



# TEJCHQ LANDS PROTECTION LAW

## Title

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

## Definitions

2. In this Law,

“applicant” means a person applying for a disposition under this Law.

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

“Chief’s Executive Council” has the same meaning as in the Tjchq Constitution.

“director” means the Director of Lands Protection.

“disposition” means a disposing of an interest in the Tjchq Land.

“Tjchq” has the same meaning as in the Tjchq Agreement.

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

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

## Chief’s Executive Council

3. The Chief’s Executive Council is responsible for the management and protection of all Tjchq Lands and the interest of the Tjchq throughout Mqwhì Gogha Dè Njti’èe.

*This Law was signed by Grand Chief Joe Robesca on August 4, 2005*

## Department of Lands Protection

4. There is hereby established a department to be known as the Tł̥ch̥q̥ Lands Protection Department.
5. A director of Lands Protection shall be appointed.

## Disposition

6. (1) No person may acquire an interest in Tł̥ch̥q̥ Lands except under this Law.  
  
(2) No disposition of an interest in Tł̥ch̥q̥ Lands is binding on the Tł̥ch̥q̥ Government until the instrument of disposition is executed by the Chief's Executive Council.

## Application

7. (1) Any person over the age of 19 or a corporation may apply in the prescribed form to the director for a disposition of Tł̥ch̥q̥ Lands.  
  
(2) The director shall maintain a register of applications made under this section.  
  
(3) No later than April 30, 2006, the Chief's Executive Council shall recommend to the Assembly regulations necessary to give effect to this law and provide for the management and protection of Tł̥ch̥q̥ Lands and the interests of the Tł̥ch̥q̥ throughout M̥q̥wh̥i Gogha D̥e N̥iit̥'̥e.  
  
(4) Prior to the regulations referred to in (3) being enacted, no disposition of an interest in Tł̥ch̥q̥ Lands shall be permitted unless expressly approved as an exceptional case by the Assembly.

## Non-compliance

8. (1) If a person who holds a disposition under this law fails or neglects to comply with a term, covenant or stipulation set out in the instrument of disposition or imposed by the Chief's Executive Council pursuant to the disposition, the director 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.

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

(3) If the Chief's 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 the property of the Tłı̨chǫ Government; and
- (c) any money paid for or under the terms of the disposition is forfeited to the Tłı̨chǫ Government.

## Abandonment or termination

9. (1) A person holding a disposition under this law may abandon and terminate the disposition by giving written notice to the director.

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

- (a) all improvements to the land become the property of the Tłı̨chǫ Government; and
- (b) all money paid for or under the terms of the disposition is forfeited to the Tłı̨chǫ Government.

(3) Unless the Chief's 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 Tł̥ch̥ Lands**

- 10.** (1) If a person commits a trespass on Tł̥ch̥ Lands, the director 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 director;
  - (b) require the person to pay to the Tł̥ch̥ Government a sum of money, considered by the Chief's Executive Council reasonable for the unauthorized occupation, possession or use for the restoration of the land;
  - (c) seize, on behalf of the Tł̥ch̥ Government, any goods, chattels or other materials on Tł̥ch̥ Lands; or
  - (d) require the person to remove any improvements made by or on behalf of the person on Tł̥ch̥ Lands and, if the person fails to comply within the required time, instruct the director to remove the improvements at the person's cost.

### **Offences**

- 11.** (1) A person, commits an offence who without lawful authority
- (a) occupies or possesses Tł̥ch̥ Lands;
  - (b) damages Tł̥ch̥ Lands or improvements on Tł̥ch̥ Lands;
  - (c) harvests or damages forest resources, mineral resources, fish or wildlife on Tł̥ch̥ Lands;
  - (d) construct a building, structure, enclosure or other works on Tł̥ch̥ Lands;
  - (e) excavates Tł̥ch̥ Lands;
  - (f) throws, deposits, dumps or in any way causes to be

placed on Tłchq Lands any glass, metal, garbage, soil or other material;

- (g) abandons on Tłchq Lands any vehicle or vessel; or
- (h) interferes with or removes a sign erected by, on behalf of or with the authority of the Tłchq Government on Tłchq Lands.

