



huu ay aht

ANCIENT SPIRIT, MODERN MIND

COMMUNITY SAFETY REGULATION

OFFICIAL CONSOLIDATION
Current to May 14, 2026

Provisions of the Community Safety Act, HFNA 4/2021, relevant to the enactment of this Regulation: sections 24, 27(2)(c).

REGISTRY OF LAWS CERTIFICATION

I certify that the *Community Safety Regulation* was passed by Executive Council on:

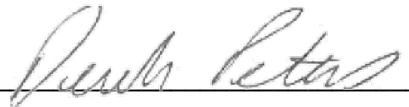
September 29, 2021



Chief Councillor, Robert Dennis

I certify that the *Community Safety Regulation* is enacted as law on:

September 29, 2021



Ta'yii Hawilth, Derek Peters

I certify that the *Community Safety Regulation* came into force on:

September 29, 2021



Coraleah Bauer, Law Clerk

REGISTRY OF LAWS CERTIFICATION

I certify that the *General Legislation Correction and Amendment Regulation, 2026* was passed by Executive Council on:

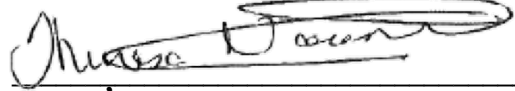
May 14, 2026



Chief Councillor John Jack

I certify that the *General Legislation Correction and Amendment Regulation, 2026* is enacted as law on:

May 14, 2026



ḥawiiḥ Councillor Theresa Nookemus

I certify that the *General Legislation Correction and Amendment Regulation, 2026* came into force on:

May 14, 2026



Acting Law Clerk Alexis Young

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Definitions

1 In this regulation,

“**Act**” means the *Community Safety Act*, HFNA 4/2021;

“**federal statutes**” means the *Criminal Code*, RSC 1985, c. C-46 and the *Controlled Drugs and Substances Act*, SC 1996, c. 19.

Interpretation

2 Except where the context requires otherwise or is otherwise indicated, words or expressions defined in the Act that are also used in this regulation have the same meaning as in the Act.

Information Order

3 Form 1 in Schedule 1 is prescribed for the issuance of an information order for the purposes of section 5 of the Act.

Acknowledgment of Excludable Offence

4 Form 2 in Schedule 1 is prescribed for written acknowledgement that the person has been convicted of one or more excludable offences for the purposes of section 5(2)(c)(i) of the Act.

Solemn Declaration Regarding Excludable Offence

5 Form 3 in Schedule 1 is prescribed for a solemn declaration that a person has not been convicted of any excludable offence in the past 5 years for the purposes of section 5(2)(c)(ii) of the Act.

Exclusion Order

6 Form 4 in Schedule 1 is prescribed for the issuance of an exclusion order for the purposes of section 6 of the Act.

Application to Hāwiih Council to Determine Risk to Public Safety

- 7 Form 5 in Schedule 1 is prescribed for an application to the hāwiih Council for the purposes of section 10 of the Act.

HFNR 2/2026, s. 1 (c).

Prescribed Offences

- 8 (1) An offence, including an attempt or a conspiracy to commit an offence, listed in Schedule 2 is prescribed for the purposes of section 24 of the Act as an offence that will, in the absence of a pardon or a record suspension, give rise to an exclusion order.
- (2) Schedule 2 is deemed to include offences that are substantially the same as those set out in Schedule 2 notwithstanding any amendments to the numbering of provisions in the applicable federal statute that have occurred or that do occur.

Saving Provision

- 9 No action undertaken under a provision of the Act will be invalidated merely because it is not made using the prescribed form, so long as the form used is substantially similar to the prescribed form and meets the other requirements of the Act.

Commencement

- 10 This regulation comes into force on the date of its enactment by Executive Council.

SCHEDULE 1
COMMUNITY SAFETY ACT FORMS



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ANCIENT SPIRIT, MODERN MIND

Community Safety Act Regulation, Form 1 (s. 5)

INFORMATION ORDER

T0:

Full Name

of:

Address Line 1

Address Line 2

City/Town

Prov.

Postal Code

The Executive Director has received credible information that you have been convicted of a prescribed offence(s) pursuant to the *Community Safety Act* for which you are subject to exclusion from Huu-ay-aht Treaty Lands, the particulars of which are as follows:

If you have been convicted of one or more prescribed offences (see enclosed list) in the past five years, complete the enclosed Acknowledgment of Excludable Offence form and return it to the Huu-ay-aht First Nations.

If you have not been convicted of one or more prescribed offences (see enclosed list) in the past five years, or if you have been convicted and received a record suspension or pardon in respect of all excludable offences of which you have been convicted in the past five years, complete the enclosed Solemn Declaration Regarding Excludable Offence form and return it to the Huu-ay-aht First Nations.

