparedness Act.

Thank you for your cooperation and understanding during this difficult time.

This Order enacted on March 29, 2020

Signed   
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Anne Mack, *ḥaʔwił* of the Toquaht Nation

DEPOSITED IN THE  
REGISTRY OF LAWS AND  
OFFICIAL RECORDS  
  
ON 2020/03/29  
  
\_\_\_\_\_  
Signature of Law Clerk