



Interpretation Law

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Hegus John Hackett

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PREAMBLE

WHEREAS:

- A.** Tla'amin Ta'ow (*teachings*) are our traditional teachings and unwritten laws that our Ancestors lived by. In creating written laws, we continue to honour and uphold our Ancestral practices, teachings and core values. Through our laws, we reinforce the principles of respect, unity and connection to our lands and resources. We vow to keep these teachings and principles in mind in all that we do as Tla'amin people;
- B.** Through this Law and other Tla'amin enactments, we are continuing to exercise our inherent right of self-determination. The Tla'amin Government will govern in an accessible, accountable and transparent manner;
- C.** As we have always done, we continue to occupy our lands and carry out our Ta'ow (*teachings*) that require us to be stewards of our lands and resources today and always, and we are committed to the responsible, sustainable stewardship of lands, waters, air and other resources. In upholding our responsibilities, we will continue to seek the guidance of the Creator, our Ancestors and the knowledge of Tla'amin Elders as we protect and make decisions about managing our lands and resources;
- D.** Our vision of self-government and of a healthy, self-sufficient Tla'amin Nation began long ago with our Ancestors and our leadership of the past. Many of those who were involved in shaping and advancing our vision have passed on and we acknowledge their contributions and sacrifice. They put in place the foundation that we have built upon today. Those respected ones have cleared the path so that we, the Tla'amin Nation, could achieve our vision of "one heart, one mind, one Nation";
- E.** It is on this basis that we accept the obligations and responsibilities inherent in governing and work to blend our traditional and modern-day governing approaches, including the development of interpretation laws;
- F.** Through our written *Constitution* and this *Interpretation Law*, we reinforce our Nation's objectives including Tla'amin unity, good faith engagement among ourselves and with our neighbours and maintaining enduring connections to our lands and resources;
- G.** Further, we are committed to pursuing the economic, social and cultural wellbeing of our Nation with the aim of sustaining and improving the quality of life for present and future Tla'amin generations;
- H.** It is our intention to accomplish this through clear and accessible laws;
- I.** We vow to keep our Ta'ow (*teachings*) and these principles in mind in all that we do as Tla'amin people. The Tla'amin Nation adopts this Law based on these values and principles;
- J.** Under section 31 of the *Constitution*, the Tla'amin Government may exercise any right, power, privilege or authority, and may carry out any duty, function or obligation, of the Tla'amin Nation or Tla'amin Government in accordance with Tla'amin law, the *Constitution* and the Final Agreement including making any law within the authority of the Tla'amin Government;

- K. Under paragraph 1 of Chapter 15 [*Governance*] of the Final Agreement, the Tla'amin Nation has the right to self-government, and the authority to make laws, as set out in the Final Agreement; and
- L. Under paragraph 3 of Chapter 15 [*Governance*] of the Final Agreement, the authority of the Tla'amin Nation to make laws in relation to a subject matter under the Final Agreement includes the authority to make laws and do other things as may be necessarily incidental to exercising its authority.

NOW THEREFORE the Legislative Assembly enacts as follows:

PART 1 - APPLICATION AND DEFINITIONS

Citation

1. This Law may be cited as the *Interpretation Law*.

Application

2. (1) Every provision of this Law applies to every enactment, whether enacted before or after the commencement of this Law, unless a contrary intention appears in this Law or in the other enactment.

(2) The provisions of this Law apply to this Law.

(3) This Law does not exclude the application to an enactment of a rule of construction applicable to that enactment, provided it is not inconsistent with this Law.

Tla'amin Government bound by enactments

3. (1) Unless otherwise provided in an enactment, all enactments are binding on the Tla'amin Government.

(2) Despite subsection (1), an enactment that would bind or affect the Tla'amin Government in the use or development of land, or in the planning, construction, alteration, servicing, maintenance or use of building and other structures, does not bind or affect the Tla'amin Government.

Definitions and interpretation provisions

4. Definition or interpretation provisions in an enactment apply to the whole enactment including the section containing a definition or interpretation provision, unless the contrary intention appears in the enactment.

Definitions

5. In an enactment,

“acquire” means to obtain by any method and includes accept, receive, purchase, be vested with, lease, take possession, control or occupation of, and agree to do any of those things, but does not include expropriate;

“Act” means an Act of the Canadian parliament, or a provincial legislative assembly or any other similar legislative body of government, whether referred to as a statute, code, legislation or by any other name, that has the force of law, but does not include a Tla'amin law;

“affidavit” or “oath” includes an affirmation, a statutory declaration, or a solemn declaration made under Tla'amin law, the *Evidence Act* (British Columbia), or under the *Canada Evidence Act* (Canada);

“appoint” includes employ, retain under contract or designate in writing;

“bank” or “chartered bank” means a bank to which the *Bank Act* (Canada) applies;

“British Columbia” means, as applicable,

- (a) Her Majesty the Queen in right of British Columbia, or
- (b) the geographical area within the jurisdiction of British Columbia;

