



CANADA

CONSOLIDATION

CODIFICATION

Squamish Nation Residential Tenancy Regulations

Règlement sur la location à usage d'habitation de la Nation Squamish

SOR/2023-135

DORS/2023-135

Current to November 14, 2023

À jour au 14 novembre 2023

Last amended on August 17, 2023

Dernière modification le 17 août 2023

OFFICIAL STATUS OF CONSOLIDATIONS

Subsections 31(1) and (3) of the *Legislation Revision and Consolidation Act*, in force on June 1, 2009, provide as follows:

Published consolidation is evidence

31 (1) Every copy of a consolidated statute or consolidated regulation published by the Minister under this Act in either print or electronic form is evidence of that statute or regulation and of its contents and every copy purporting to be published by the Minister is deemed to be so published, unless the contrary is shown.

...

Inconsistencies in regulations

(3) In the event of an inconsistency between a consolidated regulation published by the Minister under this Act and the original regulation or a subsequent amendment as registered by the Clerk of the Privy Council under the *Statutory Instruments Act*, the original regulation or amendment prevails to the extent of the inconsistency.

LAYOUT

The notes that appeared in the left or right margins are now in boldface text directly above the provisions to which they relate. They form no part of the enactment, but are inserted for convenience of reference only.

NOTE

This consolidation is current to November 14, 2023. The last amendments came into force on August 17, 2023. Any amendments that were not in force as of November 14, 2023 are set out at the end of this document under the heading “Amendments Not in Force”.

CARACTÈRE OFFICIEL DES CODIFICATIONS

Les paragraphes 31(1) et (3) de la *Loi sur la révision et la codification des textes législatifs*, en vigueur le 1^{er} juin 2009, prévoient ce qui suit :

Codifications comme élément de preuve

31 (1) Tout exemplaire d'une loi codifiée ou d'un règlement codifié, publié par le ministre en vertu de la présente loi sur support papier ou sur support électronique, fait foi de cette loi ou de ce règlement et de son contenu. Tout exemplaire donné comme publié par le ministre est réputé avoir été ainsi publié, sauf preuve contraire.

[...]

Incompatibilité — règlements

(3) Les dispositions du règlement d'origine avec ses modifications subséquentes enregistrées par le greffier du Conseil privé en vertu de la *Loi sur les textes réglementaires* l'emportent sur les dispositions incompatibles du règlement codifié publié par le ministre en vertu de la présente loi.

MISE EN PAGE

Les notes apparaissant auparavant dans les marges de droite ou de gauche se retrouvent maintenant en caractères gras juste au-dessus de la disposition à laquelle elles se rattachent. Elles ne font pas partie du texte, n'y figurant qu'à titre de repère ou d'information.

NOTE

Cette codification est à jour au 14 novembre 2023. Les dernières modifications sont entrées en vigueur le 17 août 2023. Toutes modifications qui n'étaient pas en vigueur au 14 novembre 2023 sont énoncées à la fin de ce document sous le titre « Modifications non en vigueur ».

TABLE OF PROVISIONS

Squamish Nation Residential Tenancy Regulations

Interpretation

- 1 Definitions
- 2 British Columbia Interpretation Act
- 3 Adaptations

Purpose

- 4 Purpose

Application of Incorporated Laws

- 5 Power to fix date of application
- 6 Restriction — incorporated laws in force
- 7 Offences and penalties
- 8 Incorporation of procedural matters

Notice

- 9 Notice to leaseholders and Indians in lawful possession
- 10 Notation on the register

General Adaptations to Incorporated Laws

- 11 Statutes and regulations of British Columbia
- 12 Reference to “person”
- 13 Interpretation of incorporated laws
- 14 Exclusion
- 15 Power to seize, remove or compel production of documents

Adaptations to Incorporated Laws

Emergency Program Act

- 16 Adaptation to section 10.1

Manufactured Home Park Tenancy Act

- 17 Adaptation adding section 12.1

TABLE ANALYTIQUE

Règlement sur la location à usage d’habitation de la Nation Squamish

Définitions et interprétation

- 1 Définitions
- 2 Interpretation Act de la Colombie-Britannique
- 3 Adaptations

Objet

- 4 Objet

Application des textes législatifs incorporés

- 5 Pouvoir de fixer la date d’application
- 6 Restriction — texte législatif incorporé en vigueur
- 7 Infractions et peines
- 8 Incorporation des questions de procédure

Avis

- 9 Avis aux locateurs ou Indiens légalement en possession
- 10 Annotation du registre

Dispositions générales d’adaptation des textes législatifs incorporés

- 11 Lois et règlements de la Colombie-Britannique
- 12 Mention de « person »
- 13 Interprétation des textes législatifs incorporés
- 14 Exclusion
- 15 Pouvoir de saisir, d’emporter ou d’exiger la production de documents

Dispositions d’adaptation applicables aux textes législatifs incorporés

Emergency Program Act

- 16 Adaptation de l’article 10.1

Manufactured Home Park Tenancy Act

- 17 Adaptation par adjonction de l’article 12.1

12.1	Notice
18	Adaptation to subsection 13(1)
19	Adaptation to subsection 37(1)
20	Adaptation adding section 37.1
37.1	End of term notification
21	Adaptation to paragraph 40(1)(j) Manufactured Home Park Tenancy Regulation
22	Adaptation to subsection 32(1) — definition of local government levies Residential Tenancy Act
23	Reference to “January 1, 2004”
24	Adaptation adding section 12.1
12.1	Notice
25	Adaptation to subsection 13(2)
26	Adaptation to subsection 44(1)
27	Adaptation adding section 44.1
44.1	End of term notification
28	Adaptation to paragraph 47(1)(k) Residential Tenancy Regulation
29	Adaptation to paragraph 1(2)(b)
30	Adaptation to paragraph 2(g)
31	Adaptation to paragraph 39(c)

