

TOQUAHT NATION GOVERNMENT

Enacted under the Enforcement Act section 7.1

**TRESPASS OFFENCES AMENDING
REGULATION**

TNR 4/2020



This regulation enacted on May 7, 2020

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

DEPOSITED IN THE
REGISTRY OF LAWS AND
OFFICIAL RECORDS

ON May 8, 2020

Kristen Johnson

Signature of Clerk

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PART 1 - INTRODUCTORY PROVISIONS

Short title

1.1 This regulation may be cited as the Trespass Offences Amending Regulation.

Application

1.2 This regulation makes amendments to the Compliance Notice and Ticket Regulation.

Definitions

1.3 In this regulation,

“Compliance Notice and Ticket Regulation” means the Compliance Notice and Ticket Regulation TNR 2/2014.

PART 2 - REGULATION AMENDMENTS

Compliance Notice and Ticket Regulation amendments

- 2.1** The Compliance Notice and Ticket Regulation is amended by inserting the table found in Appendix “A” to this regulation, including the header “SCHEDULE 2-13 – TRESPASS AND COMMUNITY SAFETY ACT”, immediately after Schedule 2-12.

PART 3 - GENERAL PROVISIONS

Commencement

3.1 This regulation comes into force on the date it is enacted.

APPENDIX "A"

SCHEDULE 2-13 – TRESPASS AND COMMUNITY SAFETY ACT

A Provision	B Contravention	C Penalty	D Discounted Penalty	E Surcharge Penalty
Trespass and Community Safety Act TNS 4/2019				
2.1(a)(i)	Enter onto land that is limited access land			
	FIRST OFFENCE	\$100	\$75	\$125
	SECOND OFFENCE	\$200	\$150	\$250
	THIRD AND SUBSEQUENT OFFENCES	\$400	\$300	\$500
2.1(a)(ii)	Enter onto land after notice that entry is prohibited			
	FIRST OFFENCE	\$100	\$75	\$125
	SECOND OFFENCE	\$200	\$150	\$250
	THIRD AND SUBSEQUENT OFFENCES	\$400	\$300	\$500
2.1(a)(iii)	Engage in an activity after notice that the activity is prohibited			
	FIRST OFFENCE	\$100	\$75	\$125
	SECOND OFFENCE	\$200	\$150	\$250
	THIRD AND SUBSEQUENT OFFENCES	\$400	\$300	\$500
2.1(b)(i)	Fail to leave land or stop an activity after receiving a direction			
	FIRST OFFENCE	\$200	\$175	\$225
	SECOND OFFENCE	\$400	\$350	\$450
	THIRD AND SUBSEQUENT OFFENCES	\$800	\$700	\$900
2.1(b)(ii)	Re-enter onto land or resume an activity after receiving a direction			
	FIRST OFFENCE	\$200	\$175	\$225
	SECOND OFFENCE	\$400	\$350	\$450
	THIRD AND SUBSEQUENT OFFENCES	\$800	\$700	\$900

2.2(a)(i)	Occupy or possess Toquaht lands without authorization			
	FIRST OFFENCE	\$300	\$275	\$325
	SECOND OFFENCE	\$600	\$550	\$650
	THIRD AND SUBSEQUENT OFFENCES	\$1200	\$1100	\$1300
2.2(a)(ii)	Damage Toquaht lands or improvements without authorization			
	FIRST OFFENCE	\$300	\$275	\$325
	SECOND OFFENCE	\$600	\$550	\$650
	THIRD AND SUBSEQUENT OFFENCES	\$1200	\$1100	\$1300
2.2(a)(iii)	Harvest, extract or damage resources on Toquaht lands without authorization			
	FIRST OFFENCE	\$300	\$275	\$325
	SECOND OFFENCE	\$600	\$550	\$650
	THIRD AND SUBSEQUENT OFFENCES	\$1200	\$1100	\$1300
2.2(a)(iv)	Interfere with the use, occupation or possession of Toquaht lands without authorization			
	FIRST OFFENCE	\$300	\$275	\$325
	SECOND OFFENCE	\$600	\$550	\$650
	THIRD AND SUBSEQUENT OFFENCES	\$1200	\$1100	\$1300
2.2(a)(v)	Construct a building, structure, enclosure or work on Toquaht lands without authorization			
	FIRST OFFENCE	\$300	\$275	\$325
	SECOND OFFENCE	\$600	\$550	\$650
	THIRD AND SUBSEQUENT OFFENCES	\$1200	\$1100	\$1300
2.2(a)(vi)	Excavate Toquaht lands without authorization			
	FIRST OFFENCE	\$300	\$275	\$325
	SECOND OFFENCE	\$600	\$550	\$650
	THIRD AND SUBSEQUENT OFFENCES	\$1200	\$1100	\$1300

2.2(a)(vii)	Throw, deposit, dump or place material on Toquaht lands without authorization			
	FIRST OFFENCE	\$300	\$275	\$325
	SECOND OFFENCE	\$600	\$550	\$650
	THIRD AND SUBSEQUENT OFFENCES	\$1200	\$1100	\$1300
2.2(a)(viii)	Abandon a vehicle or vessel on Toquaht lands without authorization			
	FIRST OFFENCE	\$300	\$275	\$325
	SECOND OFFENCE	\$600	\$550	\$650
	THIRD AND SUBSEQUENT OFFENCES	\$1200	\$1100	\$1300
2.2(a)(ix)	Interfere with or remove a sign on Toquaht lands without authorization			
	FIRST OFFENCE	\$300	\$275	\$325
	SECOND OFFENCE	\$600	\$550	\$650
	THIRD AND SUBSEQUENT OFFENCES	\$1200	\$1100	\$1300
2.3(e)	Remove, alter or deface a sign prohibiting trespass			
	FIRST OFFENCE	\$300	\$275	\$325
	SECOND OFFENCE	\$600	\$550	\$650
	THIRD AND SUBSEQUENT OFFENCES	\$1200	\$1100	\$1300
3.13(c)	Excluded individual fail to provide notice of an acquired interest or licence			
	FIRST OFFENCE	\$200	\$175	\$225
	SECOND OFFENCE	\$400	\$350	\$450
	THIRD AND SUBSEQUENT OFFENCES	\$800	\$700	\$900
6.2(a)	Fail to comply with an exclusion or suspension order			
	FIRST OFFENCE	\$300	\$275	\$325
	SECOND OFFENCE	\$600	\$550	\$650
	THIRD AND SUBSEQUENT OFFENCES	\$1200	\$1100	\$1300

6.2(b)	Allow an excluded individual to remain on property in contravention of an order			
	FIRST OFFENCE	\$200	\$175	\$225
	SECOND OFFENCE	\$400	\$350	\$450
	THIRD AND SUBSEQUENT OFFENCES	\$800	\$700	\$900