“business day” means any day other than Saturday, Sunday or a holiday;

“calendar year” means a period of 12 consecutive months beginning on January 1, and a reference by number to a year means a period of 12 consecutive months beginning on January 1 of that year;

“Canada” means, as applicable,

- (a) Her Majesty the Queen in right of Canada, or
- (b) the geographical area of Canada;

“chief administrative officer” means the individual appointed to that position under the *Administration and Finance Law*;

“child” means an individual under the age of majority under British Columbia law;

“Citizenship Committee” has the meaning given to that term in the *Citizenship and Enrolment Law*;

“Citizenship Register” has the meaning given to that term in the *Citizenship and Enrolment Law*;

“Citizenship Registrar” has the meaning given to that term in the *Citizenship and Enrolment Law*;

“commencement” means, with reference to an enactment, the date on which that enactment comes into force;

“*Constitution*” means the *Constitution of the Tla’amin Nation* adopted in accordance with the Final Agreement and includes any amendments made to it from time to time;

“contact information” means information sufficient to contact a person, including the person’s address, telephone number and email address;

“contravene” includes fail to comply with;

“corporation” means an incorporated association, company, society, municipality or other incorporated body, wherever and however incorporated and includes a corporation sole;

“court” means the Provincial Court of British Columbia, the Supreme Court of British Columbia or the British Columbia Court of Appeal;

"credit union" means a credit union in British Columbia or extraprovincial credit union authorized to carry on business under the *Financial Institutions Act* (British Columbia);

"*Criminal Code*" means the *Criminal Code* (Canada);

"deliver", in reference to a notice or other document, means delivered by hand or mail to a person, or deposited in a person's mail box or receptacle at the person's residence or place of business;

"dispose" means to transfer or alienate by any method and includes assign, give, sell, grant, charge, convey, bequeath, devise, lease, divest, or release, or to agree to do any of those things;

"Effective Date" means the date on which the Final Agreement takes effect;

"elected official" means a member of the Legislative Assembly, including the Hegus;

"eligible voter" has the meaning given to that term in the *Election Law*;

"enact" includes to issue, make, establish or prescribe;

"enactment" has the same meaning as Tla'amin law, except in the context of references to an Act or regulation of British Columbia, Canada or another jurisdiction;

"entity" includes a corporation, trust, partnership, fund or other unincorporated association or organization, Canada or a provincial government, a government agency, a foreign government, and an agency of a foreign government, but does not include an individual;

"Enforcement Officer" has the meaning given to the term in the that term in the *Enforcement and Ticketing Law*;

"Executive Council" means the Executive Council of the Tla'amin Nation, established under the *Government Law*;

"Finance Committee" means the Finance Committee of the Tla'amin Nation, established under the *Administration and Finance Law*;

"Final Agreement" means the Tla'amin Final Agreement, among the Tla'amin Nation, Canada and British Columbia, and includes any amendments to that agreement from time to time;

"First Nation" means

- (a) a "band" within the meaning of section 2(1) of the *Indian Act* (Canada),
- (b) a tribe or nation in Canada with Aboriginal or Treaty rights recognized and affirmed under section 35 of the *Constitution Act, 1982* (Canada), or
- (c) a tribe or nation in Canada with a self-government agreement with Canada or one of its provinces or territories;

“General Assembly” has the meaning given to that term in the *Government Law*;

“Government of British Columbia” means Her Majesty the Queen in right of British Columbia;

“Government of Canada” means Her Majesty the Queen in right of Canada;

“guardian” means, in respect of a child, an individual who has all the rights, duties and responsibilities of a parent;

“Hegus” has the meaning given to that term in the *Government Law*;

“holiday” includes

- (a) Christmas Day, Boxing Day (December 26), Good Friday and Easter Monday, Canada Day, Victoria Day, British Columbia Day, Labour Day, Remembrance Day, Family Day and New Year's Day,
- (b) any day set by Canada or British Columbia as a holiday, and
- (c) any day set by the Executive Council as a public holiday to commemorate significant Tla'amin events or for the celebration of Tla'amin customs;

“in good standing” means not currently indebted to the Tla'amin Nation or, if indebted to the Tla'amin Nation, a written agreement for repayment has been entered into and there has been no default on that agreement or any previous agreement for repayment within the past two years;

“includes” or “including” means includes or including, but not limited to;

“indebted to the Tla'amin Nation” means in respect of an individual, to have a debt owing to the Tla'amin Nation, including a debt arising from

- (a) housing arrears incurred by the individual or their spouse, *[Amended May 27, 2020]*
- (b) a default by the individual or the individual's spouse on a mortgage or loan payment in circumstances where the Tla'amin Nation has provided a guarantee of that mortgage on the individual's or the individual's spouse's behalf, *[Amended May 27, 2020]*
- (c) a misrepresentation made by the individual in breach of the Tla'amin Nation's post-secondary, income assistance, or other policies, or *[Amended May 27, 2020]*
- (d) any substantiated losses to the Tla'amin Nation attributable to the individual; *[Amended May 27, 2020]*

