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TSAWWASSEN FIRST NATION
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Community Governance Act

WEAPONS REGULATION

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Weapons Regulation

Whereas the *Tsawwassen First Nation Final Agreement* authorizes the Tsawwassen Government to make laws to protect the peace and safety of the public, including the regulation of weapons and the control of nuisance on Tsawwassen Lands;

The *Community Governance Act* authorizes the Executive Council of the Tsawwassen First Nation to make regulations in respect of the use of firearms, cross-bows, bow and arrow, knives and other weapons;

The Executive Council of the Tsawwassen First Nation enacts as follows:

Citation and Short Title

1.1 This regulation may be cited as the Tsawwassen First Nation Weapons Regulation.

Interpretation

2.1 Unless specifically defined herein, words and phrases used in the regulation shall be construed in accordance with the meanings assigned to them in the *Tsawwassen First Nation Final Agreement*, the *Community Governance Act*, the *Criminal Code of Canada* (“*Criminal Code*”) and the *Firearms Act* of Canada, as the context and circumstances require.

2.2 In this regulation:

“**armoured car guard service**” has the same meaning as in the *Security Services Act* of British Columbia;

“**chief firearms officer**” means the individual who is designated in writing as the chief provincial firearms officer by the Attorney General of British Columbia;

“**weapon**” includes a firearm, cross-bow, prohibited weapon or restricted weapon, all as defined in the *Criminal Code*.

2.3 Without limiting the generality of any provision in this regulation or other laws that may be applicable, it is expressly confirmed that Part III of the *Criminal Code* and the *Firearms Act* of Canada apply to the Tsawwassen Lands.

2.4 This regulation does not apply to a peace officer or a person employed by an armoured car guard service who is in possession of a firearm for use in connection with his or her official duties.

2.5 If any part of this regulation is held to be invalid by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the regulation will be deemed to have been enacted without the invalid portion.

Restriction on Use

3.1 A person must not use a weapon while on the Tsawwassen Lands except in accordance with the *Criminal Code*, the *Firearms Act* of Canada and this regulation.

3.2 A Tsawwassen Member may use a weapon on Tsawwassen Lands in accordance with the terms, conditions, restrictions and requirements of a valid and subsisting licence or permit issued to that person by the chief firearms officer.

- 3.3 A person permitted to use a weapon under subsection 3.2 must retain a copy of a licence or permit and produce it at the request of a peace officer, the Executive Council or its authorized delegate.
- 3.4 A person who is in possession or control of a weapon must exercise care for the safety of other persons or property.

Offence and Penalty

- 4.1 Any person who contravenes or violates any provision of this regulation or of any licence or permit issued by the chief firearms officer, or who suffers or allows any act or thing to be done in contravention or violation thereof, or who fails or neglects to do anything required to be done under this regulation or any licence or permit, commits an offence, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.
- 4.2 Upon being convicted of an offence under this regulation, a person shall be liable to pay a fine not exceeding \$2,000, to a term of imprisonment for up to 30 days, or to both fine and imprisonment. These penalties are separate from and additional to any other penalties applicable under any other law.

Effective Date

- 5.1 This regulation comes into force on the Effective Date of the Tsawwassen First Nation Final Agreement.