

TLĪCHQ LANDS PROTECTION LAW

OFFICIAL CONSOLIDATED VERSION

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Table of Legislative Changes

Name of Law	Date Enacted	Section(s) Amended
Tłıchq Lands Protection Amendment Law 2013	April 25, 2013	S.2 amended by repealing “applicant” and “director” S.4 repealed S.5 repealed S.6(1) repealed s.6(2) repealed and replaced and renumbered as s.5 S.7 repealed

		<p>Subsection 8(1) amended by renumbering as s. 6; amended line 1 and line 4.</p> <p>Subsection 9(1) amended by renumbering as s.7; amended line 1 and line 2.</p> <p>S. 10 amended by renumbering as section 8; subsection 10(1) amended line 1.</p> <p>S. 11 amended by renumbering as section 9.</p> <p>S. 12 repealed and replaced; amended by renumbering as s.10.</p> <p>S.13 amended by renumbering as s.11.</p>
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Title

1. This law shall be cited as the *Tłchq Lands Protection Law*

Definitions

2. In this law,

“Assembly” has the same meaning as in the Tłchq Constitution.

“Chiefs Executive Council” has the same meaning as in in the Tłchq Constitution.

“disposition” means a disposing of an interest in the Tłchq land.

“Tłcho” has the same meaning as in the Tłchq Agreement.

“Tłchq Government” means the Tłchq Government and its institutions as defined in the Tłchq Constitution.

“Tłchq Lands” has the same meaning as in the Tłchq Agreement and is shown for illustrative purposes in schedule A.

Amended: *Tłchq Lands Protection Amendment Law 2013*

Chiefs Executive Council

3. The Chiefs Executive Council is responsible for management and protection of all Tłchq Lands and the interest of the Tłchq throughout Mqwhì Gogha Dè Nìtlèè.

Department of Lands Protection

4. **Repealed: *Tłchq Lands Protection Amendment Law 2013***

Disposition

5. No disposition of an interest in Tłchq Lands made before May 31, 2013 is binding unless it was executed by the Chiefs Executive Council.

Amended: *Tłchq Lands Protection Amendment Law 2013*

Application

Repealed: *Tł̥chq̣ Lands Protection Amendment Law 2013*

Non-compliance

6. (1) If a person who holds a disposition under this law that was issued before May 31, 2013 fails or neglects to comply with a term, covenant or stipulation set out in the instrument of disposition or imposed by the Chiefs Executive Council pursuant to the disposition, the Tł̥chq̣ Government may send a notice by registered mail, addressed to the person at their last known address, requiring the person to comply with the term, covenant or stipulation within 60 days after the date the notice is mailed.

Amended: *Tł̥chq̣ Lands Protection Amendment Law 2013*

- (2) If the failure or neglect referred to in subsection (1) continues after the 60 day period, the Chiefs Executive Council, may, by order, cancel the disposition.

- (3) If the Chiefs Executive Council cancels a disposition under this section

- (a) the disposition holder's interest in the land and the interest of all persons claiming through that holder are terminated;
- (b) all improvements to the land become property of the Tł̥chq̣ Government; and
- (c) any money paid for or under the terms of the disposition is forfeited to the Tł̥chq̣ Government.

Abandonment or termination

7. (1) A person holding a disposition under this law that was issued before May 31, 2013 may abandon and terminate the disposition by giving written notice to the Tł̥chq̣ Government.

Amended: *Tł̥chq̣ Lands Protection Amendment Law 2013*

- (2) On abandonment and termination of a disposition under subsection (1)

- (a) all improvements to the land become property of the Tł̥chq̣ Government; and

(b) all money paid for or under the terms of the disposition is forfeited to the Tłıchq Government.

(3) Unless the Chiefs Executive Council otherwise directs, the holder of a disposition that is cancelled or abandoned and terminated must pay all money remaining due under the disposition and observe or perform all terms, covenants and stipulations of the disposition.

Trespass on Tłıchq Lands

8. (1) If person commits a trespass on Tłıchq Lands, the Tłıchq Government may, on written notice to that person, do one or more of the following
- (a) require the person to cease the unauthorized trespass and restore the land to a condition satisfactory to the Tłıchq Government;
 - (b) require the person to pay to the Tłıchq Government a sum of money, considered by the Chiefs Executive Council reasonable for the unauthorized occupation, possession or use for the restoration of the land;
 - (c) seize, on behalf of the Tłıchq Government, any goods, chattels or other materials on Tłıchq Lands; or
 - (d) require the person to remove any improvements made by or on behalf of the person on Tłıchq Lands and, if the person fails to comply within the required time, instruct the director to remove the improvements at the person's cost.