Amendments to Schedule 1

32	Amendment by Minister
----	-----------------------

Coming into Force

33	Registration
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SCHEDULE 1

SCHEDULE 2

12.1	Notice
18	Adaptation du paragraphe 13(1)
19	Adaptation du paragraphe 37(1)
20	Adaptation par adjonction de l'article 37.1
37.1	End of term notification
21	Adaptation de l'alinéa 40(1)j) Manufactured Home Park Tenancy Regulation
22	Adaptation du paragraphe 32(1) — définition de local government levies Residential Tenancy Act
23	Mentions de « January 1, 2004 »
24	Adaptation par adjonction de l'article 12.1
12.1	Notice
25	Adaptation du paragraphe 13(2)
26	Adaptation du paragraphe 44(1)
27	Adaptation par adjonction de l'article 44.1
44.1	End of term notification
28	Adaptation à l'alinéa 47(1)k) Residential Tenancy Regulation
29	Adaptation de l'alinéa 1(2)b)
30	Adaptation de l'alinéa 2g)
31	Adaptation de l'alinéa 39c)

Modification de l'annexe 1

32	Modification par le ministre
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Entrée en vigueur

33	Enregistrement
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ANNEXE 1

ANNEXE 2

Registration
SOR/2023-135 June 19, 2023

FIRST NATIONS COMMERCIAL AND INDUSTRIAL
DEVELOPMENT ACT

Squamish Nation Residential Tenancy Regulations

P.C. 2023-582 June 16, 2023

Whereas, in accordance with paragraph 5(1)(a) of the *First Nations Commercial and Industrial Development Act*^a, the Minister of Indigenous Services has received a resolution from the council of the Squamish Nation requesting that the Minister recommend to the Governor in Council the making of the annexed Regulations;

Whereas the purpose of the annexed Regulations is to ensure that the laws set out in Schedule 2 to the annexed Regulations apply as federal law to the project lands, within the limits of federal constitutional authority;

Whereas, in accordance with paragraph 3(2)(b) of that Act, the annexed Regulations confer on the Minister of Indigenous Services the legislative power that the Governor in Council considers necessary to effectively regulate the commercial or industrial undertakings that are located on the reserve lands described in the annexed Regulations;

Whereas the annexed Regulations specify provincial officials by whom, and provincial bodies by which, powers may be exercised or duties are to be performed;

And whereas, in accordance with paragraph 5(1)(b) of that Act, an agreement has been concluded between the Minister of Indigenous Services, the Province of British Columbia and the council of the Squamish Nation for the administration and enforcement of the annexed Regulations by those provincial officials and provincial bodies;

Therefore, Her Excellency the Governor General in Council, on the recommendation of the Minister of Indigenous Services makes the annexed *Squamish Nation Residential Tenancy Regulations* under sections 3^b and 4 of the *First Nations Commercial and Industrial Development Act*^a.

^a S.C. 2005, c. 53

^b S.C. 2019, c. 28, par. 188(d)

Enregistrement
DORS/2023-135 Le 19 juin 2023

LOI SUR LE DÉVELOPPEMENT COMMERCIAL ET
INDUSTRIEL DES PREMIÈRES NATIONS

**Règlement sur la location à usage d'habitation de la
Nation Squamish**

C.P. 2023-582 Le 16 juin 2023

Attendu que, conformément à l'alinéa 5(1)a) de la *Loi sur le développement commercial et industriel des premières nations*^a, la ministre des Services aux Autochtones a reçu du conseil de la Nation Squamish une résolution lui demandant de recommander à la gouverneure en conseil la prise du règlement ci-après;

Attendu que le règlement ci-après vise à faire en sorte que les textes législatifs visés à l'annexe 2 de ce règlement s'appliquent aux terres du projet à titre de règles de droit fédéral, dans les limites des compétences constitutionnelles fédérales;

Attendu que, en vertu de l'alinéa 3(2)b) de cette loi, le règlement ci-après confère à la ministre des Services aux Autochtones des pouvoirs législatifs que la gouverneure en conseil juge nécessaires afin de régir efficacement les entreprises commerciales ou industrielles situées sur les terres de réserve désignées dans ce règlement;

Attendu que le règlement ci-après confère des attributions à des fonctionnaires provinciaux et à des organismes provinciaux;

Attendu que, conformément à l'alinéa 5(1)b) de la même loi, la ministre des Services aux Autochtones, la province de la Colombie-Britannique et le conseil de la Nation Squamish ont conclu un accord au sujet de la mise en œuvre et du contrôle d'application du règlement ci-après par ces fonctionnaires provinciaux et ces organismes provinciaux,

À ces causes, sur recommandation de la ministre des Services aux Autochtones et en vertu des articles 3^b et 4 de la *Loi sur le développement commercial et industriel des premières nations*^a, Son Excellence la Gouverneure générale en conseil prend le *Règlement sur la location à usage d'habitation de la Nation Squamish*, ci-après.

^a L.C. 2005, ch. 53

^b L.C. 2019, ch. 28, al. 188d)

Interpretation

Definitions

1 (1) The following definitions apply in these Regulations.

First Nation, in relation to lands described in column 2 of Schedule 1, means the First Nation named in column 1 of that Schedule. (*Première Nation*)

incorporated laws means the statutes and regulations of British Columbia, or the portions of them, that are set out in Schedule 2, as amended from time to time and as adapted by sections 11 to 31. (*texte législatif incorporé*)

project lands, in relation to a First Nation named in column 1 of Schedule 1, means the reserve lands described in column 2 of that Schedule. (*terres du projet*)

provincial body has the same meaning as in section 1 of the *FNCIDA Implementation Act*, S.B.C. 2012, c. 21. (*organisme provincial*)

provincial official has the same meaning as in section 1 of the *FNCIDA Implementation Act*, S.B.C. 2012, c. 21. (*fonctionnaire provincial*)

Expanded meaning of undertaking

(2) For the purposes of the *First Nations Commercial and Industrial Development Act*, the meaning of the expression “commercial or industrial undertaking” is enlarged to include a manufactured home park and a residential tenancy development.

British Columbia Interpretation Act

2 The incorporated laws are to be interpreted in accordance with the *British Columbia Interpretation Act*, R.S.B.C. 1996, c. 238, as amended from time to time, and, for that purpose, references to “enactment” in that Act are to be read to include the incorporated laws.

Adaptations

3 For greater certainty, the adaptations in sections 11 to 31 are to be interpreted to be part of the incorporated laws to which they apply.