If we do not receive one of the above forms from you **within seven days of service** of this Order, the Executive Director will consider that you have been convicted of an excludable offence and will issue an Exclusion Order.

Executive Director

Date



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ANCIENT SPIRIT, MODERN MIND

Community Safety Act Regulation, Form 2 (s. 5)

ACKNOWLEDGMENT OF EXCLUDABLE OFFENCE

I, _____
Full Name

of _____
Address Line 1

Address Line 2

City/Town

Prov.

Postal Code

Telephone

E-mail

hereby acknowledge that in the past 5 years, I was convicted of and have not received a pardon or record suspension for the following offence(s):

Offence

on _____
Date of Conviction

Offence

on _____
Date of Conviction

Offence

on _____
Date of Conviction

Offence

on _____
Date of Conviction

Offence

on _____
Date of Conviction

please add additional sheets if more space is required

I confirm that the above-listed offences are the only offences set out in Schedule 2 to the *Community Safety Act Regulation* of which I have been convicted in the past five years in respect of which I have not received a pardon or record suspension.

Signature

Date



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ANCIENT SPIRIT, MODERN MIND

Community Safety Act Regulation, Form 3 (s. 5)

**SOLEMN DECLARATION REGARDING
EXCLUDABLE OFFENCE**

I, _____
Full Name

of _____
Address Line 1

Address Line 2

City/Town

Prov.

Postal Code

Telephone

E-mail

in accordance with the *Community Safety Act*, HFNA 4/2021, s. 5 (2) (c) (ii), solemnly swear or affirm that I have not been convicted of any of the offences set out in Schedule 2 to the *Community Safety Act Regulation* within the past five years for which I have not received a record suspension or a pardon.

I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that it is of the same legal force and effect as if made under oath.

Declarant Signature

Solemn Witness* Signature

Date

Date

Provide Name, Position & Contact Information for
Solemn Witness in the space above

NOTICE: IT IS AN OFFENCE PUNISHABLE ON SUMMARY CONVICTION – WHICH COULD CARRY A FINE OF UP TO \$10,000 AND UP TO 2 YEARS IMPRISONMENT – TO MAKE A FALSE SOLEMN DELCARATION IN THIS FORM.

***Note: This solemn declaration MUST be signed in the presence of a person capable of taking solemn declarations under Huu-ay-aht Law (a “Solemn Witness”). See attached a list of persons capable of taking solemn declarations.**



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ANCIENT SPIRIT, MODERN MIND

EXCLUSION ORDER

Effective _____
Date Full Name

is hereby excluded from entering onto Huu-ay-aht Treaty Lands until _____
Date

The reason for this Exclusion Order is that the above-named individual has been convicted of the following offences, for which they have not received a record suspension or pardon:

- _____ on _____
Offence Date of Conviction
- _____ on _____
Offence Date of Conviction
- _____ on _____
Offence Date of Conviction
- _____ on _____
Offence Date of Conviction
- _____ on _____
Offence Date of Conviction

Please add additional sheets if more space is required

If the offences set out above are inaccurate, the above-named individual may seek to have this Exclusion Order rescinded by contacting the Executive Director by mail, e-mail or phone:

Huu-ay-aht First Nations
4644 Adelaide Street, Port Alberni, BC, V9Y 6N4
coral.j@huyuayaht.org
Toll-free: 1 (888) 644-4555

DETERMINATION THAT AN EXCLUDED INDIVIDUAL DOES NOT POSE AN UNREASONABLE RISK

The above-named individual may apply to the ḥawiiḥ Council for a determination that they do not pose an unreasonable risk to public safety. Upon application, the ḥawiiḥ Council will conduct a hearing, at the conclusion of which they may affirm, rescind or vary the exclusion order.



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ANCIENT SPIRIT, MODERN MIND

Community Safety Act Regulation, Form 5 (s. 10)

APPLICATION TO ḥawiiḥ COUNCIL

Determination Regarding Risk to Public Safety

Application # _____
(for registry use only)

Application is hereby made to the ḥawiiḥ Council for a determination that:

_____ Full Name

of

_____ Address Line 1

_____ Address Line 2

_____ City/Town _____ Prov. _____ Postal Code

who is the subject of an exclusion order dated: _____
(Date of Exclusion Order)

does not pose and unreasonable risk to public safety and that the exclusion order be (check one):

- rescinded varied

GROUNDS FOR APPLICATION

Briefly set out the reason(s) why the excluded individual does not pose an unreasonable risk to public safety and the relief sought is appropriate. For a list of factors that the ḥawiiḥ Council will consider, see the *Community Safety Act*, s. 11.

NOTE: Subject to a contrary order of the ḥawiiḥ Council, an application for a determination regarding risk to public safety may not be made more than once every 12 months.

If there is not sufficient space on this form for any of the information required, you may attach a schedule and reference it in the space provided.



