



TSAWWASSEN FIRST NATION  
s̓c̓awaθən məsteyəx<sup>w</sup>

2009

## INTERPRETATION AND DEFINITIONS ACT

Enacted on April 3, 2009

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CHIEF KIM BAIRD



# Tsawwassen First Nation

2009

## INTERPRETATION AND DEFINITIONS ACT

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The Tsawwassen Legislature enacts as follows:

#### **Citation**

- 1 This Act may be cited as the *Interpretation and Definitions Act*

#### **Definitions**

- 2 In this Act:
  - “**Executive Council**” means the Executive Council of Tsawwassen First Nation established under the *Government Organization Act*;
  - “**final agreement**” means the Tsawwassen First Nation Final Agreement among Tsawwassen First Nation, Her Majesty the Queen in right of Canada and Her Majesty the Queen in right of British Columbia, and includes amendments to that agreement made in accordance with it.

#### ***Interpretation Act* (British Columbia) applies**

- 3 The *Interpretation Act* (British Columbia) applies in relation to
  - (a) this Act,
  - (b) other Acts of Tsawwassen First Nation,
  - (c) regulations of the Executive Council, and
  - (d) enactments under this Act or under another Act of Tsawwassen First Nation,unless the context or another enactment of Tsawwassen First Nation otherwise requires.

#### **Application of final agreement**

- 4 Words and expressions used in
  - (a) this Act,

- (b) another Act of Tsawwassen First Nation,
- (c) a regulation of the Executive Council, or
- (d) an enactment under this Act or under another Act of Tsawwassen First Nation

have the same meanings as they have in the final agreement, unless the context requires otherwise.

**Date of commencement**

- 5** (1) The date of the commencement of
- (a) one or more provisions of an Act of Tsawwassen First Nation, or
  - (b) a portion of a provision of an Act of Tsawwassen First Nation
- for which no other date of commencement is provided in that Act, is the date of the enactment by the Tsawwassen Legislature of that provision, those provisions or that portion, as the case may be.
- (2) If an Act of Tsawwassen First Nation contains a provision that the Act or a portion of it is to come into force
- (a) on a day other than the date of its commencement, or
  - (b) by regulation of the Executive Council,
- that provision and the title of the Act are deemed to have come into force on the date of commencement.
- (3) If an Act of Tsawwassen First Nation contains a provision to the effect that the Act, or a portion of it, comes into force on a date that is earlier than the date of its commencement, that Act or the portion of it referred to in the provision
- (a) comes into force in accordance with the terms of the provision, and
  - (b) on coming into force,
    - (i) is deemed to have come into force on the earlier date referred to in the provision, and
    - (ii) is retroactive to the extent necessary to give it force and effect on and after that earlier date.
- (4) The date of commencement of an Act of Tsawwassen First Nation is part of the Act.

**Time of commencement or repeal**

- 6** (1) An enactment of Tsawwassen First Nation must be construed as commencing at the beginning of the day on which it comes into force.
- (2) An enactment of Tsawwassen First Nation that is repealed and replaced ceases to have effect at the time the new enactment commences.

**Interpretation in relation to enactments of Tsawwassen First Nation**

- 7** (1) A reference in
- (a) this Act,
  - (b) another Act of Tsawwassen First Nation,
  - (c) a regulation of the Executive Council, or
  - (d) an enactment under this Act or under another Act of Tsawwassen First Nation

to another Act must be construed as a reference to an Act of Tsawwassen First Nation, except where that reference is to an Act of Canada or of British Columbia.

- (2) In
- (a) this Act,
  - (b) another Act of Tsawwassen First Nation,
  - (c) a regulation of the Executive Council, or
  - (d) an enactment under this Act or under another Act of Tsawwassen First Nation

a reference to another Act, whether of Tsawwassen First Nation, Canada or British Columbia, is a reference to the other Act as amended before or from time to time after the commencement of this Act.

- (3) If a provision of
- (a) this Act,
  - (b) another Act of Tsawwassen First Nation,
  - (c) a regulation of the Executive Council, or
  - (d) an enactment under this Act or under another Act of Tsawwassen First Nation

provides that an enactment, whether of Tsawwassen First Nation, Canada or British Columbia, applies, the enactment applies with the necessary changes and so far as it is applicable.

**Specific rules respecting applicability of *Interpretation Act* (British Columbia)**

- 8** (1) For the purposes of the application of the *Interpretation Act* (British Columbia), in relation to enactments of Tsawwassen First Nation,
- (a) the definition of “Act” in section 1 of the *Interpretation Act* (British Columbia) includes an Act of the Tsawwassen Legislature,
  - (b) the definition of “enactment” in section 1 of the *Interpretation Act* (British Columbia) includes an enactment under an Act of Tsawwassen First Nation,
  - (c) the definition of “public officer” in section 1 of the *Interpretation Act* (British Columbia) includes an officer or employee of the Tsawwassen Government,
  - (d) the references in sections 1, 5 (2), 11 (3) 16 (1), 27 (5), and 41 (1) of the *Interpretation Act* (British Columbia) to the Lieutenant Governor in Council must be construed as including the Executive Council,
  - (e) the references in section 11 (2) of the *Interpretation Act* (British Columbia) to a specific minister or ministry must be construed as including a specific official of Tsawwassen First Nation,
  - (f) the references in sections 15 of the *Interpretation Act* (British Columbia) to the Legislature must be construed as including the Tsawwassen Legislature,
  - (g) the reference in section 22 of the *Interpretation Act* (British Columbia) to another enactment of the Province or of Canada must be construed as a reference to another enactment of the Province, of Canada or of Tsawwassen First Nation, and

- (h) the reference in section 36 (2) of the *Interpretation Act* (British Columbia)
  - (i) to “any other province of Canada or of Canada” must be construed to be a reference to “any other province of Canada or of Canada or of Tsawwassen First Nation”, and
  - (ii) to “the Province” must be construed to be a reference to “the Province or Tsawwassen First Nation”.

**Commencement**

- 9** This Act comes into force on the date of its enactment by the Tsawwassen Legislature.