Définitions et interprétation

Définitions

1 (1) Les définitions qui suivent s'appliquent au présent règlement.

fonctionnaire provincial S'entend au sens de la définition de « provincial official » à l'article 1 de la loi de la Colombie-Britannique intitulée *FNCIDA Implementation Act*, S.B.C. 2012, ch. 21. (*provincial official*)

organisme provincial S'entend au sens de la définition de « provincial body » de l'article 1 de la loi de la Colombie-Britannique intitulée *FNCIDA Implementation Act*, S.B.C. 2012, ch. 21. (*provincial body*)

Première Nation En ce qui concerne les terres visées à la colonne 2 de l'annexe 1, la Première Nation dont le nom figure en regard de ces terres, à la colonne 1 de cette annexe. (*First Nation*)

terres du projet En ce qui concerne une Première Nation dont le nom figure à la colonne 1 de l'annexe 1, les terres de réserve désignées en regard de cette Première Nation, à la colonne 2 de cette annexe. (*project lands*)

texte législatif incorporé Tout ou partie d'une loi ou d'un règlement de la Colombie-Britannique visé à l'annexe 2, avec ses modifications successives et compte tenu des adaptations prévues aux articles 11 à 31. (*incorporated laws*)

Portée élargie du terme entreprise

(2) Pour l'application de la *Loi sur le développement commercial et industriel des premières nations*, la portée de l'expression « entreprise commerciale ou industrielle » est élargie pour comprendre un parc de maisons préfabriquées et un ensemble de location à usage d'habitation.

Interpretation Act de la Colombie-Britannique

2 Les textes législatifs incorporés sont interprétés conformément à la loi de la Colombie-Britannique intitulée *Interpretation Act*, R.S.B.C. 1996, ch. 238, avec ses modifications successives, et, à cette fin, la mention de « enactment » dans cette loi vaut également mention des textes législatifs incorporés.

Adaptations

3 Il est entendu que les adaptations prévues aux articles 11 à 31 sont interprétées comme faisant partie des textes législatifs incorporés auxquels elles s'appliquent.

Purpose

Purpose

4 The purpose of these Regulations is to implement with respect to the project lands a legal regime that is harmonized with the legal regime of British Columbia that governs the landlord and tenant relationship in relation to manufactured home parks and residential tenancy developments.

Application of Incorporated Laws

Power to fix date of application

5 Subject to sections 6 and 9, the Minister must, by order, fix and set out in column 3 of Schedule 1, the date on which the incorporated laws begin to apply to project lands listed in column 2 of that Schedule.

Restriction — incorporated laws in force

6 (1) A provision of an incorporated law applies only if the provision of the law of British Columbia that it incorporates is in force.

Restriction — limits of authority

(2) For greater certainty, an incorporated law applies only to the extent that it is within the limits of federal constitutional authority.

Offences and penalties

7 If contravention of a law of British Columbia that is incorporated in these Regulations is an offence under the laws of British Columbia, contravention of the incorporated law is also an offence and is subject to the same penalties as under the laws of British Columbia.

Incorporation of procedural matters

8 (1) Unless otherwise provided and subject to any adaptations set out in sections 11 to 31, the following are to conform to the laws of British Columbia, whether or not those laws have been set out in Schedule 2:

- (a)** the enforcement of incorporated laws;
- (b)** the prosecution of an offence, or any other proceedings, in relation to the contravention of an incorporated law;

Objet

Objet

4 Le présent règlement met en œuvre, à l'égard des terres du projet, un régime juridique qui s'harmonise avec celui de la Colombie-Britannique en ce qui a trait aux relations entre les locateurs et les locataires de parcs de maisons préfabriquées et d'ensembles de location à usage d'habitation.

Application des textes législatifs incorporés

Pouvoir de fixer la date d'application

5 Sous réserve des articles 6 et 9, le ministre, par arrêté, fixe et inscrit à la colonne 3 de l'annexe 1 la date à compter de laquelle les textes législatifs incorporés s'appliquent aux terres du projet visées à la colonne 2 de la même annexe.

Restriction — texte législatif incorporé en vigueur

6 (1) La disposition d'un texte législatif incorporé ne s'applique que si la disposition du texte législatif de la Colombie-Britannique qui est incorporé est en vigueur.

Restriction — limites des compétences

(2) Il est entendu que les textes législatifs incorporés ne s'appliquent que dans les limites des compétences constitutionnelles fédérales.

Infractions et peines

7 Lorsque la contravention à un texte législatif de la Colombie-Britannique incorporé dans le présent règlement constitue une infraction aux termes de la législation de cette province, la contravention au texte législatif incorporé constitue aussi une infraction et est passible de la même peine que celle que prévoit cette législation.

Incorporation des questions de procédure

8 (1) Sauf disposition contraire et sous réserve des adaptations prévues aux articles 11 à 31, doivent être conformes aux textes législatifs de la Colombie-Britannique, que ceux-ci soient visés ou non à l'annexe 2 :

- a)** le contrôle d'application des textes législatifs incorporés;
- b)** la poursuite ou toute autre procédure intentée à l'égard de la contravention à un texte législatif incorporé;

(c) the review or appeal of an action or decision taken, or of a failure to take an action that could have been taken, under an incorporated law; and

(d) any requirements for notice or other procedures in relation to an action to be taken under an incorporated law.

Related powers

(2) For the purposes of subsection (1), a person, provincial official or provincial body that has a power, duty or function under a law of British Columbia is a person, provincial official or provincial body specified to have the same power, duty or function in respect of any actions taken under that subsection.

Notice

Notice to leaseholders and Indians in lawful possession

9 (1) Before the Minister makes an order under section 5 with respect to any project lands, the council of the First Nation must

(a) send notice by mail to the following persons registered as leaseholders or Indians in lawful possession, as applicable, in a register in which the project lands are registered, at the addresses that are indicated in relation to the registrations or that may be otherwise known by the First Nation, advising those leaseholders and Indians of the intention to apply the incorporated laws to the project lands:

(i) any leaseholder in any of the project lands, and

(ii) any Indian considered to be lawfully in possession of any of the lands under section 20 of the *Indian Act*;

(b) publish a notice one day per week for two consecutive weeks, in the local newspaper with the largest circulation, advising of the intention to apply the incorporated laws to the project lands; and

(c) provide the Minister with written notice of compliance with paragraphs (a) and (b).