“Indian” means an individual who is registered or is entitled to be registered as an Indian on the Indian Register maintained by Canada;

“individual”, in respect of a person, means a natural person;

“law” means an instrument enacted as a law by the Legislative Assembly, and includes a portion of a law as the context requires, except in the context of references to federal or provincial law;

“Law Clerk” means the clerk responsible for the Tla’amin Registry;

“lawyer” means a practising lawyer as defined in the *Legal Profession Act* (British Columbia);

“Legislative Assembly” has the meaning given to that term in the *Government Law*;

“local government” has the meaning given to that term in the *Local Government Act* (British Columbia);

“mail” means to leave in a post office, with postage prepaid, for transmission by post;

“may” is to be construed as permissive and empowering;

“month” means a period calculated from a day in one month to a day numerically corresponding to that day in the following month, less one day;

“municipality” means, as applicable,

- (a) the corporation into which the residents of an area are incorporated as a municipality under the *Local Government Act* (British Columbia) or any other provincial Act, or
- (b) the geographic area of a municipal corporation;

“must” is to be construed as imperative;

“newspaper”, in a provision requiring publication in a newspaper, means a printed publication in sheet form, intended for general circulation, published regularly at intervals of not longer than a week, consisting primarily of news of current events of general interest;

“non-Citizen” or “non-Member” means an individual who has reached the age of majority under British Columbia law and who is not a Tla’amin Citizen;

“now” must be construed as referring to the time of commencement of the enactment containing the word;

“obligation” includes a duty and a liability;

“officer” has the meaning given to that term in the *Administration and Finance Law*, unless a contrary intention is expressed in an enactment;

“order” means an order of the Executive Council or the Legislative Assembly, as the case may be;

“parent” means

- (a) a mother or father of a child who has custody of the child,

- (b) a mother or father who does not have custody of their child but who exercises or attempts to exercise a right of access,
- (c) a mother or father providing financial support for a child,
- (d) an individual to whom custody of a child has been granted by a court of competent jurisdiction or by an agreement, or
- (e) an individual with whom a child resides and who stands in place of the child's mother or father;

"person" includes a corporation, partnership or party, and the personal or other legal representatives of a person to whom the context can apply according to law;

"post office" has the meaning given to that term in the *Canada Post Corporation Act* (Canada);

"prescribed" means prescribed by regulation;

"professional engineer", "civil engineer" or "mining engineer" or words implying recognition of any individual as a professional engineer or member of the engineering profession means an individual registered or licensed under the *Engineers and Geoscientists Act* (British Columbia);

"province", when used as meaning a part of Canada, includes the Northwest Territories, Yukon and Nunavut;

"record" includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include

- (a) a computer program or any other mechanism that produces records, or
- (b) a transitory record;

"regional district" has the meaning given to that term in the *Local Government Act* (British Columbia);

"registered mail" includes certified mail and refers to a postal service provided by Canada Post by which Canada Post supplies the sender with a record verifying that the envelope or package was delivered

- (a) to the address stated on it, or
- (b) to a person who acknowledged receipt of the envelope or package after a notice to pick up the envelope or package was left at that address;

"regulation" means, when referencing a Tla'amin regulation, a regulation made in execution of a power conferred by or under a law where the word "regulation", "regulations", "prescribe", "prescribes" or "prescribed" is used in conferring the power;

“repeal” includes to revoke, cancel, or rescind;

“resolution” means a motion passed and approved by a majority present at a duly convened meeting;

“Review and Appeal Panel” means the panel established under the *Review and Appeal Law*;

“right” includes a power, authority, privilege and licence;

“savings institution” means

- (a) a bank,
- (b) a credit union,
- (c) an extraprovincial trust corporation authorized to carry on deposit business under the *Financial Institutions Act* (British Columbia), or
- (d) a corporation that is a subsidiary of a bank and is a loan company to which the *Trust and Loan Companies Act* (Canada) applies;

“shall” is to be construed as imperative;

“simple majority” means more than half of the votes cast are in support of the proposed action;

“Sliammon Indian Band” or “Sliammon First Nation” means the Sliammon Indian Band, which was, on the day before the Effective Date, a “band” as defined in the *Indian Act* (Canada);

“spouse” includes a common law partner; *[Added May 27, 2020]* ¹

“swear” includes solemnly declare or affirm;

“Surveyor General” or “Surveyor General of British Columbia” means the Surveyor General appointed under the *Land Title and Survey Authority Act* (British Columbia);

“Tla’amin” means the Tla’amin Nation;

“Tla’amin Citizen” means an individual who is enrolled as a member of Tla’amin Nation in accordance with Chapter 22 *[Eligibility and Enrolment]* of the Final Agreement; *[Amended October 4, 2023]* ²

“Tla’amin Entity” has the meaning given to that term in the *Conflict of Interest Law*;

“Tla’amin Governance House” means the principal house of governance and administrative office of the Tla’amin Government on Tla’amin Lands;

¹ Definition added May 27, 2020.