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ANCIENT SPIRIT, MODERN MIND

Community Safety Act Regulation, Form 5 (s. 10)

APPLICATION TO ḥawiiḥ COUNCIL

Determination Regarding Risk to Public Safety

Application # _____
(for registry use only)

APPLICANT'S AGENT To be completed only if an agent will be acting on behalf of the Applicant.

_____ Full Name

of

_____ Address Line 1

_____ Address Line 2

_____ City/Town _____ Prov. _____ Postal Code

_____ Telephone _____ E-mail

ADDRESS FOR DELIVERY This will be used to deliver any notices in relation to the Application.

Notices may be delivered to the Applicant using the contact information (*check at least one*):

of the Applicant of the Applicant's agent set out below:

_____ Address Line 1

_____ Address Line 2

_____ City/Town _____ Prov. _____ Postal Code

_____ Telephone _____ E-mail

This application is made by (check one) the Applicant the Applicant's agent.

_____ Signature _____ Date



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ANCIENT SPIRIT, MODERN MIND

Community Safety Act, Form 6 (s. 16)
APPLICATION TO ḥawiiḥ COUNCIL
Temporary Exemption from Exclusion Order

Application # _____
(for registry use only)

Application is hereby made to the ḥawiiḥ Council by:

_____ Full Name

of

_____ Address Line 1

_____ Address Line 2

_____ City/Town _____ Prov. _____ Postal Code

who is the subject of an exclusion order dated: _____
(Date of Exclusion Order)

for a temporary exemption from the exclusion order as follows:
(set out details of exemption sought – i.e. date(s)/times/geographic area)

GROUNDS FOR APPLICATION

Briefly set out the reason(s) why a determination should be made as requested above, including the basis for the application under the *Community Safety Act*, s. 16(1). For a list of factors that the ḥawiiḥ Council will consider, see the *Community Safety Act*, s. 16(2)

If there is not sufficient space on this form for any of the information required, you may attach a schedule and reference it in the space provided.



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ANCIENT SPIRIT, MODERN MIND

Community Safety Act, Form 6 (s. 16)
APPLICATION TO ʻĀWĪIĪ COUNCIL
Temporary Exemption from Exclusion Order

Application # _____
(for registry use only)

APPLICANT'S AGENT To be completed only if an agent will be acting on behalf of the Applicant.

Full Name

of

Address Line 1

Address Line 2

City/Town

Prov.

Postal Code

Telephone

E-mail

ADDRESS FOR DELIVERY This will be used to deliver any notices in relation to the Application.

Notices may be delivered to the Applicant using the contact information (*check at least one*):

of the Applicant of the Applicant's agent set out below:

Address Line 1

Address Line 2

City/Town

Prov.

Postal Code

Telephone

E-mail

This application is made by (check one) the Applicant the Applicant's agent.

Signature

Date

SCHEDULE 2**PRESCRIBED OFFENCES**

Offences under the following provisions of the *Criminal Code*, RSC 1985, c. C-46, as amended from time to time:

- subsection 7(4.1)
- section 75
- section 76
- section 77
- section 78.1
- subsection 81(1)
- section 82.3
- section 82.4
- section 82.5
- section 82.6
- section 83.18
- section 83.181
- section 83.19
- section 83.191
- section 83.2
- section 83.201
- section 83.202
- section 83.21
- section 83.22
- section 83.221
- section 83.23
- section 151
- section 152
- section 153
- section 153.1
- section 155
- subsection 160(2)
- subsection 160(3)
- section 163.1
- section 170
- section 171.1
- section 172.1
- section 172.2
- subsection 173(1)
- subsection 173(2)
- section 182
- section 220
- section 221
- section 235
- section 236
- section 239

- section 244
- section 244.1
- section 244.2
- paragraph 245(a)
- section 246
- subsection 247(1)
- subsection 247(2)
- subsection 247(3)
- section 262
- section 264
- section 264.1
- section 266
- section 267
- section 268
- section 269
- section 270
- section 270.01
- section 270.02
- section 271
- section 272
- section 273
- subsection 273.3(2)
- section 279
- section 279.01
- section 279.011
- section 279.1
- subsection 279.02(1)
- subsection 279.02(2)
- subsection 279.03(1)
- subsection 279.03(2)
- section 280
- section 281
- subsection 286.1(2)
- subsection 286.2(1)
- subsection 286.2(2)
- subsection 286.3(1)
- subsection 286.3(2)
- section 293.2
- section 344
- section 346
- section 423
- subsection 431.2(2)
- section 433
- section 435
- section 436
- section 436.1
- subsection 438(1)

- subsection 439(2)
- section 467.11
- section 467.111
- section 467.12
- section 467.13

Offences under the following provisions of the *Controlled Drugs and Substances Act*, SC 1996, c. 19, as amended from time to time, if prosecuted by indictment for which the maximum punishment is imprisonment for five years or more:

- section 5
- section 6
- section 7