No invalidity or cause of action

(2) An order made by the Minister under section 5 is not invalid by reason only of the failure of a leaseholder or Indian referred to in paragraph (1)(a) to receive notice under subsection (1) and no cause of action exists against

(c) le contrôle ou l'appel visant la prise d'une mesure ou d'une décision ou l'omission de prendre une mesure qui aurait pu être prise, en vertu d'un texte législatif incorporé;

(d) les exigences en matière d'avis ou d'autres procédures relativement à une mesure à prendre en vertu d'un texte législatif incorporé.

Attributions connexes

(2) Pour l'application du paragraphe (1), la personne, le fonctionnaire provincial ou l'organisme provincial à qui des attributions sont conférées par un texte législatif de la Colombie-Britannique est une personne, un fonctionnaire provincial ou un organisme provincial désigné avoir les mêmes attributions relativement à toutes les mesures prises en vertu de ce paragraphe.

Avis

Avis aux locateurs ou Indiens légalement en possession

9 (1) Avant que le ministre ne prenne un arrêté aux termes de l'article 5 à l'égard de terres du projet, le conseil de la Première Nation effectue ce qui suit :

(a) il envoie un avis par la poste aux personnes ci-après qui sont enregistrées comme locateurs ou Indiens légalement en possession, selon le cas, dans un registre où les terres du projet sont enregistrées, à l'adresse indiquée relativement aux enregistrements ou qui peut être connue par ailleurs par la Première Nation, les informant de l'intention d'appliquer les textes législatifs incorporés aux terres du projet :

(i) les locateurs des terres du projet,

(ii) les Indiens considérés être légalement en possession de l'une des terres en vertu l'article 20 de la *Loi sur les Indiens*;

(b) il publie, un jour par semaine pendant deux semaines consécutives, un avis indiquant l'intention d'appliquer les textes législatifs incorporés aux terres du projet dans le journal local dont la diffusion est la plus importante;

(c) il fournit au ministre un avis écrit de conformité aux alinéas a) et b).

Aucune invalidité ni cause d'action

(2) L'arrêté pris par le ministre en vertu de l'article 5 n'est pas invalide pour l'unique motif qu'un locateur ou qu'un Indien visés à l'alinéa (1)a) n'a pas reçu l'avis prévu au paragraphe (1) et ce manquement ne donne pas

His Majesty in right of Canada, the Minister, His Majesty in right of British Columbia, any provincial official, any provincial body, the First Nation or the council of the First Nation from such a failure.

Definition of *Indian*

(3) In this section, *Indian* has the same meaning as in subsection 2(1) of the *Indian Act*.

Notation on the register

10 Once the incorporated laws apply to the project lands, the officer in the Department of Indigenous Services responsible for the management of the register in which those project lands are registered must place a notation on the register indicating that the incorporated laws apply to those project lands.

General Adaptations to Incorporated Laws

Statutes and regulations of British Columbia

11 Unless otherwise indicated, the statutes and regulations referred to in sections 16 to 31 are statutes and regulations of British Columbia.

Reference to “person”

12 A reference to a “person” in an incorporated law is to be read to include a First Nation.

Interpretation of incorporated laws

13 (1) Incorporated laws are to be read without reference to any of the following:

- (a)** spent provisions, commencement provisions and consequential amendments;
- (b)** provisions appointing a person; and
- (c)** provisions authorizing the Lieutenant Governor in Council to make regulations of general application, except to the extent required to make the regulations set out in Schedule 2.

Appointment to a position

(2) Despite paragraph (1)(b), a person who is appointed to a position under an incorporated law is considered to have been appointed to the same position for the purposes of these Regulations for as long as that person remains in that position under the law of British Columbia.

ouverture à un droit d'action contre Sa Majesté du chef du Canada, le ministre, Sa Majesté du chef de la province de la Colombie-Britannique, un fonctionnaire provincial, un organisme provincial, la Première Nation ou le conseil de la Première Nation.

Définition de *Indien*

(3) Dans le présent article, *Indien* s'entend au sens du paragraphe 2(1) de la *Loi sur les Indiens*.

Annotation du registre

10 Une fois que les textes législatifs incorporés s'appliquent aux terres du projet, le fonctionnaire du ministère des Services aux Autochtones responsable de l'administration du registre dans lequel ces terres sont enregistrées annote celui-ci en indiquant que les textes législatifs incorporés s'appliquent à ces terres.

Dispositions générales d'adaptation des textes législatifs incorporés

Lois et règlements de la Colombie-Britannique

11 Sauf indication contraire, les lois et règlements mentionnés aux articles 16 à 31 sont des lois et règlements de la Colombie-Britannique.

Mention de « person »

12 Il est entendu que dans les textes législatifs incorporés, la mention de « person » vaut également mention d'une Première Nation.

Interprétation des textes législatifs incorporés

13 (1) Pour l'interprétation des textes législatifs incorporés, il n'est pas tenu compte :

- a)** des dispositions périmées, des dispositions d'entrée en vigueur et des modifications corrélatives;
- b)** des dispositions nommant une personne;
- c)** des dispositions autorisant le lieutenant-gouverneur en conseil à prendre un règlement d'application générale, sauf dans la mesure où cela est nécessaire à la prise des règlements visés à l'annexe 2.

Nomination à un poste

(2) Malgré l'alinéa (1)b), la personne nommée à un poste en vertu d'un texte législatif incorporé est considérée comme ayant été nommée au même poste pour l'application du présent règlement tant qu'elle continue à

Specified persons, officials and bodies

(3) For greater certainty, a person, provincial official or provincial body that has a power, duty or function under an incorporated law or a law of British Columbia referred to in subsection 8(1) that is not set out in Schedule 2, is a person specified to have the same power, duty or function under these Regulations, subject to the adaptations set out in sections 16 to 31.

