

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF PUBLIC SAFETY AND  
SOLICITOR GENERAL

*Emergency Program Act*

Ministerial Order No. M257

WHEREAS a declaration of a state of emergency throughout the whole of the Province of British Columbia was declared on March 18, 2020 because of the COVID-19 pandemic;

AND WHEREAS the Haida Nation issued a local state of emergency for Haida Gwaii under its own authority on March 23, 2020;

AND WHEREAS the threat of the COVID-19 pandemic to the health, safety and welfare of people has resulted in guidelines, recommendations and requirements to take steps and implement measures to mitigate the transmission of COVID-19, including provincial health officer orders, guidelines issued by the British Columbia Centre for Disease Control and WorkSafeBC requirements;

AND WHEREAS there is a Kunst'aa guu – Kunst'aayah Reconciliation Protocol between the Haida Nation and British Columbia, dated for reference December 11, 2009;

AND WHEREAS an outbreak of COVID-19 has occurred on Haida Gwaii that is being cooperatively managed by communities with a common objective of limiting further transmission of COVID-19, including through a common process for authorizing essential travel;

AND WHEREAS health resources on Haida Gwaii are limited and access to and from Haida Gwaii is limited, creating challenges for responding to a COVID-19 outbreak;

AND WHEREAS the Council of the Haida Nation and the Province of British Columbia agree to work together as partners in emergency management throughout Haida Gwaii in consultation with the North Coast Regional District, the Village of Queen Charlotte, the Village of Port Clements and the Village of Masset;

AND WHEREAS section 10 (1) of the *Emergency Program Act* provides that I may do all acts and implement all procedures that I consider necessary to prevent, respond to or alleviate the effects of any emergency or disaster;

I, Mike Farnworth, Minister of Public Safety and Solicitor General, order that the attached Haida Gwaii (COVID-19) Order is made.

July 30, 2020

Date



Minister of Public Safety and Solicitor General

*(This part is for administrative purposes only and is not part of the Order.)*

Authority under which Order is made:

Act and section: *Emergency Program Act*, R.S.B.C. 1996, c. 111, s. 10

Other: OIC 436/2020

## HAIDA GWAII (COVID-19) ORDER

### Definitions

1 In this order:

“**essential goods and supplies**” means any goods and supplies that are necessary for the health, safety and welfare of people, including, without limitation, the following:

- (a) food, water and other beverages;
- (b) fuel and gasoline;
- (c) health care goods, pharmaceuticals and medical supplies;
- (d) personal hygiene, sanitation and cleaning goods;

“**essential purpose**” means the following:

- (a) delivery of essential goods and supplies to residents;
- (b) operation of an essential service for, or provision of an essential service to, residents or for the benefit of residents;
- (c) attendance at a medical appointment;

“**essential service**” means an essential service as described in the document titled “Haida Nation Essential Services”, available on the Council of the Haida Nation website at <http://www.haidanation.ca/wp-content/uploads/2020/05/FINAL-essential-services-chart-2020-05-15.pdf>, as that document reads on the date this order is made;

“**Haida Gwaii**” means the islands renamed in section 2 of the *Haida Gwaii Reconciliation Act*;

“**resident**” means a person who is ordinarily resident on Haida Gwaii.

### Application

2 This order applies during the period that starts on the date this order is made and ends on the date on which the last extension of the declaration of a state of emergency made March 18, 2020 under section 9 (1) of the *Emergency Program Act* expires or is cancelled.

### Prohibition on travel to Haida Gwaii

3 Travel to Haida Gwaii is prohibited except

- (a) travel by residents, or
- (b) travel for an essential purpose.

### Requirement for documentation

4 (1) A person who travels to Haida Gwaii must have documentation to establish that the person is a resident or is travelling for an essential purpose.

(2) The documentation referred to in subsection (1), and the production of documentation, must comply with the common approach developed under section 5 (a), or, if applicable, the common approach adjusted under section 5 (b).

### Implementation of emergency measure

5 The board of the North Coast Regional District and the councils of the Village of Masset, the Village of Port Clements and the Village of Queen Charlotte are required to work with the Council of the Haida Nation, the Skidegate Band Council, the Old Massett Village Council and the Province to

- (a) develop a common approach to communications, documentation, information sharing, reporting, permitting and resourcing related to travel to Haida Gwaii for essential purposes,
- (b) monitor the prohibition on travel to Haida Gwaii and adjust the common approach described in paragraph (a) as required, and
- (c) otherwise implement the emergency measure described in section 3.