Amended: *Tłıchq Lands Protection Amendment Law 2013*

Offences

9. (1) A person, commits an offence who without the lawful authority
- (a) occupies or possesses Tłıchq Lands;
 - (b) damages Tłıchq Lands or improvements to Tłıchq Lands;
 - (c) harvests or damages forest resources, mineral resources, fish or wildlife on Tłıchq Lands;
 - (d) construct a building, structure, enclosure or other works on Tłıchq lands;
 - (e) excavates Tłıchq Lands;
 - (f) thaws, deposits, dumps or in any way causes to be placed on Tłıchq Lands any glass, metal, garbage, soil or other material;
 - (g) abandons on Tłıchq Lands any vehicle or vessel; or

- (h) interferes with or removes a sign erected by, on behalf of or with the authority of the Tłıchǫ Government on Tłıchǫ Lands.
Amended: Tłıchǫ Lands Protection Amendment Law 2013

Right of Entry

- 10.** Subject to the terms of a disposition or other instrument relating to the dealing with an interest, license or access to Tłıchǫ Lands, the Chiefs Executive Council or its duly authorized officer or agent may, at any reasonable time, enter any Tłıchǫ Lands and premises to discharge any duty under the Tłıchǫ law, regulation, directive, policy or guidelines.
Amended: Tłıchǫ Lands Protection Amendment Law 2013

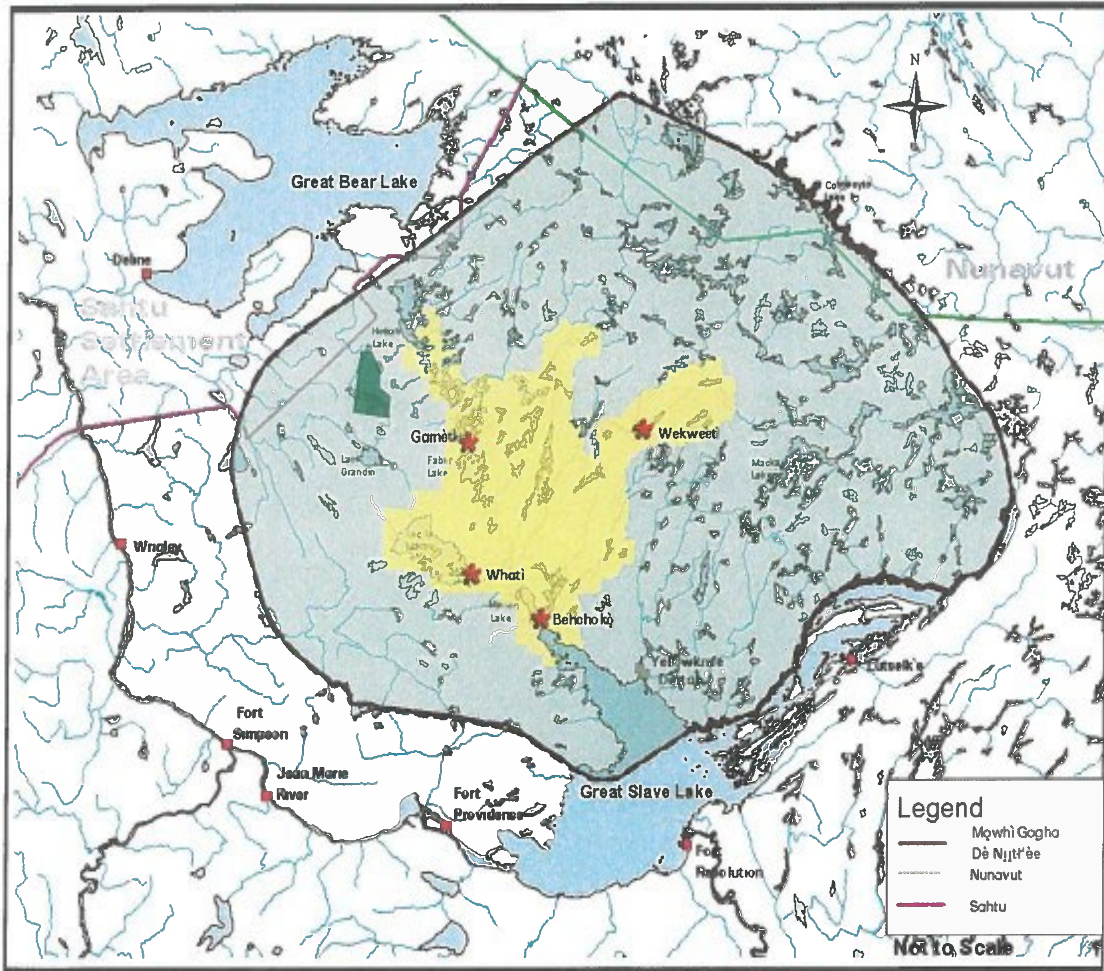
Regulations

- 11.** The Assembly may enact regulations for the carrying out of the purposes and provisions of this Law.
Amended: Tłıchǫ Lands Protection Amendment Law 2013

Coming into Force

Consistent with the *Tłıchǫ Procedures Law*, this law came into force when Grand Chief signed it on August 4, 2005.

SCHEDULE A MAP



 Tłı̄chǫ Lands