Reference to incorporated law

(4) For greater certainty, if a law is adapted by these Regulations, a reference to that law in an incorporated law, or in any notice, form, instrument or other document issued under an incorporated law, is to be read as a reference to that law as adapted by these Regulations.

Exclusion

14 A provision of an incorporated law that imposes an obligation, liability or penalty on a landlord, owner, occupier, public authority, public body or unspecified person or entity does not apply to His Majesty in right of Canada or federal ministers or officials.

Power to seize, remove or compel production of documents

15 A power to seize or remove a document or record or to compel the production of a document or record under an incorporated law does not include a power to seize or remove a document or record that is in the possession of the federal government or to compel the production by the federal government of a document or record.

Adaptations to Incorporated Laws

Emergency Program Act

Adaptation to section 10.1

16 Section 10.1 of the *Emergency Program Act* is adapted by adding the following after subsection (8):

occuper le poste en vertu du droit de la Colombie-Britannique.

Personne, fonctionnaire ou organisme désigné

(3) Il est entendu que la personne, le fonctionnaire provincial ou l'organisme provincial à qui des attributions sont conférées par un texte législatif incorporé ou un texte législatif visé au paragraphe 8(1) qui n'est pas visé à l'annexe 2, est une personne, un fonctionnaire provincial ou un organisme provincial désigné avoir les mêmes attributions en vertu du présent règlement, sous réserve des adaptations prévues aux articles 16 à 31.

Mention d'un texte législatif incorporé

(4) Il est entendu que, si un texte législatif incorporé est adapté par le présent règlement, la mention de ce texte dans un texte législatif incorporé ou dans un avis, un formulaire, un instrument ou dans tout autre document délivré en vertu d'un texte législatif incorporé, vaut mention de ce texte avec les adaptations prévues au présent règlement.

Exclusion

14 La disposition d'un texte législatif incorporé qui impose une obligation, une responsabilité ou une pénalité à un propriétaire, à un locateur, à un occupant, à une autorité publique, à un organisme public ou encore à une personne ou une entité non désignée ne s'applique pas à Sa Majesté du chef du Canada, aux ministres ou aux fonctionnaires fédéraux.

Pouvoir de saisir, d'emporter ou d'exiger la production de documents

15 Le pouvoir de saisir ou d'emporter des documents ou d'en exiger la production en vertu d'un texte législatif incorporé ne comprend ni le pouvoir de saisir ou d'emporter un document qui est en la possession de l'administration fédérale, ni celui d'exiger la production d'un document par celle-ci.

Dispositions d'adaptation applicables aux textes législatifs incorporés

Emergency Program Act

Adaptation de l'article 10.1

16 L'article 10.1 de la loi intitulée *Emergency Program Act* est adapté par adjonction, après le paragraphe (8), de ce qui suit :

(9) For the purposes of the Canadian federal Regulations entitled *Squamish Nation Residential Tenancy Regulations*, the Lieutenant Governor in Council may make a regulation under subsection (1) or (2) only in respect of tenancies under the *Manufactured Home Park Tenancy Act* and the *Residential Tenancy Act*.

Manufactured Home Park Tenancy Act

Adaptation adding section 12.1

17 The *Manufactured Home Park Tenancy Act* is adapted by adding the following after section 12:

Notice

12.1 The landlord of a manufactured home site that exists on the day on which, under the Canadian federal Regulations entitled *Squamish Nation Residential Tenancy Regulations*, the incorporated laws apply to the project lands where the manufactured home site is situated must, within 15 days after that day, provide written notice to the tenant of the following:

- (a)** the applicability of the *Squamish Nation Residential Tenancy Regulations*;
- (b)** the date on which the leasehold interest in the manufactured home site granted by His Majesty ends;
- (c)** if applicable, the possibility that the leasehold interest may be cancelled before the date on which it ends;
- (d)** the fact that the tenancy cannot continue beyond the date on which the leasehold interest in the manufactured home site granted by His Majesty ends and, if applicable, beyond the date of an early cancellation; and
- (e)** the fact that the obligations, liabilities and penalties imposed on a landlord under this Act and its regulations do not apply to His Majesty, His Ministers or any federal official.

Adaptation to subsection 13(1)

18 (1) Subsection 13(1) of the Act is to be read as follows:

13 (1) A landlord must prepare in writing every tenancy agreement entered into on or after the day on which, under the Canadian federal Regulations entitled *Squamish*

(9) For the purposes of the Canadian federal Regulations entitled *Squamish Nation Residential Tenancy Regulations*, the Lieutenant Governor in Council may make a regulation under subsection (1) or (2) only in respect of tenancies under the *Manufactured Home Park Tenancy Act* and the *Residential Tenancy Act*.

Manufactured Home Park Tenancy Act

Adaptation par adjonction de l'article 12.1

17 La loi intitulée *Manufactured Home Park Tenancy Act* est adaptée par adjonction, après l'article 12, de ce qui suit :

Notice

12.1 The landlord of a manufactured home site that exists on the day on which, under the Canadian federal Regulations entitled *Squamish Nation Residential Tenancy Regulations*, the incorporated laws apply to the project lands where the manufactured home site is situated must, within 15 days after that day, provide written notice to the tenant of the following:

- (a)** the applicability of the *Squamish Nation Residential Tenancy Regulations*;
- (b)** the date on which the leasehold interest in the manufactured home site granted by His Majesty ends;
- (c)** if applicable, the possibility that the leasehold interest may be cancelled before the date on which it ends;
- (d)** the fact that the tenancy cannot continue beyond the date on which the leasehold interest in the manufactured home site granted by His Majesty ends and, if applicable, beyond the date of an early cancellation; and
- (e)** the fact that the obligations, liabilities and penalties imposed on a landlord under this Act and its regulations do not apply to His Majesty, His Ministers or any federal official.

Adaptation du paragraphe 13(1)

18 (1) Le paragraphe 13(1) de la même loi est réputé avoir le libellé suivant :

13 (1) A landlord must prepare in writing every tenancy agreement entered into on or after the day on which, under the Canadian federal Regulations entitled *Squamish*

Nation Residential Tenancy Regulations, the incorporated laws apply to the project lands where the manufactured home site is situated.