² Amended by the *Citizenship Law*, s. 73.

“Tla’amin Government” means the government of the Tla’amin Nation, referenced in paragraph 2 of Chapter 15 [*Governance*] of the Final Agreement;

“Tla’amin individual” means a Tla’amin Citizen or an individual who is entitled to be enrolled as a Tla’amin Citizen but is not enrolled;

“Tla’amin Institution” means Tla’amin Government or a Tla’amin Public Institution;

“Tla’amin Lands” means the lands described in paragraphs 1 and 2 of Chapter 3 [*Lands*] of the Final Agreement and any lands added as Tla’amin Lands in accordance with the Final Agreement, but does not include any lands that are removed from Tla’amin Lands in accordance with the Final Agreement;

“Tla’amin Lands Registry” has the meaning given to that term in the *Lands and Interests File Registry Law*;

“Tla’amin law” means a law enacted by the Legislative Assembly and includes

- (a) the Constitution, [*Amended June 23, 2016*]³
- (b) any regulation passed under such a law, except in the context of references to the making of regulations under a Tla’amin law, and
- (c) a portion of such a law or regulation, as the context requires;

“Tla’amin Nation employee” means an employee of the Tla’amin Nation;

“Tla’amin official” means

- (a) an elected official,
- (b) an officer,
- (c) a Tla’amin Nation employee,
- (d) an Enforcement Officer; or
- (e) a member of a committee or advisory body of the Tla’amin Nation;

“Tla’amin Private Lands” means Tla’amin Private Lands as defined in the Final Agreement;

“Tla’amin Public Institution” means a body, board, commission or any other similar entity established under a law, including a school board or health board, but for greater certainty does not include the Tla’amin Government;

“Tla’amin Public Lands” means Tla’amin Public Lands as defined in the Final Agreement;

³ The definition enacted on April 5, 2016, originally had “Constitution” in italics.

“Tla’amin Registry” means the registry of Tla’amin laws, regulations, policies approved by the Executive Council, orders of the Executive Council, orders of the Legislative Assembly, and decisions and recommendations of the Review and Appeal Panel;

“Treaty” has the same meaning as Final Agreement;

“words” includes figures, punctuation marks, and typographical, monetary and mathematical symbols;

“writing”, “written”, or a similar term includes words printed, typewritten, painted, engraved, lithographed, photographed, or represented or reproduced by any mode of representing or reproducing words in visible form; and

“year” means any period of 12 consecutive months.

Interpretation

6. Only those defined terms that are capitalized in section 5 are presented capitalized in the text of this Law, and all other defined terms are presented in lower case.

Severability

7. The provisions of this Law are severable, and where any provision of this Law is for any reason held to be invalid by a decision of a court of competent jurisdiction, the invalid portion must be severed from the remainder of this Law and the decision that it is invalid must not affect the validity of the remaining portions of this Law.

Validity

8. Nothing under this Law must be rendered void or invalid by
 - (a) an error or omission in a notice, form or other document given or authorized under this Law; or
 - (b) a failure of the Tla’amin Nation or a Tla’amin official to do something within the required time.

PART 2 - COMMENCEMENT, AMENDMENT AND REPEAL

Date of commencement of a law

9. (1) The date of the commencement of a law, or a portion of it for which no other date of commencement is provided in the law, is the date that the law is certified as correct and signed by the Hegus as enacted.
- (2) If a law contains a provision that the law, or a portion of it, comes into force by a Tla’amin regulation or on a date later than the date described in subsection (1), that provision and the title of the law are deemed to have come into force on the date described in subsection (1).

- (3) If a law contains a provision that the law, or a portion of it, comes into force on a date that is earlier than the date described in subsection (1), that law or portion referred to in the provision
 - (a) comes into force in accordance with the terms of the provision; and
 - (b) on coming into force, is deemed to have come into force on the earlier date referred to in the provision and is retroactive to the extent necessary to give it force and effect on and after that earlier date.

Date of commencement of a Tla'amin regulation

10. A Tla'amin regulation that is not expressed to come into force on a particular day comes into force on the day the regulation is enacted.

Time of commencement or repeal of an enactment

- 11.** (1) An enactment must be construed as commencing at the beginning of the day on which it comes into force.
- (2) An enactment that is repealed and replaced ceases to have effect at the time the replacing enactment commences.
 - (3) An enactment other than an enactment under subsection (2) ceases to have effect at the end of the day on which it expires or otherwise ceases to have effect.
 - (4) An enactment that has expired, lapsed or otherwise ceased to have effect is deemed to be repealed for the purposes of this Law.

