

**KA:'YU:'K'T'H'/CHE:K'TLES7ET'H'
FIRST NATIONS GOVERNMENT**

**RESOURCES HARVESTING ACT
(DOCUMENTATION RENEWAL)
AMENDMENT ACT**

KCFNS 44/2016



This law enacted on Sept 22, 2016

Signed Christina Cox
Christina Cox, Tyee Ha'wilth,
Ka:'yu:'k't'h' First Nation

Signed Francis Gillette
Francis Gillette, Tyee Ha'wilth,
Che:k'tles7et'h' First Nation

Signed Peter Hanson
Peter Hanson, Legislative Chief,
Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations

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ON 6/10/2016

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Signature of Clerk

KA:'YU:'K'T'H'/CHE:K'TLES7ET'H' FIRST NATIONS GOVERNMENT
RESOURCES HARVESTING ACT (DOCUMENTATION RENEWAL) AMENDMENT ACT KCFNS 44/2016

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PART 1 - INTRODUCTORY PROVISIONS

Short title

- 1.1 This Act may be cited as the Resources Harvesting Act (Documentation Renewal) Amendment Act.

Executive oversight

- 1.2 The member of the Executive holding the lands and resources portfolio is responsible for the executive oversight of this Act.

Application

- 1.3 (a) This Act is enacted under
- (i) sections 3.2(q), (r) and (s) of the Constitution, and
 - (ii) 10.1.41 of Chapter 10 Fisheries, 11.11.1 of Chapter 11 Wildlife, 12.5.3 of Chapter 12 Migratory Birds, 23.4.1 of Chapter 23 Federal Parks and Protected Areas and 24.6.14 of Chapter 24 Provincial Protected Areas of the Maa-nulth Treaty.
- (b) This Act amends the Resources Harvesting Act regarding the renewal of Ka:'yu:'k't'h'/Che:k'tles7et'h' harvesting documentation.

Definitions

- 1.4 In this Act,
- “Act” means the Resources Harvesting Act.

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PART 2 - AMENDMENTS

Introductory amendments

2.1 Section 1.3 of the Act, including its heading, is repealed and the following substituted:

“Authority and application

- 1.3 (a) This Act is enacted under
- (i) sections 3.2(q), (r) and (s) of the Constitution, and
 - (ii) 10.1.41 of Chapter 10 Fisheries, 11.11.1 of Chapter 11 Wildlife, 12.5.3 of Chapter 12 Migratory Birds, 23.4.1 of Chapter 23 Federal Parks and Protected Areas and 24.6.14 of Chapter 24 Provincial Protected Areas of the Maa-nulth Treaty.
- (b) This Act applies to all treaty harvesting rights and Ka:'yu:'k't'h'/Che:k'tles7et'h' commercial fisheries, including a Ka:'yu:'k't'h'/Che:k'tles7et'h' allocation authorized by a commercial fishing licence issued in accordance with the Maa-nulth Harvest Agreement.”

Documentation renewal

2.2 The Act is amended by adding the following after section 2.11

“Harvesting documentation extension

- 2.12 (a) Subject to subsections (b) and (c), the director may, by Order, extend the date of expiration of Ka:'yu:'k't'h'/Che:k'tles7et'h' harvesting documentation, or a class of Ka:'yu:'k't'h'/Che:k'tles7et'h' harvesting documentation, for up to one year.
- (b) An Order under subsection (a) must set out
- (i) the effective date of the Order,
 - (ii) the class of Ka:'yu:'k't'h'/Che:k'tles7et'h' harvesting documentation for which the date of expiration is extended, and
 - (iii) the date on which that class of Ka:'yu:'k't'h'/Che:k'tles7et'h' harvesting documentation will expire.

- (c) The director must
- (i) post in accordance with
Ka:'yu:'k't'h'/Che:k'tles7et'h' law, and
 - (ii) deliver in accordance with
Ka:'yu:'k't'h'/Che:k'tles7et'h' law to, and in
accordance with any agreement with, an external
enforcement agency designated under the
Enforcement Act or this Act to enforce this Act,
- a copy of an Order made under subsection (a).
- (d) If an Order is made under subsection (a), each class of
Ka:'yu:'k't'h'/Che:k'tles7et'h' harvesting documentation
named in that Order issued in accordance with this Act is
deemed to be valid for all purposes under this Act despite
the date of expiration appearing on the face of that
Ka:'yu:'k't'h'/Che:k'tles7et'h' harvesting documentation
until that harvesting documentation is cancelled or
suspended in accordance with this Act or expires in
accordance with that Order.”

PART 3 - GENERAL PROVISIONS

Commencement

3.1 This Act comes into force as of and with effect from April 1, 2016.