Adaptation to subsection 13(2)

(2) Subsection 13(2) of that Act is adapted by adding the following after paragraph (g):

- (h)** notice of the following:
 - (i)** the applicability of the Canadian federal Regulations entitled *Squamish Nation Residential Tenancy Regulations*;
 - (ii)** the date on which the leasehold interest in the manufactured home site granted by His Majesty ends;
 - (iii)** if applicable, the possibility that the leasehold interest may be cancelled before the date on it ends;
 - (iv)** the fact that the tenancy cannot continue beyond the date on which the leasehold interest in the manufactured home site granted by His Majesty ends and, if applicable, beyond the date of an early cancellation; and
 - (v)** the fact that the obligations, liabilities and penalties imposed on a landlord under this Act and its regulations do not apply to His Majesty, His Ministers or any federal official.

Adaptation to subsection 37(1)

19 Subsection 37(1) of the Act is adapted by adding the following after paragraph (g):

- (h)** if His Majesty granted a leasehold interest in the manufactured home site, when the leasehold ends.

Adaptation adding section 37.1

20 The Act is adapted by adding the following after section 37:

End of term notification

37.1 If His Majesty is the lessor of the landlord's leasehold interest in the manufactured home site, the landlord must, at least two years and again at least six months before the end date, provide written notice to the tenant

- (a)** of the end date of that leasehold interest; and
- (b)** of the fact that, after the end date, this Act and the regulations do not apply to His Majesty and the tenancy.

Nation Residential Tenancy Regulations, the incorporated laws apply to the project lands where the manufactured home site is situated.

Adaptation du paragraphe 13(2)

(2) Le paragraphe 13(2) de la même loi est adapté par adjonction, après l'alinéa g), de ce qui suit :

- (h)** notice of the following:
 - (i)** the applicability of the Canadian federal Regulations entitled *Squamish Nation Residential Tenancy Regulations*;
 - (ii)** the date on which the leasehold interest in the manufactured home site granted by His Majesty ends;
 - (iii)** if applicable, the possibility that the leasehold interest may be cancelled before the date on it ends;
 - (iv)** the fact that the tenancy cannot continue beyond the date on which the leasehold interest in the manufactured home site granted by His Majesty ends and, if applicable, beyond the date of an early cancellation; and
 - (v)** the fact that the obligations, liabilities and penalties imposed on a landlord under this Act and its regulations do not apply to His Majesty, His Ministers or any federal official.

Adaptation du paragraphe 37(1)

19 Le paragraphe 37(1) de la même loi est adapté par adjonction, après l'alinéa g), de ce qui suit :

- (h)** if His Majesty granted a leasehold interest in the manufactured home site, when the leasehold ends.

Adaptation par adjonction de l'article 37.1

20 La même loi est adaptée par adjonction, après l'article 37, de ce qui suit :

End of term notification

37.1 If His Majesty is the lessor of the landlord's leasehold interest in the manufactured home site, the landlord must, at least two years and again at least six months before the end date, provide written notice to the tenant

- (a)** of the end date of that leasehold interest; and
- (b)** of the fact that, after the end date, this Act and the regulations do not apply to His Majesty and the tenancy.

Adaptation to paragraph 40(1)(j)

21 Paragraph 40(1)(j) of the Act is to be read as follows:

(j) the manufactured home site must be vacated to comply with an order of a federal, British Columbia or First Nation government authority;

Manufactured Home Park Tenancy Regulation

Adaptation to subsection 32(1) — definition of *local government levies*

22 (1) The definition *local government levies* in subsection 32(1) of the *Manufactured Home Park Tenancy Regulation* is to be read without reference to “and” at the end of paragraph (a), with reference to “and” at the end of paragraph (b) and with reference to the following after paragraph (b):

(c) fees paid to a First Nation for similar purposes to those for which fees may be payable under section 194 of the *Community Charter*;

Adaptation to subsection 32(1) — definition of *utility fees*

(2) The definition *utility fees* in subsection 32(1) of the Regulation is adapted by adding the following after paragraph (d):

(e) a First Nation.

Residential Tenancy Act

Reference to “January 1, 2004”

23 A reference to “January 1, 2004” in the *Residential Tenancy Act* is to be read as a reference to “the date on which, under the Canadian federal Regulations entitled *Squamish Nation Residential Tenancy Regulations*, the incorporated laws apply to the project lands where the rental unit is situated”.

Adaptation adding section 12.1

24 The Act is adapted by adding the following after section 12:

Notice

12.1 The landlord of a rental unit that exists on the day on which, under the Canadian federal Regulations entitled *Squamish Nation Residential Tenancy Regulations*, the incorporated laws apply to the project lands where

Adaptation de l'alinéa 40(1)(j)

21 L'alinéa 40(1)(j) de la même loi est réputé avoir le libellé suivant :

(j) the manufactured home site must be vacated to comply with an order of a federal, British Columbia or First Nation government authority;

Manufactured Home Park Tenancy Regulation

Adaptation du paragraphe 32(1) — définition de *local government levies*

22 (1) La définition de *local government levies* au paragraphe 32(1) du règlement intitulé *Manufactured Home Park Tenancy Regulation* est réputée ne pas inclure « and » à la fin de l'alinéa a), inclure « and » à la fin de l'alinéa b) et inclure, après l'alinéa b), ce qui suit :

(c) fees paid to a First Nation for similar purposes to those for which fees may be payable under section 194 of the *Community Charter*;

Adaptation du paragraphe 32(1) — définition de *utility fees*

(2) La définition de *utility fees* au paragraphe 32(1) du même règlement est adaptée par adjonction, après l'alinéa d), de ce qui suit :

(e) a First Nation.

Residential Tenancy Act

Mentions de « January 1, 2004 »

23 La mention de « January 1, 2004 » dans la loi intitulée *Residential Tenancy Act* vaut mention de « the date on which, under the Canadian federal Regulations entitled *Squamish Nation Residential Tenancy Regulations*, the incorporated laws apply to the project lands where the rental unit is situated ».