Preliminary proceedings and staggered commencement

- 12.** (1) If an enactment that is not in force contains provisions conferring a power to make regulations, or to do any other thing, to make the enactment effective on its coming into force, the power may be exercised before the enactment comes into force, but the Tla'amin regulation or the thing done has no force until the enactment comes into force, except in so far as is necessary to make the enactment effective on its coming into force.
- (2) If an enactment provides for that enactment, or any portion of it, to come into force or be repealed by Tla'amin regulation, that regulation
 - (a) may apply to the coming into force or repeal of any provision of the enactment; and
 - (b) may be made at different times for different provisions of the enactment.

Amending enactment part of legislation amended

13. An amending enactment must be construed as part of the enactment it amends.

Repeal

- 14. (1)** If all or part of an enactment is repealed, the repeal
- (a) does not revive an enactment or thing not in effect or not existing immediately before the time when the repeal takes effect;
 - (b) does not affect the previous operation of the enactment so repealed or anything done or suffered under it;
 - (c) does not affect a right or obligation acquired, accrued, accruing or incurred under the enactment so repealed;
 - (d) subject to section 15(f), does not affect an offence committed against or a contravention of the repealed enactment, or a penalty, forfeiture or punishment incurred under it; or
 - (e) does not affect an investigation, proceeding or remedy for
 - (i) the right or obligation under paragraph (c), or
 - (ii) the penalty, forfeiture or punishment under paragraph (d).
- (2) Subject to section 15, an investigation, proceeding or remedy described in paragraph (1)(e) may be instituted, continued or enforced and the penalty, forfeiture or punishment imposed as if the enactment or the part of the enactment had not been repealed.

Repeal and replacement

- 15.** If an enactment (the “former enactment”) is repealed and another enactment (the “new enactment”) is substituted for it
- (a) every person acting under the former enactment must continue to act as if appointed or elected under the new enactment until another is appointed or elected in his or her place;
 - (b) every bond and security given by a person appointed under the former enactment remains in force, and all books, papers, forms and things made or used under the former enactment shall continue to be used as before the repeal so far as they are consistent with the new enactment;
 - (c) every proceeding commenced under the former enactment must be continued under and in conformity with the new enactment so far as it may be done consistently with the new enactment;
 - (d) the procedure established by the new enactment must be followed as far as it can be adapted
 - (i) in the recovery or enforcement of penalties and forfeitures incurred under the former enactment,

- (ii) in the enforcement of rights existing or accruing under the former enactment, and
- (iii) in a proceeding relating to matters that happened before the repeal;
- (e) except to the extent that the provisions of the new enactment are not in substance the same as those of the former enactment, the new enactment shall not be held to operate as new law, but shall be construed and have effect as a consolidation and as declaratory of the law contained in the former enactment;
- (f) when a penalty, forfeiture or punishment is reduced or mitigated by the new enactment, the penalty, forfeiture or punishment, if imposed or adjusted after the repeal must be reduced or mitigated accordingly;
- (g) all Tla'amin regulations made under the former enactment remain in force and are deemed to have been made under the new enactment, in so far as they are not inconsistent with the new enactment, until they are repealed or others are made in their place; and
- (h) a reference in an unrepealed enactment to the former enactment must, for a subsequent transaction matter or thing, be construed as a reference to the provision of the new enactment relating to the same subject matter, but if there is no provision in the new enactment relating to the same subject matter, the former enactment must be construed as being unrepealed so far as is necessary to give effect to the unrepealed enactment.

No implications from repeal or amendment

- 16. (1)** The repeal of all or part of an enactment, or the repeal of an enactment and the substitution for it of another enactment, must not be construed to be or to involve either a declaration that the repealed enactment was, or was considered to have been, previously in force, or a declaration about the previous state of the law.
- (2) The amendment of an enactment must not be construed to be or to involve a declaration that the law under the enactment prior to the amendment was or was considered to have been different from the law under the enactment as amended.
- (3) An amendment, consolidation, re-enactment or revision of an enactment must not be construed to be or to involve an adoption of the construction that has by judicial decision or otherwise been placed on the language used in the enactment or on similar language.

PART 3 - GENERAL RULES OF INTERPRETATION

Territorial operation

- 17. (1)** Every enactment applies to the whole of Tla'amin Lands, unless a contrary intention is expressed in the enactment.
- (2) Where an enactment that does not apply to the whole of Tla'amin Lands is amended, no provision in the amending enactment applies to any part of Tla'amin Lands to which

the amended enactment does not apply, unless it is provided in the amending enactment that it applies to that part of Tla'amin Lands or to the whole of Tla'amin Lands.

Enactment always speaking

18. (1) An enactment must be construed as always speaking.
- (2) If a provision in an enactment is expressed in the present tense, the provision applies to the circumstances as they arise.

Enactment remedial

19. Every enactment must be construed as being remedial, and must be given such fair, large and liberal construction and interpretation as best ensures the attainment of its purpose.

