

Community Governance Act Summary

The *Community Governance Act* is an important piece of legislation for Tsawwassen First Nation. It is required to manage community affairs and provide community services. It also outlines how the government will develop regulations typical of municipalities in regulating local matters.

There are three core components to the Act. First, it sets out the subjects that are to be regulated and who is responsible for developing the regulations. Second, it outlines the process and procedural requirements for enacting them. Third, it enables the Executive Council to establish penalties, within limits prescribed by the Act, for offences committed under this or any other Act or regulation.

The Act enables the Executive Council to act on behalf of the government to develop community regulations, provide for community services or enter into agreements with other entities (e.g. the Corporation of Delta) to provide for services on Tsawwassen Lands. Empowering the Executive Council to act on matters concerning community affairs is an important feature of the Act, as it ensures that the government is able to respond to community needs in a timely fashion. In broad terms the subject areas covered by the Act are:

- public order, peace and safety;
- access and local roads;
- public works;
- cemeteries;
- operation of businesses;
- soil transportation, deposit and removal;
- forest resources, trees and shrubs;
- agriculture; and
- provision of community services.

Procedurally, the Executive Council may have to meet certain requirements prior to the adoption of a community governance regulation or the provision of a service. Under the Act, the Executive Council must consult with Members if proposed regulations or service agreements substantially alter existing regulations or agreements. They may also have to consult with non-Members under certain circumstances to fulfill Treaty obligations. On significant matters, the Executive Council may be required to prepare public statements to inform the community of the intent and impact of a proposed regulation or service agreement.