Adaptation par adjonction de l'article 12.1

24 La même loi est adaptée par adjonction, après l'article 12, de ce qui suit :

Notice

12.1 The landlord of a rental unit that exists on the day on which, under the Canadian federal Regulations entitled *Squamish Nation Residential Tenancy Regulations*, the incorporated laws apply to the project lands where

the rental unit is situated must, within 15 days after that day, provide written notice to the tenant of the following:

- (a) the applicability of the *Squamish Nation Residential Tenancy Regulations*;
- (b) the date on which the leasehold interest in the rental unit granted by His Majesty ends;
- (c) if applicable, the possibility that the leasehold interest may be cancelled before the date on which it ends;
- (d) the fact that the tenancy cannot continue beyond the date on which the leasehold interest in the rental unit granted by His Majesty ends and, if applicable, beyond the date of an early cancellation; and
- (e) the fact that the obligations, liabilities and penalties imposed on a landlord under this Act and its regulations do not apply to His Majesty, His Ministers or any federal official.

Adaptation to subsection 13(2)

25 Subsection 13(2) of the Act is adapted by adding the following after paragraph (f):

- (g) notice of the following:
 - (i) the applicability of the Canadian federal Regulations entitled *Squamish Nation Residential Tenancy Regulations*;
 - (ii) the date on which the leasehold interest in the rental unit granted by His Majesty ends;
 - (iii) if applicable, the possibility that the leasehold interest may be cancelled before it ends;
 - (iv) the fact that the tenancy cannot continue beyond the date on which the leasehold interest in the rental unit granted by His Majesty ends and, if applicable, beyond the date of an early cancellation; and
 - (v) the fact that the obligations, liabilities and penalties imposed on a landlord under this Act and its regulations do not apply to His Majesty, His Ministers or any federal official.

Adaptation to subsection 44(1)

26 Subsection 44(1) of the Act is adapted by adding the following after paragraph (g):

- (h) His Majesty granted a leasehold interest in the rental unit, when the leasehold ends.

the rental unit is situated must, within 15 days after that day, provide written notice to the tenant of the following:

- (a) the applicability of the *Squamish Nation Residential Tenancy Regulations*;
- (b) the date on which the leasehold interest in the rental unit granted by His Majesty ends;
- (c) if applicable, the possibility that the leasehold interest may be cancelled before the date on which it ends;
- (d) the fact that the tenancy cannot continue beyond the date on which the leasehold interest in the rental unit granted by His Majesty ends and, if applicable, beyond the date of an early cancellation; and
- (e) the fact that the obligations, liabilities and penalties imposed on a landlord under this Act and its regulations do not apply to His Majesty, His Ministers or any federal official.

Adaptation du paragraphe 13(2)

25 Le paragraphe 13(2) de la même loi est adapté par adjonction, après l'alinéa f), de ce qui suit :

- (g) notice of the following:
 - (i) the applicability of the Canadian federal Regulations entitled *Squamish Nation Residential Tenancy Regulations*;
 - (ii) the date on which the leasehold interest in the rental unit granted by His Majesty ends;
 - (iii) if applicable, the possibility that the leasehold interest may be cancelled before it ends;
 - (iv) the fact that the tenancy cannot continue beyond the date on which the leasehold interest in the rental unit granted by His Majesty ends and, if applicable, beyond the date of an early cancellation; and
 - (v) the fact that the obligations, liabilities and penalties imposed on a landlord under this Act and its regulations do not apply to His Majesty, His Ministers or any federal official.

Adaptation du paragraphe 44(1)

26 Le paragraphe 44(1) de la même loi est adapté par adjonction, après l'alinéa g), de ce qui suit :

- (h) His Majesty granted a leasehold interest in the rental unit, when the leasehold ends.

Adaptation adding section 44.1

27 The Act is adapted by adding the following after section 44:

End of term notification

44.1 If His Majesty is the lessor of the landlord's leasehold interest in the rental unit, the landlord must, at least two years and again at least six months before the end date, provide written notice to the tenant

- (a) of the end date of that leasehold interest; and
- (b) of the fact that, after the end date, this Act and the regulations do not apply to His Majesty and the tenancy.

Adaptation to paragraph 47(1)(k)

28 Paragraph 47(1)(k) of the Act is to be read as follows:

- (k) the rental unit must be vacated to comply with an order of a federal, British Columbia or First Nation government authority;

Residential Tenancy Regulation

Adaptation to paragraph 1(2)(b)

29 Paragraph 1(2)(b) of the *Residential Tenancy Regulation* is to be read as follows:

- (b) by a person or organization that receives funding from a First Nation, a local government or the government of British Columbia or of Canada for the purpose of providing that accommodation, and

Adaptation to paragraph 2(g)

30 (1) The portion of paragraph 2(g) of the Regulation before subparagraph (i) is to be read as follows:

- (g) any housing society or non-profit municipal or First Nation housing corporation that has an agreement regarding the operation of residential property with the following:

Adaptation to subparagraph 2(g)(iv)

(2) Subparagraph 2(g)(iv) of the Regulation is to be read as follows:

- (iv) a municipality or a First Nation;

Adaptation par adjonction de l'article 44.1

27 La même loi est adaptée par adjonction, après l'article 44, de ce qui suit :

End of term notification

44.1 If His Majesty is the lessor of the landlord's leasehold interest in the rental unit, the landlord must, at least two years and again at least six months before the end date, provide written notice to the tenant

- (a) of the end date of that leasehold interest; and
- (b) of the fact that, after the end date, this Act and the regulations do not apply to His Majesty and the tenancy.

Adaptation à l'alinéa 47(1)(k)

28 L'alinéa 47(1)(k) de la même loi est réputé avoir le libellé suivant :

- (k) the rental unit must be vacated to comply with an order of a federal, British Columbia, or First Nation government authority;

Residential Tenancy Regulation

Adaptation de l'alinéa 1(2)(b)

29 L'alinéa 1(2)(b) du règlement intitulé *Residential Tenancy Regulation* est réputé avoir le libellé suivant :

- (b) by a person or organization that receives funding from a First Nation, a local government or the government of British Columbia or of Canada for the purpose of providing that accommodation, and

Adaptation de l'alinéa 2g)

30 (1) Le passage de l'alinéa 2g) du même règlement précédant le sous-alinéa (i) est réputé avoir le libellé suivant :

- (g) any housing society or non-profit municipal or First Nation housing corporation that has an agreement regarding the operation of residential property with the following:

Adaptation du sous-alinéa 2g)(iv)

(2) Le sous-alinéa 2g)(iv) du même règlement est réputé avoir le libellé suivant :

- (iv) a municipality or a First Nation;

Adaptation to paragraph 2(h)

(3) Paragraph 2(h) of the Regulation is to be read as follows:

(h) any housing society or non-profit municipal or First Nation housing corporation that previously had an agreement regarding the operation of residential property with a person or body listed in paragraph (g), if the agreement expired and was not renewed.