Title and preamble

20. The title and the preamble of an enactment are part of it and are intended to assist in explaining its meaning and purpose.

Citation of enactments

21. (1) An enactment may be cited by reference to its title.
- (2) In an enactment, a reference to an Act or regulation of British Columbia, Canada or another jurisdiction is cited by reference to the title of the legislation set in italics, followed by the jurisdiction within parentheses.

Reference aids

22. (1) In an enactment, a head note
- (a) is not part of the enactment; and
- (b) must be considered to have been added editorially for convenience of reference only.
- (2) In an enactment, if a reference to a provision in an enactment, or to a chapter of the Final Agreement, is followed by italicized text in square brackets that describes the subject matter of the provision or the chapter, subsection (1) applies to the text in square brackets.

Schedules and tables

23. (1) Schedules attached to an enactment form part of that enactment.
- (2) In the event of a conflict between the content of a schedule in an enactment and the content of the enactment, the content of the enactment prevails.
- (3) Tables included in an enactment form part of that enactment.

- (4) In the event of a conflict between the content of a table in an enactment and the content of the enactment, the content of the enactment prevails.

Sections may be subdivided

24. A section of an enactment may be divided into subdivisions known in descending order as subsections, paragraphs, subparagraphs, clauses and subclauses.

Application of expressions to regulations

25. A word or expression used in a Tla'amin regulation has the same meaning as in the law authorizing the Tla'amin regulation.

Common names

26. Unless the contrary intention appears in an enactment, a name commonly applied to a country, place, body, corporation, society, officer, functionary, person, party or thing means the country, place, body, corporation, society, officer, functionary, person, party or thing to which the name is commonly applied, regardless of whether a more formal or extended name could also be applied to the country, place, body, corporation, society, officer, functionary, person, party or thing.

Use of forms and words

27. (1) If a form is prescribed by or under an enactment, deviations from it not affecting the substance or calculated to mislead, do not invalidate the form used.
- (2) In an enactment, gender specific terms include both genders and include corporations.
- (3) In an enactment, words in the singular include the plural, and words in the plural include the singular.
- (4) If a word or expression is defined in an enactment, other parts of speech and grammatical forms of the same word or expression have corresponding meanings.

Documentary evidence

28. If an enactment provides that a document is evidence or proof of a fact, unless the context indicates that the document is conclusive evidence, the document is admissible in evidence in any proceeding, and the fact is deemed to be established in the absence of any evidence to the contrary.

References in enactments

29. (1) A reference in an enactment to a series of numbers or letters by the first and last numbers or letters of the series includes the number or letter first and last mentioned.
- (2) A reference in an enactment to a Part, Division, section or Schedule is a reference to the Part, Division, section or Schedule of the enactment in which the reference occurs.

- (3) A reference in an enactment to a subsection, paragraph, subparagraph, clause or subclause is a reference to the subsection, paragraph, subparagraph, clause or subclause of the section, paragraph, subparagraph, clause or subclause in which the reference occurs.
- (4) A reference in an enactment by number or letter to a Part, Division, section, paragraph, subparagraph, clause or subclause is a reference to that numbered or lettered Part, Division, section, paragraph, subparagraph, clause or subclause of that enactment.
- (5) A reference in a law to regulations, unless otherwise stated, is a reference to Tla'amin regulations made under the law in which the reference occurs.
- (6) If an enactment refers to a matter "under" a named or unnamed law, the law in that reference includes regulations enacted under that law.

References to other enactments

- 30.** (1) A reference in an enactment to another enactment is a reference to that other enactment as deposited in the Tla'amin Registry.
- (2) A reference in an enactment by number or letter to a Part, Division, section, paragraph, subparagraph, clause or subclause in another enactment is a reference to the Part, Division, section, paragraph, subparagraph, clause or subclause of the other enactment as deposited in the Tla'amin Registry.
 - (3) In an enactment, a reference to another enactment, or to an Act or regulation of British Columbia, Canada or another jurisdiction, is a reference to the other enactment as amended, whether amended before or after the commencement of the enactment in which the reference occurs.
 - (4) If all or part of an Act or regulation of British Columbia, Canada or another jurisdiction is repealed and another provision is substituted for it, a reference to the repealed Act or regulation must be construed as a reference to the provision of the new Act or regulation relating to the same subject matter.

Necessary changes

- 31.** If an enactment provides that another enactment applies, that other enactment applies with the necessary changes and so far as it is applicable.

Metric expressions

- 32.** In an enactment, metric expressions and symbols have the meanings given to them in the *Weights and Measures Act* (Canada) and if not mentioned in that Act, have the meanings given to them in the International System of Units established by the General Conference of Weights and Measures.

