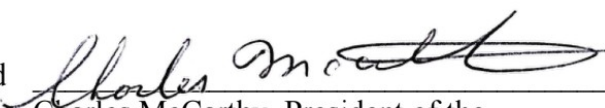


**YUULU?IL?ATH GOVERNMENT
COVID-19 TRANSITION ACT**

YFNS 67/2020



This law enacted on August 19, 2020

Signed 
Charles McCarthy, President of the
Yuułu?il?ath government


DEPOSITED IN THE
REGISTRY OF LAWS AND
OFFICIAL RECORDS
ON 08 / 20 / 2020

Signature of Law Clerk

TABLE OF CONTENTS

PREAMBLE.....5

PART 1 - INTRODUCTORY PROVISIONS7

 Short title7

 Executive oversight.....7

 Authority and application7

 Definitions7

PART 2 - ADMINISTRATION.....9

 Enactment of orders9

 Continue to have force9

 Repeal upon enactment9

 Effective date9

 Repeal9

 Retroactivity.....10

PART 3 - GENERAL PROVISIONS.....11

 Regulations11

 Offence11

 Compensation11

 Commencement11

 Repeal11

SCHEDULE 1 – LIST OF COVID-19 ORDERS.....13

PREAMBLE

The Yuulu?i?ath government has a responsibility to protect the health, safety and welfare of Yuulu?i?ath citizens. Part of this responsibility includes preparing for, responding to and recovering from public health emergencies.

Pursuant to that responsibility and its authority under the Emergency Preparedness Act, the Yuulu?i?ath government declared a state of emergency on all Yuulu?i?ath lands due to the Covid-19 Pandemic. It also issued orders in response to the Covid-19 Pandemic that are meant to protect the health, safety and welfare of Yuulu?i?ath citizens.

The Yuulu?i?ath government considers that it is the best interests of Yuulu?i?ath citizens that some or all of the orders issued under the Emergency Preparedness Act in response to Covid-19, continue to have full force and effect after the state of emergency on Yuulu?i?ath lands has ended. Having clear plans and measures in place, even in the absence of a declaration of a state of emergency, is critical to ensuring that the health, safety and welfare of Yuulu?i?ath citizens continue to be protected during the Covid-19 Pandemic.

The Yuulu?i?ath government adopts this Act based on these values and objectives.

PART 1 - INTRODUCTORY PROVISIONS

Short title

1.1 This Act may be cited as the Covid-19 Transition Act.

Executive oversight

1.2 The President is responsible for the executive oversight of this Act.

Authority and application

- 1.3 (a) This Act is enacted under
- (i) 13.25.1 of Chapter 13 Governance of the Maa-nulth Treaty,
 - (ii) 13.26.2 of Chapter 13 Governance of the Maa-nulth Treaty, and
 - (iii) sections 3.2(aa) and (bb) of the Constitution.
- (b) This Act applies to Yuulu?il?ath lands and Yuulu?il?ath foreshore.

Definitions

1.4 In this Act,

“Covid-19 Pandemic” means the pandemic that was the subject of the declaration of a state of emergency made pursuant to section 2.4(a) of the Emergency Preparedness Act on March 30, 2020;

“Covid-19 Provision” means a provision enacted by section 2.1;

“Covid-19 Order” means an order listed in Schedule 1;

“Emergency Preparedness Act” means the Emergency Preparedness Act, YFNS 65/2020;

PART 2 - ADMINISTRATION

Enactment of orders

2.1 Each Covid-19 Order is enacted as a provision of this Act.

Continue to have force

2.2 Each Covid-19 Provision remains in full force and effect until its repeal by the Executive under section 2.5 or the repeal of this Act under section 3.5, notwithstanding

- (a) an end to the state of emergency under the Emergency Preparedness Act that relates to the Covid-19 Pandemic, or
- (b) any language in the Emergency Preparedness Act or a Covid-19 Provision to the effect that the Covid-19 Provision has no force or effect after that state of emergency has ended.

Repeal upon enactment

2.3 Each Covid-19 Order is repealed on its enactment as a Covid-19 Provision under section 2.1.

Effective date

2.4 The enactment of a Covid-19 Provision under section 2.1 is effective on the date the applicable Covid-19 Order was made under the Emergency Preparedness Act.

Repeal

- 2.5 (a) The Executive may, by regulation,
- (i) add to Schedule 1 an order made under the Emergency Preparedness Act in response to the Covid-19 Pandemic;
 - (ii) repeal a Covid-19 Provision; or
 - (iii) specify a date on which a Covid-19 Provision is repealed.
- (b) The Executive may make a regulation under subsection (a) only if satisfied it is necessary to do so to respond to or alleviate the effects of the Covid-19 Pandemic.
- (c) A regulation made under subsection (a) may be made retroactive to a specified date and, if made retroactive, is deemed to have come into force on the specified date.

Page 10

Retroactivity

- 2.6** Sections 2.1 to 2.5 are retroactive to the extent necessary to give full force and effect to those provisions and must not be construed as lacking retroactive effect in relation to any matter because it makes no specific reference to that matter.

PART 3 - GENERAL PROVISIONS

Regulations

- 3.1** (a) Without limiting section 2.5, the Executive may make regulations that it considers necessary or advisable for the purposes of this Act.
- (b) Without limiting section 2.5 or subsection (a), the Executive may make regulations respecting offences and penalties in relation to contraventions of this Act or any regulations made under this Act.

Offence

- 3.2** A person who
- (a) fails to comply with a Covid-19 Provision,
- (b) fails to comply with an Executive requirement, direction, prohibition or measure that relates to a Covid-19 Provision,
- (c) contravenes this Act or any regulations made under this Act, or
- (d) interferes with or obstructs any person in the exercise of any power or the performance of any duty conferred or imposed under this Act or any regulations made under this Act
- commits an offence and is liable, on summary conviction, to a fine not exceeding \$10,000 or imprisonment for a term not exceeding six months.

Compensation

- 3.3** If a person suffers a loss as a result of any action taken by or under direction of the Executive, President, director of operations or director of lands and resources under this Act, the Yuulu?il?ath government must compensate that person for the loss in accordance with applicable federal or provincial law.

Commencement

- 3.4** This Act comes into force on the date it is enacted.

Repeal

- 3.5** This Act is repealed on the date that is one year after the date on which it is enacted, such that every Covid-19 Provision has no force or effect on or after that repeal date.

SCHEDULE 1 – LIST OF COVID-19 ORDERS

YFNO 22/2020 Re: Suspension of Limitation Periods in Yuulu?il?ath Enactments

YFNO 25/2020 Re: Appointment of Enforcement Officers under the Emergency Preparedness Act

YFNO 31/2020 Re: Safety Measures on Yuulu?il?ath Lands

YFNO 37/2020 Re: Meetings of Government Bodies

YFNO 38/2020 Re: Legislature By-Election