Adaptation to paragraph 39(c)

31 Paragraph 39(c) of the Regulation is to be read as follows:

(c) a member of the provincial police force or a municipal or First Nation police department in British Columbia;

Amendments to Schedule 1

Amendment by Minister

32 The Minister may, at the request of the council of the First Nation named in column 1 of Schedule 1, amend by order column 2 of that Schedule to add or delete project lands or to modify the description of project lands.

Coming into Force

Registration

33 These Regulations come into force on the day on which they are registered.

Adaptation de l'alinéa 2h)

(3) L'alinéa 2h) du même règlement est réputé avoir le libellé suivant :

(h) any housing society or non-profit municipal or First Nation housing corporation that previously had an agreement regarding the operation of residential property with a person or body listed in paragraph (g), if the agreement expired and was not renewed.

Adaptation de l'alinéa 39c)

31 L'alinéa 39c) du même règlement est réputé avoir le libellé suivant :

(c) a member of the provincial police force or a municipal or First Nation police department in British Columbia;

Modification de l'annexe 1

Modification par le ministre

32 Le ministre peut, à la demande du conseil de la Première Nation dont le nom figure à la colonne 1 de l'annexe 1, modifier par arrêté la colonne 2 de cette annexe afin d'ajouter ou de retrancher des terres du projet ou d'en modifier la description.

Entrée en vigueur

Enregistrement

33 Le présent règlement entre en vigueur à la date de son enregistrement.

SCHEDULE 1

(Subsection 1(1) and sections 5 and 32)

First Nations and Project Lands

Item	Column 1 First Nation	Column 2 Project Lands	Column 3 Date on which the incorporated laws apply
1	Squamish	Province of British Columbia, Seaichem Indian Reserve No. 16, Lot 6, as shown on Plan of Survey No. 99312 deposited in the Canada Lands Survey Records at Ottawa, Ontario	September 1, 2023
2	Squamish	Province of British Columbia, Capilano Indian Reserve No. 5, Lot 395, as shown on Plan of Survey No. 109581 deposited in the Canada Lands Survey Records at Ottawa, Ontario	September 1, 2023
3	Squamish	Province of British Columbia, Capilano Indian Reserve No. 5, Lot 357, as shown on Plan of Survey No. 98248 deposited in the Canada Lands Survey Records at Ottawa, Ontario	September 1, 2023
4	Squamish	Province of British Columbia, Kitsilano Indian Reserve No. 6, Lots 1, 2 and 3, as shown on Plan of Survey No. 95942 deposited in the Canada Lands Survey Records at Ottawa, Ontario	September 1, 2023

SOR/2023-182, s. 1.

ANNEXE 1

(paragraphe 1(1) et articles 5 et 32)

Premières Nations et terres du projet

Article	Colonne 1 Première Nation	Colonne 2 Terres du projet	Colonne 3 Date à laquelle les textes législatifs incorporés s'appliquent
1	Squamish	Parcelle 6 de la réserve indienne de Seaichem n° 16, dans la province de la Colombie-Britannique, décrite sur le plan d'arpentage n° 99312 déposé aux Archives d'arpentage des terres du Canada à Ottawa (Ontario)	1 ^{er} septembre 2023
2	Squamish	Parcelle 395 de la réserve indienne de Capilano n° 5, dans la province de la Colombie-Britannique, décrite sur le plan d'arpentage n° 109581 déposé aux Archives d'arpentage des terres du Canada à Ottawa (Ontario)	1 ^{er} septembre 2023
3	Squamish	Parcelle 357 de la réserve indienne de Capilano n° 5, dans la province de la Colombie-Britannique, décrite sur le plan d'arpentage n° 98248 déposé aux Archives d'arpentage des terres du Canada à Ottawa (Ontario)	1 ^{er} septembre 2023
4	Squamish	Parcelles 1, 2 et 3 de la réserve indienne de Kitsilano n° 6, dans la province de la Colombie-Britannique, décrites sur le plan d'arpentage n° 95942 déposé aux Archives d'arpentage des terres du Canada à Ottawa (Ontario)	1 ^{er} septembre 2023

DORS/2023-182, art. 1.

SCHEDULE 2

(Subsections 1(1) and 8(1), paragraph 13(1)(c) and subsection 13(3))

Incorporated Laws

	Column 1
Item	Incorporated Law
1	<i>Emergency Program Act</i> , R.S.B.C. 1996, c. 111, except sections 2 to 8, 10, 11 to 25 and 28
2	<i>Manufactured Home Park Tenancy Act</i> , S.B.C. 2002, c. 77
3	<i>Manufactured Home Park Tenancy Regulation</i> , B.C. Reg. 481/2003
4	<i>Residential Tenancy Act</i> , S.B.C. 2002, c. 78
5	<i>Residential Tenancy Regulation</i> , B.C. Reg. 477/2003

ANNEXE 2

(paragraphe 1(1) et 8(1), alinéa 13(1)c) et paragraphe 13(3))

Textes législatifs incorporés

	Colonne 1
Article	Texte législatif incorporé
1	<i>Emergency Program Act</i> , R.S.B.C. 1996, ch. 111, à l'exception des articles 2 à 8, 10, 11 à 25 et 28
2	<i>Manufactured Home Park Tenancy Act</i> , S.B.C. 2002, ch. 77
3	<i>Manufactured Home Park Tenancy Regulation</i> , B.C. Reg. 481/2003
4	<i>Residential Tenancy Act</i> , S.B.C. 2002, ch. 78
5	<i>Residential Tenancy Regulation</i> , B.C. Reg. 477/2003