Calculation of time and age

- 33.** (1) This section applies to an enactment and to a deed, conveyance or other legal instrument, unless specifically provided otherwise in the deed, conveyance or other legal instrument.
- (2) If the time for doing an act falls or expires on a holiday, the time is extended to the next day that is not a holiday.
- (3) If the time for doing an act in a business office falls or expires on a day when the office is not open during regular business hours, the time is extended to the next day that the office is open.
- (4) In the calculation of time expressed as clear days, weeks, months or years, or as "at least" or "not less than" a number of days, weeks, months or years, the first and last days must be excluded.
- (5) In the calculation of time not referred to in subsection (4), the first day must be excluded and the last day included.
- (6) If, under this section, the calculation of time ends on a day in a month that has no date corresponding to the first day of the period of time, the time ends on the last day of that month.
- (7) A specified time of day is a reference to Pacific Standard Time, unless Daylight Saving time is being used or observed on that day in British Columbia.
- (8) An individual reaches a particular age expressed in years at the start of the relevant anniversary of his or her date of birth.

PART 4 - RESERVED AND INCLUDED POWERS

Power of repeal and amendment

- 34.** (1) A law must be construed to reserve to the body enacting it, the power of replacing, repealing or amending it, and of revoking, restricting or modifying a power, privilege or advantage that it vests in or grants to any person.
- (2) If in an enactment a power is conferred to make regulations, the power includes a power, exercisable in the same manner, and subject to the same consent and conditions, if any, to repeal or amend the regulations and make others.

Power to make regulations

- 35.** (1) If a law includes a power to make regulations, that power includes, for the purpose of carrying out the law according to its intent, the authority to
- (a) make regulations as are considered necessary and advisable, that are ancillary to the law, and are not inconsistent with it;

- (b) provide for administrative and procedural matters for which no express, or only partial, provision has been made;
- (c) limit the application of a regulation in time or place or both;
- (d) prescribe the amount of a fee authorized by the law, including setting out the manner of determining the fee;
- (e) prescribe forms and procedures;
- (f) provide that the contravention of the regulation constitutes an offence; and
- (g) provide that a person who commits an offence under the regulation is
 - (i) where applicable, subject to the provisions of the *Enforcement and Ticketing Law*, and
 - (ii) liable, on summary conviction, to a penalty within the limits set out in paragraphs 148, 149(a), and 151 of Chapter 15 [*Governance*] of the Final Agreement.

(2) A Tla'amin regulation made under the authority of an enactment has the force of law.

Authority to prescribe forms includes electronic forms

- 36.** (1) An authority in an enactment to prescribe, approve or provide a form includes authority to prescribe, approve or provide an electronic form and to prescribe requirements for its electronic signature.
- (2) An authority in an enactment to prescribe or approve the manner of submitting a form includes the authority to prescribe or approve electronic submission of the form.

Power to act for others

37. Words in an enactment that direct or empower a Tla'amin official to do something, or that otherwise apply to that Tla'amin official by name of office, include

- (a) an individual acting for the Tla'amin official;
- (b) an individual duly appointed to assume the responsibilities of the Tla'amin official; and
- (c) the deputy of the Tla'amin official.

Delegation

38. A power in an enactment to delegate a duty or power includes the power

- (a) to establish, change or revoke conditions, standards or requirements for the performance of that duty or the exercise of that power by the person to whom the duty or power is delegated; and

- (b) to revoke a delegation of the duty or power.

Ancillary powers

39. (1) If in an enactment

- (a) a power is given to a person to do or enforce the doing of an act or thing, that power is deemed to include all the powers necessary to enable the person to do or enforce the doing of that act or thing;
 - (b) a power to inspect or to require the production of records is conferred, that power includes the power to make copies or extracts of those records; or
 - (c) a power is conferred or a duty is imposed, the power may be exercised and the duty must be performed from time to time as occasion requires.
- (2) Power given to a person in an enactment to enter into an agreement includes the power for the person with whom the agreement is to be made to enter into the agreement and to carry out its terms, subject to any conditions that apply to that person in the exercise of the power.
- (3) If in an enactment the doing of an act or thing is dependent on the doing of another act or thing by a specified Tla'amin official, the Tla'amin official has the power to do that other act or thing.

Majority and quorum

40. (1) If in an enactment an act or thing is required or authorized to be done by more than two persons, a majority of them may do it. *[Amended April 25, 2016]*

- (2) If an enactment establishes a Tla'amin Public Institution consisting of three or more members, the following rules apply unless the enactment provides otherwise:
- (a) if the number of members of the Tla'amin Public Institution provided for by the enactment is a fixed number, at least one-half of that number of members constitutes a quorum at a meeting of the Tla'amin Public Institution;
 - (b) if the number of members of the Tla'amin Public Institution provided for by the enactment is not a fixed number, at least one-half of the number of members in office constitutes a quorum at a meeting of the Tla'amin Public Institution, as long as the number of members is within the maximum or minimum number, if any, authorized by the enactment;
 - (c) an act or thing done by a majority of the members of the Tla'amin Public Institution present at a meeting, if the members present constitute a quorum, is deemed to have been done by the Tla'amin Public Institution; and
 - (d) a vacancy in the membership of the Tla'amin Public Institution does not invalidate the constitution of the Tla'amin Public Institution or impair the right of the members in office to act, if the number of members in office is not less than a quorum.