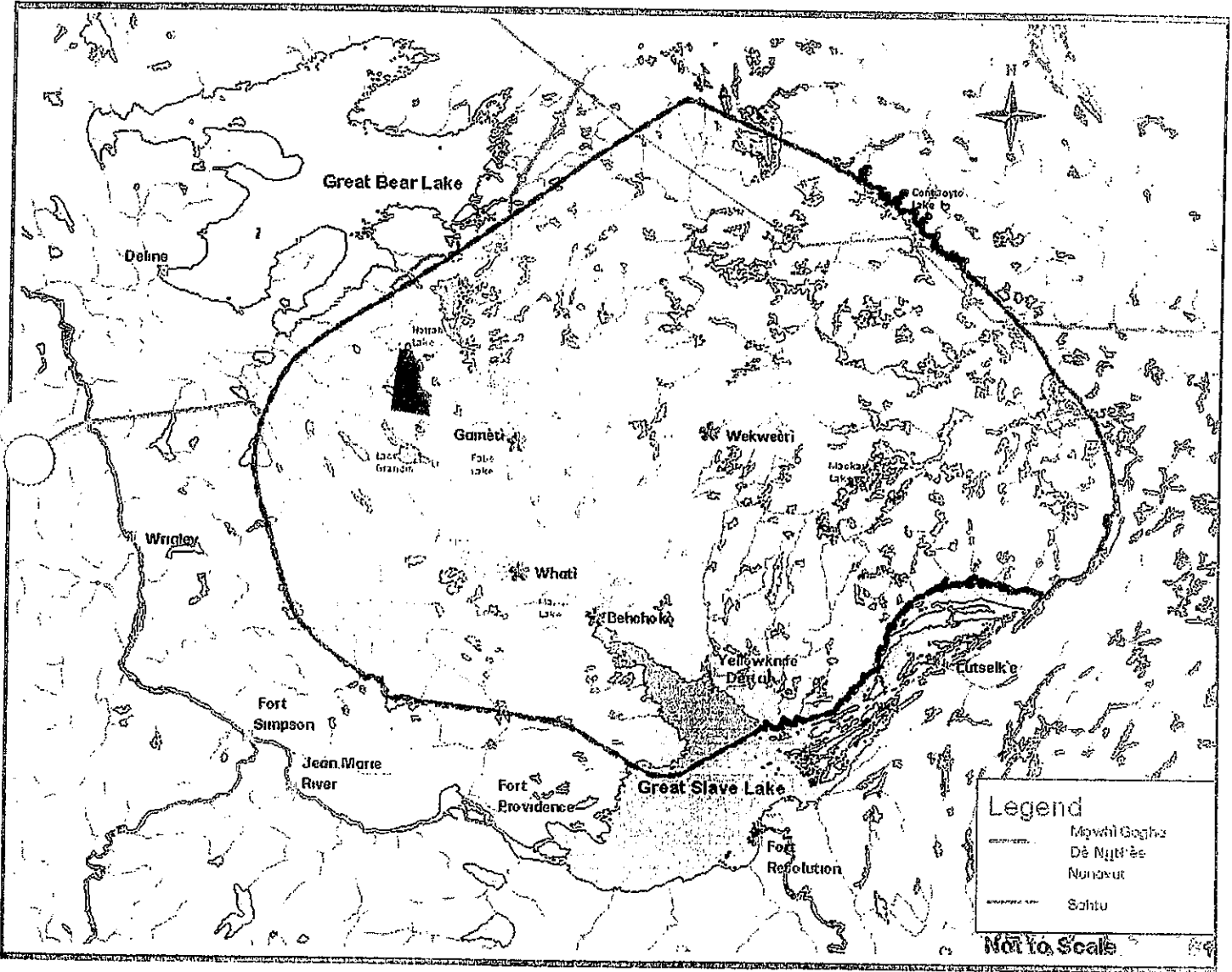
### **Right of Entry**

12. The director or his or her authorized representative may at any reasonable time enter any Tłchq Lands and premises to discharge any duty under this law.

### **Regulations**

13. The Assembly may enact regulations for the carrying out of the purposes and provisions of this Law.

# SCHEDULE A MAP



Tłı̨chǫ Lands