PART 5 - NOTICE AND DELIVERY

Notices to Tla'amin officials

- 41.** (1) To satisfy a requirement in an enactment that a notice or other information be delivered to a Tla'amin official, that notice or other information must be delivered by hand, mail or facsimile to that Tla'amin official at the Tla'amin Governance House.
- (2) A notice or other information delivered under subsection (1) is not effective until it is received by the Tla'amin official.

Notices delivered in accordance with Tla'amin law

- 42.** (1) To satisfy a requirement in an enactment that a Tla'amin official deliver to a person a notice or other information, that notice or other information must be in writing and delivered
- (a) by hand to that person;
 - (b) by mail to the last known address of that person or, in the case of a corporation, to the registered office of the corporation shown in the records of the applicable government; or
 - (c) by facsimile to the last known facsimile number of that person.
- (2) A notice or other information delivered under subsection (1) is deemed to have been received
- (a) on the date on which it was delivered, if delivered by hand;
 - (b) seven days after the date on which it was deposited at a post office, if delivered by mail; or
 - (c) on the date on which the sender obtained written confirmation that the facsimile has been transmitted, if delivered by facsimile.
- (3) If the Tla'amin official responsible for delivering the notice or other information has reason to believe that a notice or other information delivered under subsection (1) has not been received by the person to whom it was addressed, the Tla'amin official must make reasonable attempts to deliver the notice or other information to that person through one or more of the following alternative means:
- (a) leaving the notice or other information with an adult at that person's residence or place of business or any other place thought to be frequented by that person;
 - (b) publishing the notice in one or more newspapers of general circulation in the area where the person was last known or is thought to be; or
 - (c) any other means the Tla'amin official considers appropriate.

- (4) A notice or other information delivered under subsection (1) is deemed to have been received on the date the notice or other information was first delivered and, for certainty, if the notice or other information was first delivered by mail or facsimile, the notice or other information is deemed to have been received on the date contemplated in subsection (2).

Notices posted in accordance with Tla'amin law

43. To satisfy a requirement in an enactment to post a notice or other information "in accordance with Tla'amin law," that notice or other information must be

- (a) headed "NOTICE IN ACCORDANCE WITH TLA'AMIN LAW"; and
- (b) posted in a conspicuous place accessible to the public at the Tla'amin Governance House.

Notices published in accordance with Tla'amin law

44. To satisfy a requirement in an enactment to publish a notice or other information "in accordance with Tla'amin law," that notice or other information must be

- (a) headed "NOTICE IN ACCORDANCE WITH TLA'AMIN LAW"; and
- (b) published
 - (i) in at least one newspaper of general circulation on Tla'amin Lands, or
 - (ii) if there is no newspaper of general circulation on Tla'amin Lands at the time the notice or other information is required to be published, in at least one newspaper of general circulation on land adjacent to Tla'amin Lands.

PART 6 - COMING INTO FORCE

Coming into force

- 45.** (1) This Law comes into force on the date it is enacted by the Legislative Assembly.
- (2) For greater certainty, this Law is in effect as of April 5th 2016 and the corrections dated April 25, 2016 and June 23, 2016 apply as of April 5th, 2016. *[Added April 25, 2016; amended June 23, 2016]*

THIS LAW IS HEREBY DULY AMENDED by the Legislative Assembly on the 27th day of May, 2020, meeting by electronic means, in the Province of British Columbia.

LEGISLATIVE HISTORY

(Note: The Legislative History is for administrative purposes only and is not part of the Law.)

Interpretation Law [TNL 02/2016] enacted April 5, 2016.

Amendments and Corrections

Table of Legislative Changes

Name of Law or Order	Law or Order Number	Date Amended or Corrected	Section(s) Amended
Order correcting the <i>Interpretation Law</i>	TNO- LA 30/2016	April 25, 2016 (corrections in effect April 5, 2016)	Clerical corrections to sections 40(1) and 45
Order correcting the <i>Interpretation Law</i>	TNO- LA 43/2016	June 23, 2016 (corrections in effect April 5, 2016)	Clerical corrections to sections 5 and 45(2) .
Order passing <i>A Law to Amend the Interpretation Law</i>	TNO-LA 08/2020	May 27, 2020	Amendment to definition of “indebted to the Tla’amin Nation” and new definition of “spouse” in section 5.
<i>Citizenship Law</i> , s. 73	TNL 03/2023	October 4, 2023	Amended definition of “Tla’amin Citizen” in section 5.

Regulations enacted under this Law:

List any regulations made under the Law, in the following format:

[Name of Regulation] Regulation [TNReg __/2016].